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The U.S. Department of Labor's 2003 Findings on the Worst Forms of Child Labor

U.S. Department of Labor

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THE U.S. DEPARTMENT OF LABOR'S
2003 FINDINGS
ON THE WORST FORMS OF
CHILD LABOR

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U.S. Department of Labor
Bureau of International Labor Affairs
Report Required by the Trade and Development Act of 2000
2004
THE U.S. DEPARTMENT OF LABOR’S

2003 FINDINGS

ON THE WORST FORMS OF

CHILD LABOR

U.S. Department of Labor
Bureau of International Labor Affairs
Report Required by the Trade and Development Act of 2000

2004
APR 29 2004

The Honorable Richard B. Cheney
President of the Senate
Washington, D.C. 20510-0012

Dear Mr. President:

The enclosed report, entitled "The Department of Labor’s 2003 Findings on the Worst Forms of Child Labor," is submitted in accordance with section 504 of the Trade Act of 1974 (19 U.S.C. 2464). The report describes the efforts of 144 countries and territories to meet their international commitments to eliminate the worst forms of child labor. We hope this report will be useful to the Congress.

Sincerely,

Elaine L. Chao

Enclosure
The Honorable J. Dennis Hastert  
Speaker of the House  
of Representatives  
Washington, D.C. 20515-6501

Dear Mr. Speaker:

The enclosed report, entitled "The Department of Labor's 2003 Findings on the Worst Forms of Child Labor," is submitted in accordance with section 504 of the Trade Act of 1974 (19 U.S.C. 2464). The report describes the efforts of 144 countries and territories to meet their international commitments to eliminate the worst forms of child labor. We hope this report will be useful to the Congress.

Sincerely,

Elaine L. Chao

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ACKNOWLEDGMENTS

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Cover photos: Robin Romano
FOREWORD

Two years ago, when Congress enacted Trade Promotion Authority in the Trade Act of 2002, the United States gained a unique opportunity to open up new overseas markets for U.S. exporters and generate more high paying jobs for Americans. But Trade Promotion Authority has done more than stimulate the free exchange of goods that is essential to economic growth in America. It has also strengthened our nation’s position as a global leader in the expansion of economic freedom, democracy, and human rights in Asia, Africa, Europe, Latin America, and the Middle East.

Through the opening of new markets with our free trade partners, America can help to alleviate the devastating poverty experienced by many families in developing countries. Addressing this poverty can give parents in developing nations hope for their children’s future. As important as this is to individual families, it is equally critical for nations as a whole. The future of entire nations depends on the quality and range of opportunities that are provided to their children, such as a chance to be educated in a good school under the guidance of a well-trained teacher; access to quality health care; and access to nutritious and affordable food. It also depends on the protection of basic, internationally recognized human rights, including the right to freedom from exploitative child labor. Eliminating exploitative child labor will not only help provide children with opportunities to learn and grow, but can also help create more employment opportunities for adults.

In this third annual report on the Department of Labor’s Findings on the Worst Forms of Child Labor, mandated under the Trade and Development Act of 2000, we provide new, updated information on the nature and extent of child labor in 144 trade beneficiary countries and territories. The report describes the type of work that children are doing, the laws and enforcement policies that exist to protect them, and the efforts being made by their governments to meet international commitments to eliminate the worst forms of child labor. In this year’s report, readers will note that many governments, on their own or in collaboration with other foreign governments, non-governmental organizations or individuals, have initiated significant, innovative policies or programs to address the worst forms of child labor. A number of these new child labor and education initiatives were given impetus by the bilateral agreements developed under the Trade Act of 2002. It is our hope that in the coming year, more free trade agreements and stronger partnerships can be forged to further support the significant gains that have already been made in eliminating exploitative child labor.

Arnold Levine
Deputy Under Secretary for International Affairs
U.S. Department of Labor
April 19, 2004
Congressional Mandate and Legislative Requirement

This report was prepared in accordance with Section 412(c) of the Trade and Development Act of 2000 (TDA), Pub.L. 106-200. Section 504 of the Trade Act of 1974 (Trade Act) requires the President to submit an annual report to the Congress on the status of internationally recognized worker rights within each beneficiary country. Section 412(c) of the TDA amended the Trade Act by expanding the annual report to include “the findings of the Secretary of Labor with respect to the beneficiary country’s implementation of its international commitments to eliminate the worst forms of child labor.” The countries referenced in the legislation are those countries that may be designated as beneficiaries under the U.S. Generalized System of Preferences (GSP), and includes GSP countries designated to receive additional benefits under the Caribbean Basin Trade Partnership Act (CBTPA) and African Growth and Opportunity Act (AGOA).

Generalized System of Preferences

The GSP is a unilateral program that extends duty-free entry to a wide range of products from more than 140 designated developing countries and territories. The GSP program was enacted by Title V of the Trade Act of 1974. When the Trade and Tariff Act of 1984 reauthorized the program, new eligibility criteria included a requirement that countries take steps to afford internationally recognized worker rights. The TDA expanded the GSP eligibility criteria further to include a new criterion on the worst forms of child labor. The new criterion specifies that the President shall not designate any country a beneficiary developing country if “such country has not implemented its commitments to eliminate the worst forms of child labor.”

---

2 Ibid., Section 2101 et seq.
3 Ibid., Section 2464. See *infra* “The Worst Forms of Child Labor” and “Structure of the Report” for a discussion of the distinction between worst forms of child labor and child labor.
4 Ibid., Section 2461.
5 The Caribbean Basin Trade Partnership Act, which constitutes Title II of the TDA, provides additional benefits to certain GSP eligible countries in Central America and the Caribbean. The CBTPA includes as a criterion for receiving benefits “whether a country has implemented its commitments to eliminate the worst forms of child labor.” The African Growth and Opportunity Act constitutes Title I of the TDA. *H.R. Conf. Rep. No. 606, 106th Cong., 2nd Sess. 123 (2000)* states that with regard to “additional trade benefits extended to African beneficiary countries… the conferees intend that the GSP standard, including the provision with respect to the implementation of obligations to eliminate the worst forms of child labor, apply to eligibility for those additional benefits.” In addition to providing information on GSP beneficiaries’ efforts to eliminate the worst forms of child labor, this report also provides information on the efforts of CBTPA and AGAO beneficiaries.
6 *Trade Act,* Section 2461.
7 Ibid., Section 2461-67.
8 Ibid., Section 2462(b)(2)(G) and (c)(7). Internationally recognized worker rights are defined to include the right of association; the right to organize and bargain collectively; a prohibition on the use of any form of forced or compulsory labor; a minimum age for the employment of children; and acceptable conditions of work with respect to minimum wage, hours of work and occupational safety and health. See *Trade Act,* Section 2467 (4). For a complete listing of ineligibility criteria under the GSP, see *Trade Act,* Section 2462 (b).
9 *Trade Act,* Section 2462(b)(2)(H).
The definition of the worst forms of child labor provided in Section 412(b) of the TDA\textsuperscript{10} is as follows:

(A) all forms of slavery or practices similar to slavery, such as the sale or trafficking of children, debt bondage and serfdom, or forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict;
(B) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic purposes;
(C) the use, procuring, or offering of a child for illicit activities in particular for the production and trafficking of drugs; and
(D) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

The work referred to in subparagraph (D) shall be determined by the laws, regulations, or competent authority of the beneficiary developing country involved.

The definition of the worst forms of child labor provided in the TDA is substantially similar to that of ILO Convention 182\textsuperscript{11} except that the Convention specifies that the work referred to above in subparagraph D “…shall be determined by national laws or regulations or by the competent authority, after consultation with the organizations of employers and workers concerned, taking into consideration relevant international standards…”.\textsuperscript{12} While the language of ILO Convention 182 and the TDA provides a clear indication of three categories of the worst forms of child labor in subparagraphs A–C, it does not provide a universal definition of what constitutes a worst form of child labor, as reflected in the more general language of the Convention and the TDA with respect to the fourth category of the worst forms. Since there is no universally accepted set of activities that falls into subparagraph (D), ILO Recommendation 190 on the worst forms of child labor provides certain guidelines countries may consider in determining what constitutes a worst form of child labor under this category.\textsuperscript{13}

\textsuperscript{10} Trade Act, Section 2467(6).

\textsuperscript{11} ILO Convention 182 requires ratifying countries to take measures to prohibit and eliminate the worst forms of child labor as a matter of urgency. The Convention, which was unanimously adopted by the International Labor Conference in 1999, is the most rapidly ratified international labor convention in the ILO’s history. By November 2003, more than 140 countries had ratified Convention 182.


\textsuperscript{13} These guidelines include consideration of whether the work exposes children to abuse, if the work is conducted in an unhealthy environment, or if the work involves long hours, among other considerations.
Structure of the Report

The report provides individual profiles on 125 independent countries and a summary report on 19 non-independent countries and territories designated as GSP beneficiaries and/or beneficiaries under the CBTPA and AGOA. Wherever possible, these profiles focus on the worst forms of child labor, rather than on child labor in general. However, the profiles do not always make this distinction. First, some governments have not yet determined what constitutes a worst form of child labor in their country or territory under subparagraph (D) of ILO Convention 182. Furthermore, because individual countries determine what constitutes a worst form of child labor under subparagraph (D), there is no universally accepted definition of all the worst forms of child labor. Finally, data and information on the incidence of the worst forms of child labor is often unavailable, due to the hidden nature of such activities. Therefore, the report presents as complete a picture as possible of the child labor situation in a country or territory. Each of the profiles consists of three sections: government policies and programs to eliminate the worst forms of child labor; incidence and nature of child labor; and child labor laws and enforcement.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

To the extent that there is a problem in a country regarding the worst forms of child labor, this section describes government initiatives aimed at combating such practices. It is important to note, however, that it is often difficult to separate those policies and programs that address only the worst forms of child labor from those that focus on child labor in general. In addition, although government efforts may not be focused on the worst forms of child labor, initiatives that improve family income or increase school attendance may have an impact on the worst forms of child labor. For these reasons, this section of the report provides information on both types of child labor initiatives where appropriate. Such initiatives include national plans of action or comprehensive policies to address the worst forms of child labor, which typically consist of a combination of strategies, including raising awareness about the worst forms of child labor, enhancing local capacity to address the problem, withdrawing children from exploitative work, and offering children educational alternatives. Each country’s government efforts may include those policies or programs that have received funding and technical assistance from international agencies, donor governments, and international financial institutions; and initiatives that are implemented and supported through nongovernmental organizations and in cooperation with other governments. Many countries have targeted programs to reduce child labor, often supported by the ILO’s International Program on the Elimination of Child Labor (IPEC) and other multilateral and bilateral donor agencies. These efforts frequently go beyond simply withdrawing children from the worst forms of child labor to include broader social programs to prevent the engagement of children in the worst forms of child labor; to ensure that these children have access to educational alternatives; and to access income generating opportunities for the children’s families that help reduce dependence on the labor of their children.
Incidence and Nature of Child Labor

This section reviews estimates of the incidence of child labor in each country or territory, and provides examples of the activities in which children work. It bears stating at the outset that although the quantity and quality of child labor data is continuously increasing and improving, systematic statistical information about the incidence and nature of child labor tends to be scarce and is often dated. The lack of availability, reliability and timeliness of data is more pronounced for subsets of child laborers, such as those working subject to the worst forms of child labor. Although the preferred information for this section of the report is on children engaged in the worst forms of child labor, it is not always possible to separate out the worst forms from other types of child labor or from light work performed by children. In most instances overall child labor information is reported because data specifically on the worst forms are not available.

Also included in this section is information on laws and policies that set educational requirements for children, as well as a brief assessment of children’s involvement in primary schooling.14 This information provides an indication of the extent to which children are participating and successful in primary school. Children in the worst forms of child labor are less likely to participate in primary schooling. Primary school enrollment and attendance figures are presented along with estimates of the percentage of children reaching the fifth grade and the number that repeat a grade of school, where available.15 Information pertaining to gender, ethnicity, or rural/urban demographics is provided, if particularly relevant.

Child Labor Laws and Enforcement

This section reviews major laws and regulations related to child labor and available evidence regarding implementation. Laws and regulations described in this section include those that establish a minimum age for work and those that set related standards for light work, hours of work for children of different ages, and requirements of parental approval. While such laws may not explicitly prohibit the worst forms of child labor, prohibitions against child labor and enforcement thereof may influence the nature and extent of the worst forms of child labor. However, laws that prohibit children’s involvement in the worst forms of child labor are given special attention.

Where available and substantiated, information is provided on penalties for violations of child labor laws, regulations and policies, as well as other enforcement and prosecution data. Formal institutional mechanisms that aim to promote adherence to and enforcement of child labor laws, regulations and policies, particularly related to the worst forms of child labor, are also reviewed.

Finally, this section reports whether a country has ratified the principal ILO conventions on child labor, Conventions 138 on Minimum Age for Employment and 182 on the Worst Forms of Child Labor.

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14 Some country profiles include a statement indicating that the age for compulsory education and the minimum age for work do not coincide. In cases where the minimum age for compulsory education is one or more years lower than the minimum age for work, children may be more likely to enter work illegally.

15 For a description of this data and a discussion of its limitations, please see the “Data Sources” section of this report.
Sources of Information

In preparing this report, the U.S. Department of Labor relied primarily on information garnered from the Department of State and U.S. consulates and embassies abroad. Also relied upon are a wide variety of reports and materials originating from foreign governments, international organizations, non-governmental organizations, and other agencies within the U.S. Government. U.S. Department of Labor officials also gathered materials during field visits to some of the countries covered in this report. Finally, information was submitted in response to a Department request for public input published in the Federal Register.16

Five years after the unanimous adoption of International Labor Organization Convention No. 182 by the 87th session of the International Labor Organization Conference, millions of children around the world continue to be the victims of poverty, armed conflict, lack of educational opportunities, and health pandemics such as HIV/AIDS. The most vulnerable members of society, they too often work in situations that are illegal, hazardous, exploitative, or forced—-as miners, prostitutes, soldiers, drug smugglers, or bonded laborers.

These forms of child labor are considered by the international community to be “worst forms,” because they threaten the health, safety, and moral development of young people. The worst forms also interfere with children’s intellectual development by preventing their attendance and effective participation in school. In addition, this type of labor perpetuates poverty, since children who work, rather than attend school, are more likely to earn a lower income in the future.

Despite the persistence of child exploitation around the world, important steps have been taken in the past year to eradicate the worst forms of child labor. Since last year’s report, an additional 14 governments have ratified ILO Convention No. 182, bringing the total number to 147 ratifications by ILO member countries. At the same time, an additional eight countries have ratified ILO Convention No. 138, bringing the total number to 131 ratifications by ILO members. In addition, more governments have ratified the UN Optional Protocols to the Convention on the Rights of the Child: 35 nations have now ratified the Optional Protocol on the involvement of children in armed conflict and 43 countries have ratified the Optional Protocol on the sale of children, child prostitution, and child pornography.

Since the end of 2002, four additional countries have also signed Memoranda of Understanding with ILO-IPEC, enabling this UN institution to collaborate with a record 84 governments on child labor projects. Not only are more countries initiating child labor projects, governments are also making child labor eradication a central goal of their development strategies. The Government of Yemen has committed to proactively address child labor as part of its larger national development goals, outlined in its Poverty Reduction Strategy Paper, developed in cooperation with the World Bank. The Governments of Pakistan and Senegal are participating in ILO-IPEC Timebound Programs and combine the fight against child labor with their Poverty Reduction Strategies plans.

Growth has also continued in the Education for All (EFA) movement—-an international effort begun in April 2000 to promote, among other goals, universal primary education by 2015. In October 2003, the Government of Honduras signed a Memorandum of Understanding with representatives of the World Bank and other donors that coordinates the support of various partners to help Honduras reach its EFA goals.

In FY 2003, USDOL provided USD 82 million for technical assistance to eradicate the worst forms of child labor. With donor support and continuous innovation by governments, international organizations, and NGOs, countries are making progress in eliminating the worst forms of child labor, and providing children and their families with alternatives to exploitative work. The following pages illustrate some of these worst forms and the steps the international community is taking to eliminate them.

INTRODUCTION

Photo: Robin Romano

A young girl prepares bricks for firing.
Five years after the unanimous adoption of International Labor Organization Convention No. 182 by the 87th session of the International Labor Organization Conference, millions of children around the world continue to be the victims of poverty, armed conflict, lack of educational opportunities, and health pandemics such as HIV/AIDS. The most vulnerable members of society, they too often work in situations that are illegal, hazardous, exploitative, or forced—as miners, prostitutes, soldiers, drug smugglers, or bonded laborers.

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Many children are trafficked into commercial sexual exploitation.

Child trafficking can be defined as the recruitment, transportation, transfer, harboring, or receipt of a child for the purpose of exploitation. The United Nations estimates that approximately 1.2 million children are trafficked internally or externally each year. Internal, cross-border, or international trafficking of children can happen through means including coercion, abduction, or kidnapping. Girls are primarily trafficked for commercial sexual exploitation, domestic service, and even for forced marriages in other countries. While boys are not untouched by the sex trade, they are mostly trafficked to work in agriculture, mining, manufacturing, organized begging, and in armed conflict situations. Gender and ethnic discrimination make girls and children from various minority groups especially vulnerable to trafficking.

Governments across the world are creating and implementing new policies, legislation and law enforcement strategies to eliminate the trafficking of persons. Over the course of the year, the Governments of Bulgaria, Burkina Faso, the Dominican Republic, Haiti, Lithuania, Nigeria, and the Philippines adopted new trafficking laws, all of which incorporate provisions for the special protection of children with measures calling for stricter penalties for trafficking violations that include children. The Governments of Afghanistan, Croatia, Indonesia, Lithuania, and Nepal also developed national plans to specifically address the trafficking and commercial sexual exploitation of children. In May 2003, the Governments of Cambodia and Thailand signed a Memorandum of Understanding in which they pledged to cooperate in the fight against the trafficking of women and children.

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Children involved in commercial sexual exploitation are at increased risk for contracting HIV/AIDS.

Children who are victims of commercial sexual exploitation work as prostitutes in bars, hotels, massage parlors, or on the streets; participate in various forms of child pornography; and are exploited by tourists as well as armed groups. Such children are at risk of physical violence, early pregnancy, and sexually transmitted diseases, including HIV/AIDS. An estimated 1.8 million children worldwide were involved in commercial sexual exploitation in 2000. Due to the clandestine nature of the activity and the shame associated with it, however, estimates such as this may underestimate the extent of the problem. For example, a 2003 estimate from UNICEF suggests that there are approximately one million children involved in commercial sex in Southeast Asia alone.

The Government of Costa Rica is at the forefront of international efforts to address the commercial sexual exploitation of children. With the support of the Government of Canada, Costa Rica is participating in an ILO-IPEC Timebound Program that includes activities to prevent and withdraw children from commercial sexual exploitation. The project targets the Brunca region, which has Costa Rica’s lowest school attendance rates at both the primary and secondary levels. Prevention efforts will focus on awareness-raising and social mobilization activities within communities. In order to withdraw children from commercial sexual exploitation, local officials will be trained on how to enforce existing legal instruments to protect children. Individual interventions will be personalized for former child victims and their families. The range of services may include legal aid, psychosocial rehabilitation, and vocational training for or microcredits to families.

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A former child soldier shares her experiences at the Children in the Crossfire conference hosted by USDOL May 7-8, 2003.

Children are used in armed conflict as soldiers, spies, guards, human shields, human minesweepers, servants, decoys and sentries. Some children are forced into prostitution and many are drugged to make it easier to force them to perform horrendous acts of violence and cruelty. Some victims are as young as 7 or 8, and many more are 10 to 15. Children who are orphans, refugees and victims of poverty or family alienation are particularly at risk. There are an estimated 300,000 children who are forced to fight by government-sponsored armed forces or by other armed groups in more than 30 conflicts around the world.*

* ILO-IPEC (SIMPOC), ILO-IPEC Every Child Counts 5.
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Since 1994, the Government of Colombia’s Institute for Family Welfare (ICBF) has conducted programs with support from USAID and the International Organization on Migration to assist child soldiers involved in the country’s ongoing armed conflict. The ICBF contributes necessary furniture and equipment to support transitional homes for such children and conducts ongoing evaluation and monitoring of the reintegration services. The Government has also worked to develop legal norms for treatment of child ex-combatants and operates a program that finds housing and provides grants and training to demobilized child combatants. In 2003, the Government of Colombia began collaborating with ILO-IPEC on a new global project to prevent, demobilize and rehabilitate child soldiers.
Hazardous labor is the broadest category within the “worst forms of child labor.” ILO member countries who have ratified Convention No. 182 on the Worst Forms of Child Labor are required to define the types of work that are likely to endanger the health, safety or morals of a child, which may include work that exposes children to physical, psychological or sexual abuses; work at dangerous heights, underwater or in confined spaces; work that exposes children to dangerous machinery, hazardous substances, agents, or processes and work for long hours, at night, or in confinement, among other conditions. Children engaged in hazardous labor may be found in commercial agriculture, mining, construction, brick making, carpet weaving, shipbuilding, domestic service, bidi (cigarette) rolling, deep-sea fishing, and a number of other sectors.

Hazardous labor often involves very young children (whom the ILO defines as those below 12 years of age) and includes a large number of boys.¹⁰

Children working in garbage dumps are exposed to a variety of hazards.

¹⁰ Ibid., 23.

Photo: H. Glenn Kromann

Agriculture continues to be one of the largest sectors where children are found working. The ILO estimates that at least 70 percent of working children are engaged in agricultural tasks. These children often work for long hours in poor sanitary conditions, operate heavy machinery, carry heavy loads, or are exposed to toxic chemicals. The Governments of Costa Rica, El Salvador, Honduras, Guatemala, Nicaragua, Panama, and the Dominican Republic continue to work towards the elimination of child labor in agriculture. As part of a USD 3 million ILO-IPEC regional project funded by USDOL to prevent and eliminate hazardous agricultural work activities in the region, these governments will be working together to improve the occupational health and safety of adolescents who are of the minimum working age. In each of the participating countries, producers’ and workers’ associations will be trained to identify activities that place youth at risk and develop simple mechanisms for youth to utilize personal protective equipment to reduce risks. Research will also be undertaken to explore gender-specific risks and hazards for boys and girls working in agriculture.
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Hazardous labor often involves very young children (whom the ILO defines as those below 12 years of age) and includes a large number of boys.¹⁰ Children working in garbage dumps are exposed to a variety of hazards.

¹⁰ Ibid., 23.
Education and other services are alternatives to involvement in illegal activities. Children may become involved in a variety of illicit activities, such as the buying and selling of contraband items or petty theft. Convention No. 182 specifically names the production and trafficking of drugs as one of the worst forms of child labor. Approximately 600,000 children are estimated to be involved in illicit activities worldwide. In some Eastern European countries, for example, street children engage in illegal activities from petty theft to prostitution, often with the collaboration of organized crime rings. In some South American countries, children are sometimes involved in the cultivation of illicit drugs.

As a component of its new USD 4 million Timebound Program, the Government of Indonesia will collaborate with ILO-IPEC to prevent and remove children from involvement in the sale, production, and trafficking of drugs. Children will be provided with non-formal, vocational, and formal schooling, and offered health and counseling services.

Several projects are underway in Europe to prevent children from becoming involved in illicit activities. With support from USAID and the EU, the Government of Bulgaria is instituting innovative education policies to attract and retain ethnic minority children in school, providing them with greater options than a life on the streets. In 2003, the Government of Russia began working with ILO-IPEC to develop a model rehabilitation project for working street children in the Leningrad region.

Ibid., 5.
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Ibid., 5.
UNDERSTANDING CHILD LABOR

The country and territory profiles included in this report provide detailed information about the worst forms of child labor as they occur in each of the 144 U.S. trade beneficiaries around the world. In addition, because data on the worst forms of child labor is difficult to obtain, the report presents information on the various kinds of work in which children engage, some of which is considered to be detrimental to a child’s development and schooling, and some of which is considered to be light work that is not harmful to a child. The report demonstrates both the nature and extent of child labor as well as the numerous commitments governments around the world are making to eliminate the worst forms of child labor in their own countries and across borders. New developments in the areas of national policies, legislation and law enforcement, direct action programs, and research and statistics are highlighted as they contribute to the elimination of child labor worldwide. It is our hope that this report will contribute both to a better understanding of the dire situations faced by working children around the world, and highlight the best practices that are being developed to improve the situation.
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A young boy harvests produce.

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Description and Limitations of Data

Statistics on Working Children

Statistics measuring the incidence of child labor in the individual profiles vary by age ranges and the definition used to measure child labor. There is no internationally endorsed definition on working children, or universally prescribed methodology for collecting data on child labor. The lack of concepts and methods for collecting child labor data has made it difficult to obtain comparable and reliable statistics across countries on working children. Therefore, estimates on the number of working children presented in this report come from government household surveys and international agencies that use varied age ranges and different definitions to construct child labor statistics. In general, estimates on the number of working children are likely to be underestimates because the nature of household surveys do not lend themselves to collecting data on children who are working in the informal or illegal sectors of the economy, particularly children in the worst forms of child labor.

Resources used in this report for child labor statistics that use household surveys such as national census or labor force surveys come from ILO’s Yearbook of Labor Statistics, ILO’s Economically Active Population Estimates and Projections: 1950-2010 database, and World Bank’s World Development Indicators. Estimates on the number of working children from these sources are generally based on the definition of the “economically active population” which restricts the labor force activity of children to “paid” or “unpaid” employment, military personnel, and the unemployed. The definition does not include children in informal work settings, non-economic activities, or “hidden” forms of work such as domestic service, prostitution, or armed conflict.

Other sources on child labor statistics come from ILO-IPEC’s SIMPOC and UNICEF’s Multiple Indicator Cluster Surveys (MICS) that are specifically designed to measure the extent of child labor in a country. Although these surveys also employ the definition of “economically active,” the universe for working children is extended to include work activities outside the definition, which these surveys use to capture children working in the informal sector and domestic work. However, the methods for collecting data on the worst forms of child labor adequately capture the distinction between the worst forms and other forms of child labor.

Another main source used in this report is from country statistics on child labor provided by the Inter-Agency Research Cooperation Project on “Understanding Children’s Work” (UCW) from the ILO, UNICEF, and the World Bank. The UCW project has compiled statistics from approximately 50 countries that use both traditional household surveys and child labor surveys. Estimates on the number of working children from this source also vary by age ranges and definitions.

In determining which source to use in presenting estimates on child labor for the individual profiles, priority is given to statistics collected from child labor surveys such as the ILO-IPEC SIMPOC survey or the UNICEF MICS survey. In instances where data is not available specifically from a child labor survey, estimates based on household survey data from the UCW project are presented to reflect the number of children working, children who combine school and work, and children who work in household chores for a specified amount of time. Finally, countries that do not have data on working children from a child labor survey or the UCW project draw on estimates from ILO’s Yearbook of Labor Statistics, ILO’s Economically Active Population Estimates and Projections: 1950-2010 database, or the World Bank’s World Development Indicators. In some cases, recent statistics from child labor surveys do not exist, and estimates from other more recent sources are presented along with estimates from the child labor survey.
Statistics on Primary Education

In addition to data on the number of working children, statistics on primary school attendance or enrollment are used in this report to provide a complementary indicator of the number of children who work. The presentation of primary attendance statistics allows the reader to infer the proportion of children in the school-age population who are not in school and may be engaged in child labor or at risk of entering hazardous work activities. While primary attendance statistics are more accurate than primary enrollment statistics in illustrating the extent of child labor in a country, attendance statistics are not often collected and readily available. For countries in which primary attendance statistics do not exist, primary enrollment statistics are used instead.

There are, however, several limitations to using primary enrollment statistics that, when presented along with child labor data, can be misleading. Since child labor data and education statistics are usually collected separately and for different purposes, data on the percentage of children enrolled in school may not necessarily be consistent with statistics on working children. Primary enrollment statistics measure the number of children who are enrolled during a given school year, but do not reflect the number of children actually attending school. Thus, a child can be enrolled in school, but never attend. As a result, primary enrollment statistics often overstate the true number of children who attend classes on a regular basis, and underestimate the number of children who may be working. In other cases, children may be enrolled in or attending school, and are also engaged in a worst form of child labor outside of school hours. Nevertheless, to the extent that child labor and education are linked, it is still important to present some sort of education statistics because primary enrollment and attendance figures provide a measure of access to quality and relevant education for children, particularly those living in rural areas.

Data Sources on Child Labor and Primary Education

Sources of Child Labor Data

Child labor statistics in this report were obtained from the following four main sources:

ILO-IPEC Sponsored Child Labor Surveys

Since 1992, ILO-IPEC and ILO-STAT have worked in close collaboration with national statistical agencies and other institutions in several countries to design and implement specialized surveys on child labor. Eleven child labor surveys were conducted under the direction ILO-STAT, and administered either as a stand-alone survey or a child labor module as a part of a country’s existing labor force surveys. In 1998, ILO-IPEC launched SIMPOC in which 34 countries either have completed or are in the process of collecting child labor data. The population of working children generally includes children between the ages of 5 and 17 who are employed, unemployed or domestic workers in their own household. Children who are working are either salaried, self-employed, unpaid family workers, or apprentices. Unlike traditional labor force surveys, the SIMPOC child labor surveys collect data on some work activities in the informal sector.

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28 Despite the hazardous nature of some work activities, is common for children to engage in child labor as a source of income in order to afford the additional costs of going to school. As a result, many children combine school and work, which often hinders a child’s performance at school.
31 ILO, Child Labour Surveys.
UNICEF’s Multiple Indicator Cluster Surveys (MICS)

In 1998, UNICEF began a process to assist countries assess progress in meeting their goals for the “World Summit for Children” using the MICS questionnaire. The MICS questionnaire includes 75 indicators for monitoring children’s rights such as child labor, child survival and health, child nutrition, maternal health, water and sanitation, and education. Child labor measures consist of children between the ages of 5 and 14 who are paid, unpaid, or work at least 4 hours a day in domestic work. About 49 developing countries included the child labor indicator in their MICS questionnaire; to date, 28 countries have submitted their national reports to UNICEF.

The Inter-Agency Research Cooperation Project on “Understanding Children’s Work”

The “Inter-Agency Research Cooperation Project: Developing New Strategies for UCW” is a group collaboration between ILO, UNICEF and the World Bank to minimize the duplication of efforts on child labor statistics among the three agencies, and identify information gaps in the data on child labor. ILO contributes data from its SIMPOC surveys, UNICEF from the MICS questionnaire, and the World Bank from its Living Standards Measurement Survey. The UCW project has country statistics on child labor, schooling and health indicators from government census or household surveys sponsored by at least one of the three agencies.

Estimates and Projections of the Economically Active Population, 1950–2010

Child labor force participation rates are taken from the World Bank’s World Development Indicators 2003 or the ILO’s on-line database for labor statistics, which are based on data from the ILO’s database Estimates and Projections of the Economically Active Population (EAP): 1950–2010. Statistics from the ILO’s EAP database are different from statistics from ILO’s SIMPOC child labor surveys. Labor force participation rates from the EAP database are based on the definition of the “economically active population” for children between the ages of 10 and 14. Although the EAP is less accurate in estimating the number of children working below the age of 15, it does provide a useful indicator because it is the only available source for comprehensive and comparable data on working children 10 to 14 years old.

Sources of Primary School Education Data

Primary school education data for gross and net primary school enrollment were obtained from either the World Development Indicators 2003 or the Education For All 2000 Assessment. Gross and net primary school attendance rates were mostly obtained from USAID’s Global Education Database.

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World Development Indicators 2003 (WDI 2003)

The WDI 2003 is an annual compilation by the World Bank on development data gathered from several international and government agencies and private and nongovernmental organizations around the world. The WDI 2003 includes 800 indicators on topics in six areas: world view, people, environment, economy, states and markets, and global links. There are 85 tables covering the six categories with basic indicators on 224 countries.39

Gross and net primary enrollment statistics in the country profiles primarily use data compiled in the WDI 2003. While the Department of Labor’s 2002 Findings on the Worst Forms of Child Labor used similar 1998 data compiled in the WDI 2002, statistics presented in this year’s report using data for the same year from the WDI 2003 may differ slightly because of statistical adjustments made in the school-age population or corrections to enrollment data. In several instances, there was no change in results from the WDI 2002 and WDI 2003 because enrollment statistics were not affected by the adjustments or corrections to the data were not needed.

Education for All 2000 Assessment

The Education for All (EFA) Year 2000 Assessment Statistical Document is a collection of quantitative data based on an in-depth evaluation of basic education at global, regional, and national levels gathered by UNESCO Institute for Statistics (UIS). Data is available for 185 countries. Indicators examined in this assessment include the demand for education, early childhood education and care, access and trends to primary education, public expenditure on primary education, teacher qualifications, and literacy rates.40

Global Education Database 2000 (GED)

The GED provides education data compiled by UNESCO and from USAID Demographic and Health Survey (DHS) sources. Data include education measures on the performance of a specific country or groups of countries over time in areas such as school enrollments and attendance, public expenditure, and gender parity. For most of the 145 UNESCO indicators, data are for 1980, 1985, and for single years from 1990 through 1997 or 1998. DHS statistics are presented for the specific country and year in which surveys were conducted and are reported through 1999. With over 200 countries represented, the database is a useful tool for cross-country comparisons of education indicators.41

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39 World Bank, World Development Indicators 2003.
<table>
<thead>
<tr>
<th>ACRONYMS</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>ADB</td>
<td>Asian Development Bank</td>
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<tr>
<td>AGOA</td>
<td>African Growth and Opportunity Act</td>
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<td>CBTPA</td>
<td>Caribbean Basin Trade Partnership Act</td>
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<td>ECOWAS</td>
<td>Economic Community of West African States</td>
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<td>ECPAT</td>
<td>End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes</td>
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<td>EFA</td>
<td>Education for All</td>
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<td>European Union</td>
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<td>FAO</td>
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<td>GDP</td>
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<td>GNP</td>
<td>Gross National Product</td>
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<td>Generalized System of Preferences</td>
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<td>International Child Labor Program</td>
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<td>IDB</td>
<td>Inter-American Development Bank</td>
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<tr>
<td>ILO Convention 138</td>
<td>International Labor Organization, Convention No. 138: Minimum Age for Admission to Employment</td>
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<td>ILO Convention 182</td>
<td>International Labor Organization, Convention No. 182: Worst Forms of Child Labor</td>
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<td>International Monetary Fund</td>
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<td>IOM</td>
<td>International Organization for Migration</td>
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<tr>
<td>MERCOSUR</td>
<td>Common Market of the South (America); members include Argentina, Brazil, Paraguay, and Uruguay</td>
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<td>MOU</td>
<td>Memorandum of Understanding</td>
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<td>NGO</td>
<td>Nongovernmental Organization</td>
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<td>Organization of American States</td>
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<td>OECS</td>
<td>Organization of Eastern Caribbean States</td>
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<td>OSCE</td>
<td>Organization for Security and Cooperation in Europe</td>
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<td>PRSP</td>
<td>Poverty Reduction Strategy Paper</td>
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<td>SIMPOC</td>
<td>Statistical Information and Monitoring Program on Child Labor</td>
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<td>UN</td>
<td>United Nations</td>
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<td>UNDP</td>
<td>United Nations Development Program</td>
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<td>World Food Program</td>
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Basic Education

Basic education comprises both formal schooling (primary and sometimes lower secondary) as well as a wide variety of non-formal and informal public and private educational activities offered to meet the defined basic learning needs of groups of people of all ages.


Bonded Labor

Bonded labor or debt bondage is “the status or condition arising from a pledge by a debtor of his personal services or those of a person under his control as security for a debt,” as defined in the UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956).

Bonded labor typically occurs when a person needing a loan and having no security to offer, pledges his/her labor, or that of someone under his/her control, as a security for a loan. The interest on the loan may be so high that it cannot be paid, or the laborer may be deemed to repay the interest on the loan but not the capital. Thus, the loan is inherited and perpetuated, and becomes an inter-generational debt.

Bonded labor is identified as one of the worst forms of child labor in ILO Convention 182.


Child Labor

For the purposes of this report, child labor is defined as work that prevents children from attending and participating effectively in school or is performed by children under hazardous conditions that place their healthy physical, intellectual, or moral development at risk. This definition is derived from ILO Convention 138, which states that the minimum age of admission into employment or work in any occupation shall not be less than the age of completion of compulsory schooling or less than fifteen. Based on this definition, child labor is any economic activity performed by a person under the age of 15. The Convention makes an exception to the age limit of 15 years in ILO member countries in which the economy and educational facilities are insufficiently developed. In such circumstances, the minimum age of admission into employment or work in any occupation shall not be less than 14. In these countries, therefore, child labor is any economic activity performed by a person under age 14. It is important to note that the internationally accepted definition of “economic activity” does not generally include children involved in domestic chores within their own household.

In this report, certain economic activities performed by children are considered “light work” rather than “child labor.” The definition of light work used in this report is also derived from ILO Convention 138. The convention considers activities performed by 13 to 15 year olds that do not harm their health or development and that do not prejudice their attendance at school or participation in vocational training to be light work. (See definition of “light work.”)
Commercial Farms

Commercial farms are large-scale agricultural holdings that produce for largely commercial purposes. For the purposes of this report, the term commercial farms encompasses both farms and plantations, which are defined as agricultural holdings that produce commodities exclusively for export. Commercial farms generally pay workers by either the weight or the quantity of the product collected. To ensure that this minimal amount is met, or to maximize earnings, children may work alongside their parents, as part of a family unit. Children may also be hired as full-time wage-laborers, although they usually perform the same work as adult workers, but are paid one-half to one-third what is paid to adults doing comparable work. Workdays are extremely long, and safety and health risks include exposure to dangerous chemical fertilizers or pesticides, poisonous insects or reptiles, and unsafe hygienic conditions and drinking water.

ILO Convention 138 prohibits the use of child labor on “plantation and other agricultural undertakings mainly producing for commercial purposes, but excluding family and small-scale holdings producing for local consump tion and not regularly employing hired workers.” The line between “commercial” agriculture and “production for local consumption” is frequently blurred, and sometimes requires difficult judgment calls.


Commercial Sexual Exploitation of Children

Commercial sexual exploitation of children (CSEC) is the inducement or coercion of a child to engage in any unlawful sexual activity; the exploitative use of children in prostitution or other unlawful sexual practices; or the exploitative use of children in pornographic performances and materials.

The exact nature of the exploitation differs from one country to another. CSEC includes so-called “sex tourism” in which adults procure the services of children for prostitution or pornography; the exploitation of children by pimps or other criminal elements who offer “protection” to children (often children living on the streets) in return for their work in the sex trade; trafficking of children across borders to fuel prostitution or pedophilia rings; or the use of domestic servants, refugee children, or child soldiers for sexual purposes.

ILO Convention 182 prohibits the sale and trafficking of children, and the use, procuring or offering of a child for prostitution, for the production of pornography, or for pornographic performances.
Compulsory Education

Compulsory education refers to the number of years or the age-span during which children and youth are legally obliged to attend school.


Domestic Servants

Domestic servants, also referred to as domestic workers or child domestics, are children who work in other people’s households doing domestic chores, caring for children, and running errands, among other tasks. Child domestics sometimes have live-in arrangements, whereby they live in their employer’s household and work full time in exchange for room, board, care, and sometimes remuneration.


Education for All

In 1990, delegates from more than 155 countries convened in Jomtien, Thailand, to create strategies for addressing the issues of education, literacy, and poverty reduction. Using the Universal Declaration of Human Rights as a basis for their work, participants established a set of goals to provide all children, especially girls, with the basic human right to an education and to improve adult literacy around the world. The result was “The World Declaration on Education for All (EFA)”. This declaration called for countries, by the end of the decade, to meet the basic learning needs of all children and adults; provide universal access to education for all; create equity in education for women and other underserved groups; focus on actual learning acquisition; broaden the types of educational opportunities available to people; and create better learning environments for students. To achieve these goals, participating countries were requested to create Action Plans that detail how they were going to meet the goals of the Jomtien declaration. By 2000, basic education in more than 180 countries had been evaluated as part of the EFA 2000 Assessment.

In April 2000, delegates gathered again for the World Education Forum in Dakar, Senegal, where the results of the assessment were released. After reviewing the data gathered, it was clear that much more progress would be needed to achieve EFA. These delegates, from 164 countries, adopted the Dakar Framework for Action and renewed and strengthened their commitment to the achievement of quality basic education for all by the year 2015. The World Education Forum adopted six major goals for education to be achieved within 15 years, including: the attainment of Universal Primary Education and gender equality; improving literacy and educational quality; and increasing life-skills and early childhood education programs. However, the gender goal was deemed to be particularly urgent, thus requiring the achievement of parity in enrollment for girls and boys at primary and secondary levels by 2005, and of full equality throughout education by 2015.
Fast-Track Initiative

The Fast-Track Initiative (FTI) was initiated by the World Bank in 2002 to assist a limited number of countries having sound education policies, but lacking the resources needed to achieve universal primary education by 2015 (the timeline established under the Education For All protocol). The goal of the FTI is to accelerate progress towards the achievement of universal primary education through a combination of stronger national policies, improved capacity, and incremental financial assistance. The countries eligible for assistance were required to have in place a clear national education strategy that had been incorporated into the country’s broader development strategy, and generally approved by the World Bank and other donors. After wide-ranging discussions with developing countries, donors, and civil society, it was determined that 18 countries met this criteria: Albania, Bolivia, Burkina Faso, Ethiopia, The Gambia, Ghana, Guinea, Guyana, Honduras, Mauritania, Mozambique, Nicaragua, Niger, Tanzania, Uganda, Vietnam, Yemen and Zambia. Five other countries with the largest numbers of children out of school were also identified: Bangladesh, the Democratic Republic of Congo, India, Nigeria, and Pakistan.


Forced Labor

Forced labor is defined in ILO Convention No. 29 as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.” In practice, it is the enslavement of workers through the threat or use of coercion, and it is primarily found among the most economically vulnerable members of society.

Forced and compulsory labor is identified as one of the worst forms of child labor in ILO Convention 182.


Gross Primary Attendance Ratio

The gross primary attendance ratio is the total number of students attending primary school (regardless of age) expressed as a percentage of the official primary school-age population. It indicates the general level of participation in primary schooling by people of any age, and in comparison with the net primary attendance ratio, indicates the extent of over- and under-age participation in primary schooling. In countries with high primary school attendance rates, if there are significant numbers of overage (or underage) students in primary school, the gross primary attendance ratio can exceed 100.
Gross Primary Enrollment Ratio

The gross primary enrollment ratio is the enrollment of primary students of all ages expressed as a percentage of the primary school-age population. Therefore, it is possible for gross primary enrollment rates to exceed 100. The gross primary enrollment ratio describes the capacity of a school system in relation to the size of the official school-age population. For example, a ratio of 100 percent indicates that the number of children actually enrolled, including those outside the official age range, is equivalent to the size of the official primary school-age population. It does not mean that all children of official primary school age are actually enrolled. If the ratio was so misinterpreted, it would overstate the actual enrollment picture in those countries in which a sizable proportion of students are younger or older than the official age owing to early or delayed entry or to repetition. In many countries, the official primary school-age group is 6-11 years. The differences in national systems of education and duration of schooling should be considered when comparing the ratios.

Hazardous work

Hazardous work refers to work that is likely to jeopardize the health, safety, or morals of a young person. This is consistent with ILO Convention 138, which states that “the minimum age for any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardize the health, safety, or morals of young persons shall not be less than 18 years.” Hazardous work is identified as a worst form of child labor in ILO Convention 182.

ILO Convention 138: Minimum Age for Admission to Employment

ILO Convention 138 serves as the principal ILO standard on child labor. This convention, adopted in 1973 and ratified by 131 nations, provides the basis for the definition of the term “child labor” that is used in this report. (See definition of “child labor.”) State Parties to the Convention are required to set a minimum work age standard of 15 years, although exemptions are included which permit countries whose economy and educational facilities are insufficiently developed to initially specify a minimum age of 14 years.
ILO Convention 182: Worst Forms of Child Labor

ILO Convention 182 was adopted in 1999 and has been ratified by 147 nations. It commits ratifying nations to take immediate action to secure the prohibition and elimination of the worst forms of child labor, defined as:

- all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict;
- the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

Among other actions, ILO Convention 182 requires ratifying nations to: remove children from abusive child labor and provide them with rehabilitation, social reintegration, access to free basic education and vocational training; consult with employer and worker organizations to create appropriate mechanisms to monitor implementation of the Convention; apply the Convention to children under the age of 18; take into account the special vulnerability of girls; and provide assistance and/or cooperate with efforts of other members to implement the Convention.


ILO-IPEC Associated Members

Associated members of ILO-IPEC (the International Labor Organization’s International Program on the Elimination of Child Labor) are countries in which ILO-IPEC has initiated child labor projects with the permission of the country’s government, but which have not yet signed a formal Memorandum of Understanding (see also definitions for “ILO-IPEC Program Countries” and “IPEC”). As of December 2003, there were 29 associated members of ILO-IPEC.


ILO-IPEC Program Countries

ILO-IPEC Program countries are countries that have signed a Memorandum of Understanding with IPEC, thereby committing to cooperate with ILO-IPEC on the implementation of child labor projects in their countries. As of December 2003, there were 55 ILO-IPEC program countries.

Informal sector

The informal sector refers to areas of economic activity that are largely unregulated and not subject to labor legislation. A more precise description of the informal sector by the ILO suggests “these units typically operate at a low level of organization, with little or no division between labor and capital as factors of production and on a small scale.” Furthermore, where labor relations exist, interactions are not based on contracts or formal arrangements; rather they are grounded on casual employment, kinship, and personal or social relations. Because employers in the informal sector are not accountable for complying with occupational safety measures, children who work in “hazardous” or “ultra-hazardous” settings likely run the risk of injury without any social protections. For this reason, households may be reluctant to indicate work by children in the informal sector, which can increase the probability of underreporting. In addition, because businesses in the informal sector are not usually included in official statistics, children working in informal sector enterprises do not show up in labor force activity rates.


IPEC: International Program on the Elimination of Child Labor

In 1992, the ILO created IPEC to implement technical cooperation activities in countries with significant numbers of child laborers. The objective of the IPEC program is the elimination of child labor, particularly children working under forced labor conditions and in bondage, children in hazardous working conditions and occupations, and especially vulnerable children, such as working girls and very young working children (under 12 years of age).

Countries participating in IPEC sign an MOU outlining the development and implementation of IPEC activities and the efforts to be undertaken by governments to progressively eradicate child labor. IPEC National Program Steering Committees are then established with the participation of governments, industry and labor representatives, and experienced NGOs. IPEC provides technical assistance to governments, but most of the direct action programs are carried out by local NGOs and workers’ and employers’ organizations. IPEC activities include awareness-raising about child labor problems; capacity building for government agencies and statistical organizations; advice and support for direct action projects to withdraw working children from the workplace; and assistance to governments in drawing up national policies and legislation.

From fiscal year 1995 to fiscal year 2003, the U.S. Congress appropriated USD 202 million for ILO-IPEC projects.


Light Work

Light work is defined in ILO Convention 138 as work that is not likely to harm the health or development of young persons, and not such as to prejudice their attendance at school, their participation in vocational orientation
or training programs approved by the competent authority or their capacity to benefit from the instruction received. The Convention stipulates that children 13 to 15 may perform light work, except in instances in which an ILO member’s economy and educational facilities are insufficiently developed. In such instances, children 12 to 14 may perform light work.


**Net Primary Attendance Ratio**

The net primary attendance ratio is the percentage of the official primary school age population that attends primary school. This indicator shows the extent of participation in primary schooling among children of primary school age. In many countries the official primary school age group is 6-11 years. The difference in national systems of education should be accounted for when comparing ratios.


**Net Primary Enrollment Ratio**

The net primary enrollment ratio is the enrollment of primary students of the official age expressed as a percentage of the primary school-age population. A high net primary enrollment ratio denotes a high degree of participation of the official school-age population. When compared with the gross primary enrollment ratio, the difference between the two ratios highlights the incidence of under-aged and over-aged enrollment.

*Source: USAID, “UNESCO Indicator Definitions for GED Online,” [online]; available from http://qesdb.cdie.org/ged/un_def.html*

**Poverty Reduction Strategy Paper**

A Poverty Reduction Strategy Paper (PRSP) is a document written by the government of a developing country with the participation of civil society to serve as the basis for concessional lending from the World Bank and the IMF; as well as debt relief under the World Bank’s Highly Indebted Poor Countries Initiative. A PRSP should measure poverty in the country, identify goals for reducing poverty, and create a spending and policy program for reaching those goals. A PRSP should also ensure that a country’s macroeconomic, structural, and social policies are consistent with the objectives of poverty reduction and social development. A new PRSP must be written every three years in order to continue receiving assistance from International Financial Institutions such as the World Bank.


**Primary Education**

Primary education, sometimes called elementary education, refers to school usually beginning at 5 or 7 years of age and covering about six years of full-time schooling. In countries with compulsory education laws, primary education generally constitutes the first (and sometimes only) cycle of compulsory education.

Promotion Rate

The promotion rate is the percentage of pupils promoted to the next grade in the following school year. Some countries practice automatic promotion, meaning that all pupils are promoted, regardless of their scholastic achievement.


Ratification

Ratification is a solemn undertaking by a State formally accepting the terms of an international agreement, thereby becoming legally bound to apply it. Other ways of becoming bound to an international agreement include acceptance, approval, accession, signature, or an exchange of notes.

In order to ratify an agreement, a country must, if necessary, adopt new laws and regulations or modify the existing legislation and practice to support the agreement, and formally deposit the instruments of ratification with the appropriate depositary. (In the case of ILO Conventions, ratifications must be registered with the Director-General of the ILO’s International Labor Office.)

For certain international agreements that require ratification, signing an agreement or enacting an agreement into domestic law by Congress, or a similar state organ, does not mean that the international agreement has been ratified. Signing an international agreement serves as a preliminary endorsement, albeit a formality, as signatories are not bound by the terms of the international agreement or in any way committed to proceed to the final step of ratification. However, a signatory is obliged to refrain from acts, which would defeat the object and purpose of the international agreement unless it makes its intention not to become a party to the international agreement clear. Similarly, appropriate state entities may signal approval of an international agreement, but that is only one of the requisite steps on the path toward official ratification. The final step requires that the instruments of ratification be deposited with the depositary.

In the case of ILO conventions, ILO procedures provide the option to ratify or not ratify a convention, but do not include the option to sign a convention as a preliminary endorsement. Generally, an ILO convention comes into force in a ratifying country 12 months after the government has deposited the requisite instrument of ratification. This grace period provides ILO members time to enact or modify legislation to comply with the convention before it comes into force.


Repetition Rate

The repetition rate is the percentage of pupils who enroll in the same grade the following school year, as in the current school year.

**Time-Bound Program**

Time-Bound Programs are particular child labor interventions implemented by ILO-IPEC in collaboration with governments that aim to prevent and eliminate all incidences of the worst forms of child labor in a country within a defined period. The objective is to eradicate these forms of child labor within a period of 5-10 years, depending on the magnitude and complexity of child labor in each country. Since the start of this initiative in 2001, Time-Bound Programs have been started in 14 countries.


**Trafficking of Children**

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children provides a commonly accepted definition of trafficking. It states: “(a) ‘trafficking in persons’ shall mean the recruitment, transportation, transfer, harbouring, or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs….” It goes on to state: “(c) the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered ‘trafficking in persons’ even if this does not involve any of the means set forth in subparagraph (a) of this article…”

The trafficking of children is identified as a worst form of child labor in ILO Convention 182.


**Worst Forms of Child Labor**

See section “ILO Convention No. 182: Worst Forms of Child Labor.”
AFGHANISTAN

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Transitional Islamic State of Afghanistan (TISA) has undertaken steps to rebuild the country’s education system and address child soldiering, particularly within the context of the reconstruction of Afghanistan initiated in 2002. In 2000, with technical assistance from the Central Statistics Office of the Islamic Emirate of Afghanistan, UNICEF conducted a Multiple Indicator Cluster Survey on the situation of children in East Afghanistan, of which child labor and education were essential components. Following the war in Afghanistan, the ILO re-opened its former office in Kabul in 2002 and has dedicated over USD 1.2 million in capacity building efforts, particularly for the Ministry of Labor and Social Affairs. ILO-IPEC has also assisted the government in the preparation of educational materials in Pashto. TISA is implementing a USD 15 million World Bank project that, among other activities, aims to promote learning and skills development among disadvantaged girls and former combatants. In April 2003, the government established a commission to combat human trafficking and to recommend strategies for prevention and protection.

The Japanese government funded a USD 4 million project to provide literacy and vocational training to street children and former child combatants. In addition, USAID has supported IOM’s Afghan Transition Initiative with funding of USD 2.3 million. The initiative supports a number of projects including capacity building of government ministries in the education sector and a project designed to rehabilitate former combatants. USDOL funded a USD 3 million, 4-year project with UNICEF to rehabilitate former child soldiers in 2003. The project will provide psychosocial, rehabilitative, and non-formal education services for up to 10,000 children. In August 2003, IOM launched a USD 330,500 anti-trafficking project aimed to increase the capacity of the Afghan government to effectively address trafficking in the country through technical assistance and awareness-raising activities.

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42 The UN Appeal for the Afghan Interim and Transitional Assistance Programme estimated a need of USD 99 million for education and vocational training for 2002. A number of major donors are funding projects to support the Ministry of Education in its effort to fulfill the demand for education in Afghanistan. Among the most prominent donors are the World Bank, ADB, the Islamic Development Bank, UNICEF, UNESCO, UNDP, UNHCR, USAID, USDOL, numerous NGOs, and foreign governments, including Japan and Germany. See UNESCO, Educational Reconstruction in Afghanistan: Transitional Support Strategy 2002-2004, UNESCO, Paris, July 2002, 13.


51 U.S. Embassy- Kabul, unclassified telegram no. 228379, August 6, 2003, 1.
UNICEF, USAID, and other bilateral donors are sponsoring the Back-to-School Program, which provides training and materials to primary and secondary schools. Although 3.2 million children attended school in 2002, the demand far outweighed the program’s capacity. UNICEF has provided logistical support to improve the Ministry of Education’s capacity to distribute materials for 2003. Moreover, UNICEF has provided 4 million primary school aged children with 9.9 million textbooks and other essential school materials in 2003. In collaboration with the Government of Germany and the Afghan government, UNESCO financed a project to upgrade textbooks and the curriculum for some 3 million children in 2002. The ADB and the Islamic Development Bank are funding the construction of new schools as well as the repair of existing schools. UNICEF and the United Nations Office of Project Services are also collaborating on a USD 8.4 million project for school rehabilitation and construction, with a special focus on regions of high refugee return such as Mazar-i-Sharif, Jalalabad, and Kandahar.

UNESCO is supporting the Ministry of Education through three projects totaling approximately USD 17 million. These projects focus on strengthening the capacity of the national system of education, technical and vocational education, and non-formal education. The Japanese government provided an initial USD 500,000 to UNESCO and the Afghan government to launch the Literacy and Non-formal Education Development in Afghanistan project in 2003. This project will focus on promoting literacy for girls and women. In an effort to promote girls’ education, UNICEF is repairing some 200 damaged school buildings. BRAC, formerly known as the Bangladesh Rural Advancement Committee, implemented a UNICEF-funded, 3-month Winter Break program to provide accelerated basic math and Dari (language) classes to approximately 15,000 girls in Kabul.

In 2001, the ILO estimated that 24 percent of children ages 10 to 14 years in Afghanistan were working. Child workers are reported to be numerous in agriculture and the informal sector, including animal herding, collecting

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55 World Bank, Emergency Education-Project Document. Approximately 538 schools were built or repaired in 2002, and the Ministry of Education planned to build or repair an estimated 2,500 in 2003. See also UNICEF, Afghan School Supply.

56 As of September 2003, 9 schools had been fully rehabilitated and another 51 are in progress. See UNICEF, Afghanistan Donor Update. Funding for the project has been provided through the Japanese government’s Ogata Initiative. See Child Rights Information Network (CRIN), “Afghanistan: School Rehabilitation Programme to Increase Learning Spaces across Afghanistan,” CRINMAIL 452 (March 4, 2003); available from http://uk.domeus.com/message/read.jsp?sessionid=EFB97ECC7C708CD32B1EDE72FE5C89EA;dom01?scroll=true&mid=25094486.

57 UNESCO, Educational Reconstruction, 7.


60 The program takes advantage of the winter break to help older girls to regain basic math and language skills lost while not attending school during the Taliban era. UN Office for the Coordination of Humanitarian Affairs, Afghan Women Flock to Catch Up on Lost Education, in ReliefWeb, [press release] January 26, 2003 2003 [cited April 25, 2003]; available from http://www.reliefweb.int/w/rwb.nsf/480fa8736b88bcb3e125646f004c8ad5/2255e16dfda3b049256cb000d0da22?OpenDocument.

paper and firewood, shining shoes, begging, or rummaging for scrap metal in the streets. Throughout the years of conflict leading up to the fall of the Taliban in 2001, Afghan children were used as combatants by both the Taliban and the Northern Alliance to clean and store weapons, guard compounds, and enforce Shariah (Islamic law) under the Taliban. In addition, children cooked, did laundry, and cleaned barracks. It is reported that some children were sexually abused by their commanders under the Taliban. While the Afghan National Army has set the limit for recruitment at 22 years of age, evidence suggests that insurgent groups continue to exploit child soldiers in attacks against government and coalition forces. Afghanistan is believed to be a country of origin and transit for children trafficked for the purposes of sexual exploitation and labor. Under Taliban rule, the trafficking of children was common, particularly to the Gulf States. Since the Interim Authority came to power, reports of child trafficking within Afghanistan and externally to Pakistan and the Middle East for the purposes of bonded labor and sexual exploitation have persisted. Since early 2003, reports have indicated a series of abductions of children as young as four years old in northern Afghanistan, for the apparent purpose of trafficking to neighboring countries. It is also reported that impoverished Afghan families have sold their children into forced sexual exploitation, marriage, and labor.

While the new Constitution provides for state-sponsored education for children, war and political turmoil over the past several decades in Afghanistan have seriously hampered educational development. In 2001, the gross primary enrollment rate was 15 percent, down from 32 percent in 1999. In 2000, the gross primary enrollment rate for girls was under one percent, compared to 28.7 percent for boys. The educational system was effectively dismantled under the Taliban. Most male students were enrolled in religious schools, if at all, and schools for women were closed or destroyed by order of the Taliban regime. After the Afghan Interim Authority was

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74 World Bank, *World Development Indicators 2003*.

inaugurated in December 2001, government schools re-opened their doors to girls and female teachers. According to UNICEF, more than 3.8 million children were enrolled in school in 2003 and girls’ enrollment from ages 7 to 13 increased from 30 percent in 2002 to 37 percent in 2003. UNICEF and the Afghan Ministry of Education have set a goal to increase girls’ enrollment by a further 500,000 by March 2005. In some regions, the participation rate of girls is as low as three percent. Access to education is exacerbated by a resurgence in fundamentalist attacks on schools, teachers, and students. From August 2002 to September 2003, there have been more than 35 attacks in which schools have been burned or bombed. Refugee children who have returned from neighboring countries, particularly Iran and Pakistan, are reported to have very limited access to education, often because their labor is needed to supplement the meager incomes of their families. Attendance rates are unavailable for Afghanistan. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 15 years. The Constitution prohibits forced labor, and specifically prohibits forced labor for children. However, in 2002 there was no evidence that child labor laws were enforced in the country. The interim government has condemned trafficking, and the Afghan Independent Human Rights Commission has provided redress for some victims, but there is generally no legal protection provided to victims of trafficking. The Government of Afghanistan has not ratified either ILO Convention 138 or ILO Convention 182.

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77 UNICEF, *Afghanistan Donor Update*.

78 Their efforts will focus on the 12 provinces where girls’ school enrollment is the lowest. The project aims to increase the number of qualified female teachers, and provide support to home-based schools by linking them into the formal education system. See UNICEF, *Afghanistan - Country in Crisis: “Back to School” for Afghan Children*, 2003 [cited August 28, 2003]; available from http://www.unicef.org/emerg/afghanistan/index_8178.html.

79 Due to long distances, a lack of schools, a shortage of female teachers (Islamic law discourages girls and women from interacting with adult male non-relatives), and the large influx of returning refugees, girls’ access to education is particularly limited in the eastern region of Afghanistan. See Human Rights Watch (HRW), “Killing You is a Very Easy Thing For Us”: *Human Rights Abuses in Southeast Afghanistan*, New York, July 2003, 76-78; available from http://www.hrw.org/reports/2003/afghanistan0703/.

80 The attacks have generally been preceded by anonymous leaflet campaigns warning parents against sending girls to school. In the last year, schools in the provinces of Ghazni, Jawzjan, Kabul, Kunduz, Laghman, Logar, Masa’e, Wardak, and Zabul have been the targets of such attacks. Ibid., 82-83. See also Integrated Regional Information Networks, “Afghanistan: Serious Attack on Girl’s School”, IRINews.org, [online], 2003 [cited August 25, 2003]; available from http://www.irinnews.org/print.asp?ReportID=36181. In other areas, resistance to education for girls has remained so pervasive as to have prevented schools from being built at all. See Ahmad Hanayesh and Mustafa Basharat, “Girls Still Standing Outside the Classroom Door”, ReliefWeb, [online], April 4, 2003 [cited October 15, 2003]; available from http://www.reliefweb.int/w/rwb.nsf/0/6e6e60df5c9dafcc1256d10100528a77?OpenDocument.


82 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Albania has been a member of ILO-IPEC since June 1999. As part of a program launched in February 2001, ILO-IPEC helped establish national institutional mechanisms including a Child Labor National Steering Committee and a Child Labor Unit in the Ministry of Labor and Social Affairs. ILO-IPEC is also working with the government and local organizations to initiate direct action programs to assist children on the streets, children working in agriculture, and victims of child trafficking. In 2003 the government developed a new National Anti–Trafficking Strategy that, among other issues, focuses on child trafficking and prosecution of those involved. The main focus of the strategy is law enforcement, prevention, and protection, and includes the development of the Vlora Anti-Trafficking Center and the Linza Center.

A UNICEF program for Child and Youth Development is working with NGOs, schools, and government agencies such as the Ministry of Education and Ministry of Labor and Social Affairs to protect at-risk children, including street children and victims of trafficking, by providing them with educational, legal, and other services. In addition, IOM is implementing a counter-trafficking strategy that includes mass information campaigns, return and reintegration programs for victims, and best practices training for government personnel and related organizations involved in the counter-trafficking effort. The government’s Linza Center, officially opened in 2003, offers reintegration services to trafficking victims, including children. Originally managed by the IOM, the center is now the responsibility of the Ministry of Labor and Social Affairs. In December 2002, the government signed a joint declaration with other Southeastern European countries to better assist victims of trafficking. USAID is providing support to a project titled “Transnational Action Against Child Trafficking,” through the Swiss-based NGO Terre des hommes, in which Albanian government officials and NGO representatives work with their counterparts in Greece and Italy to identify trafficking routes, cooperate on repatriation of trafficked children, and improve care for trafficked children and their families before and after repatriation.

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89 IPEC’s country program in Albania aims to build the national capacity of the government to combat child labor, raise awareness of the issue and target an initial group of children for removal and prevention by providing them with education and other social services. See ILO-IPEC, Albania Fact Sheet, Geneva, 2002. See also ILO-IPEC, At a Glance: IPEC’s Technical Cooperation Activities in Europe and Central Asia, Geneva, 2002.


94 The commitment ensures that countries stop the immediate deportation of trafficked person and offer them shelter, as well as social, health and legal assistance. See Alban Bala, “Southeastern Europe: Governments Shift Their Focus in Fighting Human Trafficking,” Radio Free Europe Weekday Magazine, December 13, 2002; available from http://www.rferl.org/nca/features/2002/12/131220022200939.asp.

In June 2002, the Government of Albania became eligible to receive funding from the World Bank and other donors under the Education for All Fast Track Initiative, which aims to provide all children with a primary school education by the year 2015.96

**Incidence and Nature of Child Labor**

In 2000, UNICEF estimated that 31.7 percent of children ages 5 to 14 years in Albania were working in some capacity.97 Children, especially from the Roma community, work on the streets as beggars and vendors; other Albanian children work on farms.98 Trafficking of Albanian children abroad to prostitution or pedophilia rings in Western Europe remains a problem. One study conducted by the Albanian “Hearth” Psycho-Social Center in 2003 estimated that 21 percent of Albanian trafficking victims were minors, between the ages of 14 and 18.99 Boys and girls are also trafficked to Greece and Italy to participate in organized begging rings and forced labor including work in agriculture and construction.100 In January 2003, Terre des hommes reported that the majority of children trafficked to Greece were sent with their family’s knowledge to work for remuneration. In addition, the report found that 95 percent of children trafficked belong to the Roma ethnic minority or the “Egyptian” community.101 There have been reports that children are tricked or abducted from families or orphanages and

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97 Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. Children work much more in rural areas compared to urban cities, 45 percent and 7 percent respectively. See Government of Albania, Multiple Indicator Cluster Survey (MICS) Report: Albania, UNICEF, December 4, 2000, 33, 35.


100 Children, particularly Gypsy and Roma boys, are trafficked to Greece and Italy for begging and forced labor. See Daniel Renton, Child Trafficking in Albania, Save the Children, March 2001, 44-45. See also UNICEF, Profiting From Abuse: An Investigation into the Sexual Exploitation of our Children, New York, 2001, 18 [cited December 26, 2002].

then sold to prostitution or pedophilia rings in Western Europe. Children are trafficked for other forms of exploitative labor as well, such as begging and drug dealing.

Education is compulsory and free for children ages 6 to 14. In 2000, the gross primary enrollment rate was 107.0 percent, and the net primary enrollment rate was 97.6 percent. According to UNICEF, the primary school attendance rate for all children ages 7 to 14 was 90 percent. The Ministry of Education and Sciences reported that the drop-out rate from 1999 to 2000 was approximately 3 percent, although local children’s groups believe the number is higher.

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age of employment at 16 years. Minors who are 14 years of age and older may seek employment during school holidays, but until the age of 18 they are only permitted to work in light jobs, which are determined by the Council of Ministers. Labor Act No. 7724 prohibits night work by children less than 18 years of age and limits their work to 6 hours per day. The Constitution forbids forced labor by any person, except in cases of execution of judicial decision, military service, or for service during state emergency or war. The Labor Code also prohibits forced or compulsory labor.

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103 Limanowska, *Trafficking in Southeastern Europe*, 129.
105 World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report. The Albanian government reports a decline over the period 1990-2000 in gross and net primary school enrollment rates. The gross primary enrollment rate is reported as 91 percent and the net primary enrollment rate as 81 percent. See Human Development Promotion Center (HDPC), *The Albanian Response to the Millennium Development Goals*, Tirana, May 2002, 19.
107 Local organizations report that dropout rates and child truancies are much higher than government reports indicate, although no formal data are available. Interviews of people in rural and urban areas indicate that children leave school for various reasons, such as work and fear for personal safety, including fear of abduction by traffickers. Reports of dropouts are particularly high among the ethnic Roma minority. See Hazizaj, *The Vicious Circle*, Section 1.2. See also Renton, *Child Trafficking in Albania*.
108 The Ministry of Labor may enforce minimum age requirements through the courts, but no recent cases of this actually occurring are known. The employment of children is punishable by a fine, as stated in Article 60 of the Law for Pre-University Education. See U.S. Department of State, *Country Reports- 2002: Albania*, Section 6d. See also Hazizaj, *The Vicious Circle*, Section 6.2.
110 Furthermore, Article 54(3) of the Constitution states that “children, the young, pregnant women and new mothers have the right to special protection by the state.” The ages of children protected under Article 54(3) are not specified. *Albanian Constitution*, Chapter II, Article 26, and Chapter IV, Article 54(3), [cited October 20, 2002]; available from http://www.ipls.org/services/constitution/const98/cp2.html.
The Criminal Code prohibits prostitution, and the penalty is more severe when a minor girl is solicited for prostitution. In January 2002, changes to the Criminal Code established penalties for trafficking of minors as well as trafficking of women for prostitution. With the assistance of international donors, the government has improved its enforcement and interdiction capabilities at border crossings and at ports, resulting in several arrests of child traffickers. Trafficking prohibitions, however, rarely lead to convictions of traffickers.


115 U.S. Department of State Trafficking in Persons Office official, electronic communication to USDOL official, February 7, 2003. There are very few prosecutions for offenses related to trafficking. Also, victims of prostitution rings are sometimes penalized rather than the perpetrators. See Renton, Child Trafficking in Albania, 11-12. See also U.S. Department of State, Country Reports- 2002: Albania, Section 6f.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The armed civil conflict in Angola from 1975 to 2002 severely affected children and limited government spending for social and educational programs. Since the end of hostilities in February 2002, the International Committee of the Red Cross and the United Nations Children's Fund (UNICEF) have increased family reunification efforts with the cooperation of the government. By October 2003, more than 1,700 children had been reunited with their families under the two programs and 539 tracing activists had been trained in 10 provinces.

In 2002, the Ministry of Social Assistance and Reintegration (MINARS) trained 1,070 child protection monitors who assisted approximately 43,000 children who had been separated from their families because of the conflicts. Monitors ensured that the children, some of whom were working children and former child soldiers, were provided food, shelter and schooling, and reunited some children with their families. International human rights groups, however, have criticized the lack of access to government demobilization and reintegration programs for ex-child soldiers.

In March 2003, the MINARS organized a roundtable with international and local organizations to express the government's commitment to protect child victims of the conflict and their rights to physical, psychosocial recovery, and social reintegration. In 2001, the Government of Angola initiated a national registration system to document the age of children under 18. By providing children with accurate, official age documentation, the government intends to stem the recruitment of underage children by the military or by traffickers. Between 2001 and 2003, this program successfully registered more than two million Angolan children. At least 1 million more children, however, remain unregistered. In June 2003, the government inaugurated a Juvenile Court,

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119 Human Rights Watch, Forgotten Fighters: Child Soldiers in Angola, Vol. 15, No. 10 (A), New York City, April, 2003, 15-16; available from http://www.hrw.org/reports/2003/angola0403/. Ex-child soldiers are eligible, however, for benefits under programs funded through the World Bank, World Food Program (WFP), Food and Agriculture Organization (FAO), the United Nations Development Program (UNDP), UNICEF, and other international organizations that account for the vast majority of demobilization and reintegration programs.


123 With support from non-governmental and religious organizations, the National Birth Registration Campaign hopes to register three million in total by the end of the year. ANGOP, Two Million Children Get Birth Certificates, The Embassy of the Republic of Angola Website, [online] [cited June 19, 2003]; available from http://www.angola.org/news/NewsDetail.cfm?NID=13158. See also U.S. Department of State official, electronic communication dated February 19, 2004.
based on Angola’s traditional reconciliation system, to protect the rights of children, including victims of sexual abuse and forced labor.\textsuperscript{124}

In 2002, the Ministry of Education and Culture (MoEC), together with UNICEF, launched a program to provide informal learning and life skills for vulnerable children outside of the formal education system. The program intends to reach a total of 50,000 children by the end of 2003.\textsuperscript{125} In addition, the MoEC created a Back-to-School campaign in two of the poorest provinces to increase education access for all school-aged children.\textsuperscript{126} During the first half of 2003, the National Children’s Institute has relocated more than 45,000 orphans or children living alone to houses and family living situations.\textsuperscript{127}

Since 1994, UNICEF and other organizations have established demobilization and rehabilitation programs for former child soldiers.\textsuperscript{128} Program activities have included locating relatives, arranging transportation, and reuniting the children with their families. The programs also identify school and job training opportunities for former child soldiers and prepare local communities to accept children who had been engaged in armed conflict.\textsuperscript{129} The World Food Program is involved in food-for-work schemes including the reconstruction of schools and destroyed infrastructure, and food-for-training projects for vulnerable populations including demobilized soldiers and their families.\textsuperscript{130}

In March 2003, the World Bank approved a USD 33 million grant to provide services to underage soldiers in settlement communities.\textsuperscript{131} Services include family tracing and unification, trauma counseling and psychosocial care, and the facilitation of access to education, recreation, and vocational training for children over the age of 15.\textsuperscript{132}


\textsuperscript{126} Ibid. See also ANGOP, \textit{Increased Basic Services to Bié Approved}, The Embassy of the Republic of Angola Website, [online] [cited June 18, 2003]; available from http://www.angola.org/news/NewsDetail.cfm?NID=13187. An estimated 250,000 children are expected to return to school in Bié and Malanje provinces in the north. UNICEF has rehabilitated up to 1,3000 classrooms and is providing learning materials, chalk and blackboards. See UN Office for the Coordination of Humanitarian Affairs, \textit{ANGOLA: Decrease in Malnutrition and Back to School Programme Benefiting Children}, IRINnews.org, [online] [cited May 21, 2003]; available from http://www.irinnews.org/print.asp?ReportID=34239.


\textsuperscript{132} Ibid.
Incidence and Nature of Child Labor

In 2001, UNICEF estimated that 29.9 percent of children ages 5 to 14 years in Angola were working. In 2000, it was estimated that there were approximately 24,000 predominantly male homeless street children living in Angola as a result of the civil conflict. Many of the homeless girls are at high risk of sexual, and other forms of violence. Other children work in subsistence agriculture, as domestic servants, as street vendors, and as beggars.

Child trafficking, prostitution, pornography, forced labor, sexual slavery, and other forms of exploitation are reported to exist in the country. Angola is a country of origin for trafficked children. Children have been trafficked to Europe and South Africa to work in the commercial sex industry.

Education in Angola is compulsory for eight years, and it is free of charge, although families are responsible for significant additional fees. In 2000, the gross primary enrollment rate was 73.6 percent, and the net primary enrollment rate was 36.9 percent. In 2001, roughly 75 percent of children enrolled in primary school reached grade 5, but only 6 percent of children are enrolled in secondary school. More than 1 million children are estimated to be out of school with no prospect of integrating them into the education system. Girls have less access to education than do boys. Primary school attendance rates are unavailable for Angola. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

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133 The average percentage of working girls within this age group was greater (31.1 percent) than that of boys (28.7 percent). Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. Government of Angola, Multiple Indicator Cluster Survey (MICS) Report: Angola, UNICEF, Luanda, April 2002, 13; available from http://www.childinfo.org/MICS2/newreports/angola/angola.pdf.

134 In 2001, the ILO estimated that 25.9 percent of children ages 10 to 14 years in Angola were working. World Bank, World Development Indicators 2003 [CD-Rom], Washington, D.C., 2003.

135 Ibid.


137 According to a local NGO in Luanda, about 500 to 1,000 children were working as prostitutes in the capital city. See Ibid., 22, Section 6f. See also National Journal Group Inc., Angola: Children Survive War as Scavengers, Prostitutes, online, UNWire, United Nations Foundation, May 30, 2002, [cited October 3, 2002]; available from http://www.unfoundation.org/unwire/util/display_stories.asp?objid=2898.


141 U.S. Department of State, Country Reports on Human Rights, section 5.

142 World Bank, World Development Indicators 2003.


146 República de Angola, Relatório de Seguimento, 16.

147 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
It is estimated that children make up a majority of the roughly 832,000 displaced persons in Angola, and educational opportunities are extremely limited for displaced children and adolescents. A reported 40 percent of classrooms in Angola have been looted and destroyed, leading to problems of overcrowding. Other factors, such as landmines, lack of resources and identity papers, and poor health further prohibit children from attending school regularly.

**Child Labor Laws and Enforcement**

The minimum age for employment in Angola is 14 years. Children between the ages of 14 and 18 are not permitted to work at night, under dangerous conditions, or in activities requiring great physical effort. Children under 16 years of age are restricted from working in factories. The Constitution and Angolan statutory law prohibit forced or bonded child labor. In 1998, the Angolan Council of Ministers established a minimum conscription age for military service of 17 years. Trafficking is not specifically prohibited in Angola, but forced servitude, prostitution, and pornography are illegal under the general criminal statute. Despite severe resource limitations, the Government of Angola is making efforts to comply with the minimum standards for the elimination of trafficking, although greater emphasis is needed to protect street children from becoming victims of trafficking.

The Inspector General of the Ministry of Public Administration, Employment, and Social Security (MAPESS) is responsible for enforcing labor laws. However, child labor complaints are filed with the Ministry of Family and Women's Affairs, which has principle responsibility for child welfare. MAPESS maintains employment centers to screen out applicants under age 14. Fines and restitutions are the primary available legal remedies for the enforcement of child labor laws. Individuals may report child labor violations, but there is no standard procedure for this type of investigation, and reports of child labor complaints are rare.


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149 Watch List on Children and Armed Conflict, Angola, 7.

150 Ibid., 11.

151 Ibid.

152 Ibid.

153 Ibid.

154 Coalition to Stop the Use of Child Soldiers, “Angola,” 17. According to UNICEF, only 5 percent of the births in Angola are registered, which causes problems when verifying children’s ages for both military recruitment and school enrollment purposes. See UNICEF, A Humanitarian Appeal for Children and Women- Angola, 2001, 2.

155 U.S. Department of State, Trafficking in Persons Report.


157 U.S. Department of State, Trafficking in Persons Report.

158 U.S. Embassy- Luanda, unclassified telegram no. 2491.


160 U.S. Embassy- Luanda, unclassified telegram no. 2491.

161 U.S. Embassy- Luanda, unclassified telegram no. 2685.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Antigua and Barbuda created a committee to implement the UN Convention on the Rights of the Child in 2000. The government has also expressed its commitment to conducting research on child labor. Based upon a UNICEF supported study on the needs of children and families, the government is developing a National Plan of Action on Child Survival, Development, and Protection while simultaneously implementing a public education campaign on child labor through the print and electronic media.

In 1994, the Government of Antigua and Barbuda revised its educational policy to improve the effectiveness of schooling. Key achievements in terms of education in recent years include ensuring broad-based access to primary education for most children and providing a growing number of pre-primary education facilities for children. The government has employed officers to monitor school attendance and report their findings biweekly to the Chief Education Officer and Education Officers. Children who are repeatedly absent from school may be placed in foster care, and the parents or guardians of these children may be prosecuted in court. The government plans to improve data collection, monitoring, and assessment systems for education; upgrade school facilities; provide support to improve education efficiency; and make education available to children with special needs, like the growing number of bilingual children in Antigua and Barbuda, children with disabilities, and children in conflict with the law.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 years in Antigua and Barbuda are unavailable, and there is limited information on the incidence and nature of child labor in the country. In 2001, children as young as 13 years old were reportedly involved in an organized prostitution and pornography ring.

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164 Representatives from Antigua and Barbuda attended the ILO Caribbean Tripartite Meeting on the Worst Forms of Child Labor in December 1999, and based on what was learned at the meeting, they expressed a need to reassess the country’s situation with regard to child labor sectors in prostitution and drug trafficking. See U.S. Embassy- Bridgetown, unclassified telegram 1773, September 11, 2001. See also Labour Commissioner of the Government of Antigua and Barbuda, letter to USDOL official, October 18, 2001.

165 U.S. Department of State, Country Reports- 2002: Antigua and Barbuda, Section 5. See also Lionel Hurst, letter to USDOL official, October 18, 2001.

166 In 1990 Ministers of Education from the eight member countries that make up the Organization of Eastern Caribbean States (OECS) met and established a regional educational reform agenda. According to the OECS Reform Strategy, areas for reform included education management, teacher and administrator training, and inadequate educational facilities including textbooks and learning materials. Ministry of Education, Youth, Sport, and Community Development official, Education for All 2000 Assessment: Country Reports- Antigua and Barbuda, UNESCO, 2000 [cited June 28, 2003], Analytic Section 2.2.4; available from http://www2.unesco.org/wef/countryreports/antigua_barbuda/rapport_1.html.


168 Ministry of Education, Youth, Sport, and official, EEA 2000 Report: Antigua and Barbuda, Analytic Section 2.2.1.

169 UNICEF Antigua and Barbuda. See also Ministry of Education, Youth, Sport, and official, EEA 2000 Report: Antigua and Barbuda, Sections 2.3.4.2, 2.2.3.


171 Given the economy’s heavy reliance on tourism, government officials could not rule out the possibility of child prostitution or the involvement of children in drug trafficking. See Hurst, letter dated October 18, 2001. See also U.S. Department of State, Country Reports- 2002: Antigua and Barbuda, Section 5.
Education is compulsory and free for children between the ages of 5 and 16 years. According to UNICEF, most children enjoy access to primary education, however there are no nationally available enrollment statistics for Antigua and Barbuda. Spanish-speaking children, children with disabilities, young mothers, and other children with special educational needs, face barriers to accessing primary education.

**Child Labor Laws and Enforcement**

The Labor Code, Division E of 1975, sets the minimum age for employment at 16 years. The provisions also establish that children less than 16 years of age cannot work more than 8 hours in a 24-hour time period or during school hours. Children between the ages of 14 and 18 years must obtain a medical examination prior to employment. The Constitution prohibits slavery and forced labor.

The Sexual Offences Act of 1995 raised the age of consent in Antigua and Barbuda from 14 to 16 years of age. The Sexual Offences Act also prohibits prostitution, including child prostitution and makes the offense punishable with a sentence of up to 15 years imprisonment. There is no comprehensive law prohibiting trafficking in persons; however, existing laws on prostitution and labor provide a legal framework to prosecute individuals for trafficking offenses. In addition, the Offences Against the Person Act, Cap. 58 offers some protection to children who are sold, trafficked, or abducted against their own will and wishes of their parents.

The Ministry of Labor is required to conduct periodic inspections of workplaces. The police and social welfare departments investigate the criminal and social aspects of child labor. In August 2001, a case implicating high-ranking members of society in a child pornography and prostitution ring was prosecuted in court.


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172 According to the 1973 Education Act, it is mandatory for government to provide education to children between the ages of five and sixteen years. Thirty of the 55 primary schools in Antigua and Barbuda are public schools where schooling is free. The government also provides free textbooks and schooling supplies to private schools through the Board of Education. See Ministry of Education, Youth, Sport, and official, EFA 2000 Report: Antigua and Barbuda, Descriptive Section 1.0, 1.3.


174 UNICEF, Antigua and Barbuda.


176 Ibid.


182 There is an Inspectorate in the Labor Commissioner’s Office that handles exploitative child labor matters. U.S. Department of State, Country Reports- 2002: Antigua and Barbuda, Section 6d.

183 Ibid.

184 Ibid. See also U.S. Department of State, Country Reports- 2002: Antigua and Barbuda, Section 5.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Argentina has been a member of ILO-IPEC since 1996.186 The National Commission for the Eradication of Child Labor (CONAETI) was established in August 2000 to evaluate and coordinate efforts to prevent and eradicate child labor;187 and in 2002, CONAETI established a National Plan for the Prevention and Elimination of Child Labor.188 In 2000-2001, the National Council for Childhood, Adolescence, and Family (CONNAF), a federal government agency, conducted awareness raising activities on the rights of children and sexual abuse of children, and provided training to government officials on issues such as commercial sexual exploitation of children.189 Since that time, CONNAF has worked with local governments and NGOs to support a National Network of Children’s Rights Offices, which coordinates services for and protects the rights of at-risk children.190 CONNAF has also established a program to coordinate national efforts with regional MERCOSUR partners to address the commercial sexual exploitation of children.191 Together with the Attorney General, the Ministry of Justice, Security and Human Rights, the National Council of Women, and UNICEF, CONNAF also developed an action plan for the elimination of child prostitution.192

The government is participating in several ILO-IPEC projects. The government is involved in the planning and management of a 2-year ILO-IPEC project to combat child labor in rural areas and a 1-year ILO-IPEC project to eradicate child labor among street workers and garbage pickers in Buenos Aires, both initiated in 2002.193 CONAETI is currently preparing a national child labor survey with technical assistance from ILO-IPEC’s SIMPOC.194 In addition, the Government of Argentina, along with ILO-IPEC, the other MERCOSUR

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187 Several government agencies, NGOs, ILO-IPEC, and UNICEF are members of the commission. ILO-IPEC Regional Office for Latin America and the Caribbean, Ficha Pais: Argentina, Lima, no date; available from http://www.oit.org.pe/spanish/260ameri/oitreg/activid/proyectos/ipec/doc/fichas/fichargentinita.doc.


190 See Ibid., 61, 63.


governments, and the Government of Chile, has developed a 2002-2004 regional plan to combat child labor in which these governments agree to develop a regional strategy on the issue, build capacity to prevent and eradicate child labor, and analyze and share information on the problem.¹⁹⁵ In early 2003, the Government of Argentina became a participant in a two-year ILO-IPEC regional project to prevent and eliminate commercial sexual exploitation of children in the border area with Brazil and Paraguay.¹⁹⁶ Also in 2003, CONAETI approved a project to address child labor in urban areas.¹⁹⁷ Until May 2003, UNDP also provided support to the Argentine Ministry of Labor, Employment and Social Security and CONAETI for their efforts to eradicate child labor.¹⁹⁸ Provincial governments are working with UNICEF to raise awareness of the importance of education and promote family and community involvement in educational design; and provide alternative income opportunities for families of child laborers so they can attend school.¹⁹⁹ The IDB provided a loan to the government in 2001 aimed at supporting the provinces in improving the quality, equity and efficiency of the education system, thereby promoting increased future employment opportunities for young people from poor families.²⁰⁰ The government has also received funding from the World Bank to reform the third cycle of basic education (grades seven to nine) in Buenos Aires Province.²⁰¹


Incidence and Nature of Child Labor

In 2002, the Ministry of Labor estimated that 7.1 percent of children ages 5 to 14 were working in Argentina.202 The rate is believed to be higher in rural than urban areas.203 Children work in agriculture in such products as tea, tobacco,204 tomatoes, strawberries, and flowers.205 They work in urban sectors such as trash recycling,206 street sales, begging, shoe shining, domestic labor,207 in small and medium businesses,208 small scale garment production, food preparation, and brickwork.209 Children in Argentina are involved in prostitution, pornography, sex tourism, and drug trafficking, but precise statistics are unavailable.210

Education is free211 and compulsory in Argentina for 10 years, beginning at age 5.212 In 2000, the gross primary enrollment rate was 120.1 percent, and the net primary enrollment rate was 107.5 percent.213 According to a government survey in 2001, 99.1 percent of children ages 6 to 12 attended school, and 97.2 percent of children ages 13 to 14 attended school.214 In 1999, 90.3 percent of children who enrolled in primary school in Argentina reached grade five.215 Access to schooling is limited in some rural areas of the country.216

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202 This represents 482,803 children. These estimates are projections based primarily on a 1997 household survey and other government surveys. See Dirección Nacional de políticas de seguridad social, Datos y Cifras. In 2001, the ILO estimated that 2.2 percent of children ages 10 to 14 years in Argentina were working. See World Bank, World Development Indicators 2003 [CD-ROM], Washington, D.C., 2003. Many sources indicate that the number of working children has increased in recent years in Argentina. ILO-IPEC has indicated that the number of working children in Argentina increased between 1995 and 2000, and that similar increases between 1997 and 2002 may be related to the country's ongoing recession. See ILO-IPEC, La OIT celebra el primer 'Día mundial contra el trabajo infantil', press release, Buenos Aires, June 11, 2002. In 2002, a UNICEF representative reported that in urban areas 6 of every 10 children ages 13 to 17 were working rather than studying. Such estimates are credible given the country's dire economic situation. See U.S. Department of State, Country Reports- 2002: Argentina, Section 6d. In addition, the number of street children in Buenos Aires has reportedly increased due to the country's recent economic crisis. See Cynthia Palacios, “Crece la población de chicos en las calles,” La Nación (Buenos Aires), July 29, 2003; available from http://www.lanacion.com.ar.

203 {CONAETI, n.d. #34} See also Dirección Nacional de políticas de seguridad social, Datos y Cifras.

204 U.S. Embassy- Buenos Aires, unclassified telegram no. 4240.


206 Tom Hennigan, “Recession pulls children out of Argentina’s classrooms.”


208 CONAETI, Trabajo infantil urbano.


212 CONAETI, Plan Nacional.

213 Net enrollment rates greater than 100 percent indicate discrepancies between the estimates of school-age population and reported enrollment data. World Bank, World Development Indicators 2003.


215 World Bank, World Development Indicators 2003.

Child Labor Laws and Enforcement

The Law on Labor Contracts (No. 20.744) sets the minimum age for employment at 14 years. Children of legal working age, however, are prohibited from entering employment if they have not completed compulsory education, which normally ends at 15 years. Children who are under the age of 14 may work only in businesses where family members are employed, as long as the work is not dangerous to them. Children ages 14 to 18 are prohibited from working more than 6 hours a day and 36 hours a week and must present medical certificates that attest to their ability to perform such work. If permission is obtained from administrative authorities, however, children ages 16 to 18 may work 8 hours a day and 48 hours a week. Children under the age of 18 are prohibited from working between the hours of 8 p.m. and 6 a.m. and from engaging in work that could endanger their safety, health or moral integrity. The Constitution prohibits slavery. The Penal Code prohibits facilitating the prostitution of children, trafficking of children into or out of Argentina for prostitution, and pornography.

In January 2000, the government enacted a federal law that establishes a unified regime of sanctions for the infringement of labor laws, but child labor laws are still enforced on a provincial or local basis. Violators of underage employment laws can receive a fine of USD 350 to USD 1,750 for each child employed. UNICEF has charged that the commercial sexual exploitation of children occurs due to police inefficiency and the failure of the judiciary to intervene.


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218 See Ley de Contrato de Trabajo, Article 189.

219 Children between ages 16 and 18 can work 8 hours a day and 48 hours a week if they obtain the permission of administrative authorities. See Ibid., Articles 190-92.

220 Ibid., Article 190. See also {CONAETI, n.d. #41@1} See also U.S. Embassy- Buenos Aires, unclassified telegram no. 4240.

221 Constitution of Argentina, (1853), Section 15; available from http://www.oefre.unibe.ch/law/art00000_.html.


223 This law replaced provincial laws previously in effect. See U.S. Embassy- Buenos Aires, unclassified telegram no. 4240.


Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In November 2002, the Government of Armenia adopted the National Plan of Action for the Protection of Children’s Rights. The plan was designed in accordance with the United Nations Convention on the Rights of the Child. The government also established an Interagency Commission on Human Trafficking in October 2002 that coordinates anti-trafficking activities in the country. In early 2003, several Government of Armenia officials visited the United States to participate in consultations on methods to combat trafficking in persons for prostitution, slave labor, and domestic labor. Another Armenian government delegation participated in a Trafficking in Persons workshop in Washington, D.C. in February 2003 hosted by the Department of State’s International Visitor Program. Since June 2000, the OSCE Yerevan Office has assembled and distributed an information pack to relevant government departments and agencies, local authorities, and Parliament on the subject of anti-trafficking, including policy and legislative documents.

The Ministry of Education and Science works in partnership with UNICEF and World Vision on the Inclusive Education Project to integrate children with special needs into the education system. To facilitate government efforts against trafficking, the OSCE has developed a matrix that outlines all ongoing and planned anti-trafficking activities by NGO’s and international organizations, which will be regularly updated and distributed to Interagency members. The World Bank is currently funding several projects in Armenia. The Second Social Investment Fund Project aims to upgrade schools, repair school heating systems, and fund furniture purchases for schools, as well as carry out other community development activities that will strengthen local level institutions. The Educational Quality and Relevance Project is building the capacity of the Ministry of Education and Science to develop education quality monitoring systems, strengthen ongoing education reforms, implement

228 The Interagency Commission on Human Trafficking is referred to as the Interagency Task Force in the Department of State’s Trafficking in Persons report. See U.S Department of State, Trafficking in Persons Report, U.S. Department of State, Washington, D.C., June 11, 2003; available from http://www.state.gov/g/tip/rls/tiprpt/2003/21275.htm. See also OSCE Yerevan official, electronic communication to USDOL official, July 1, 2003. The Commission is made up of officials from the Ministry of Foreign Affairs (Consular Department; International Organizations Department; Human Rights Desk), Department on Migration and Refugees, Cabinet of Ministers Administration, Ministry of National Security (Border Control Unit), Police (Department Against Prostitution and Trafficking in Drugs; Criminal Investigation Unit, Transport Police Department; Visas and Registration Department; Police Department at the Yerevan “Zvartnots” International Airport), Prosecutor General’s Office, National Assembly (Standing Committee on State and Legal Issues), Ministry of Social Security, National Statistical Service, and the Ministry of Health. See OSCE Yerevan official, electronic communication to USDOL official, August 12, 2003. Organization of Security and Co-operation in Europe (OSCE) has an observer status on the commission. See OSCE Yerevan Office official, electronic communication to USDOL official, February 20, 2003. See also U.S Department of State, Trafficking in Persons Report: Armenia.
communications technology, and project evaluation. The Government of Armenia is a participating member of the Framework Program of Cooperation between the Council of Europe and Ministries of Education of Armenia, Georgia, and Azerbaijan. The Framework aims to develop the education system in these countries, assist in structural reform of the education sector, develop curriculum and teaching methodologies, and support regional cooperation.

### Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Armenia are unavailable. There are reports that children work in family businesses and on family farms, which is not forbidden by law. Additionally, children in the streets of Yerevan can be observed, often during school hours, selling newspapers and flowers. The commercial exploitation of girls is reportedly increasing in Armenia. Trafficking of girls to Turkey and the United Arab Emirates for prostitution is a problem.

Primary and basic education is free for all children for 8 years and compulsory through age 14. In 2000, the gross primary enrollment rate was 103.3 percent and the net primary enrollment rate was 69.3 percent. The gross primary school attendance rate was 127.3 while the net primary attendance ratio was 97.20. Dropout, retention, and absenteeism rates remain high in Armenia; possibly as a result of Armenia’s serious economic downturn, the high number of non-native Armenian-speaking students and the requirement that all classes must be taught in the Armenian language. Access to education in rural areas remains poor.

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240 Girls are also thought to be trafficked to Germany, Greece, the United States, and other European and Gulf State countries. See IOM, Trafficking in Women and Children from the Republic of Armenia: A Study, Yerevan, 2001, 10, 11, 20, 22. See also U.S. Department of State, Country Reports- 2002: Armenia, Section 6f. See also U.S Department of State, Trafficking in Persons Report: Armenia.


242 World Bank, World Development Indicators 2003 [CD-ROM], Washington, D.C., 2003. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.


244 Because of the serious economic problems, an increasing number of Armenian as well as minority students are leaving school early to work to help support their families. See UN Committee on the Rights of the Child, Concluding Observations, para. 44. See also U.S. Embassy–Yerevan, unclassified telegram no. 2213. See also U.S. Department of State, Country Reports- 2002: Armenia, Section 5.

245 UN Committee on the Rights of the Child, Concluding Observations, para. 44.
responsibilities take precedence over school in rural areas, and children work in the fields during harvest season leading to prolonged absence from school.246

**Child Labor Laws and Enforcement**

The Civil Code of 1996 sets the minimum age of employment for children at 16 years. However there are rare cases when a child of 15 years can work in non-dangerous labor situations with the consent of the minor’s parents and the labor union of the organization.247 Children under the age of 18 are prohibited by the Labor Code from working in “harmful or hazardous” conditions, such as underground work, and may not work overtime, on holidays, or at night.248 Additionally, the 1996 Law on Children’s Rights prohibits children from working in employment activities that may compromise their health, physical, or mental development, or interfere with their education.249 UN officials raised concerns regarding disparities between the Right of the Child Act and the Civil Code.250 Under the Civil Code, minors under the age of 15 are required to obtain a parent’s consent in order to engage in employment contracts, but this consent is not required for children to engage in small contracts.251 The Constitution prohibits forced and bonded labor of children.252 In April 2003, the criminal code was amended to specifically prohibit trafficking of persons for sexual exploitation.253

The Government of Armenia is a member of the Black Sea Economic Cooperation and cooperates with other members to combat organized crime, including criminal activities concerning trafficking in human beings and sexual exploitation of women and children.254 Local community councils and unemployment offices are responsible for enforcing child labor laws.255 Alleged violations of child labor laws are brought before the Ministry of Social Welfare for investigation. If there is probable cause, the Ministry turns the case over to the National Police, which takes action. There are no reports of child labor complaints being investigated since 1994.256

The Government of Armenia has not ratified ILO Convention 138 or ILO Convention 182.

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248 Workers ages 16-18 must have a shorter workday and cannot work more than 36 hours per week, according to the Labor Code (children 15 years of age may only work 24 hours per week). The Ministry of Social Welfare maintains a list of “hazardous and harmful” jobs in which children are not allowed to work. See Labor Code as cited in Ministry of Foreign Affairs of the Republic of Armenia, *Embassy of the Republic of Armenia Letter*, articles 200, 02, and 15. See also U.S. Embassy- Yerevan, unclassified telegram no. 2213.

249 U.S. Embassy- Yerevan, unclassified telegram no. 2213.

250 UN Committee on the Rights of the Child, *Concluding Observations*, para. 22.


256 Family-run businesses may not be monitored as closely because of legal and cultural reasons. In this context, exploitation of children by a child’s family may not be reported. See U.S. Embassy- Yerevan, unclassified telegram no. 2213.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Bahrain has developed a national action plan to help implement ILO Convention 182. The government has established educational training programs for school dropouts, and also funds the Child Care Home for children whose parents can no longer provide for them. The protection of children from exploitation and neglect, as well as assisting their physical, spiritual, and moral growth, is considered a role of the State.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 years in Bahrain are unavailable. Children work in family businesses and in the informal sector as car washers and vendors. Child trafficking is a problem throughout the Middle East and the Gulf States, although there are no official confirmations of such activities in Bahrain.

Primary education is compulsory and free under the Constitution and generally lasts until the age of 12 or 13. In 2000, the gross primary enrollment rate was 103.0 percent, and the net primary enrollment rate was 96.0 percent. The net primary attendance rate in 2001 was 85 percent for male children and 84.0 percent for female children. In 1999, 100.7 percent of children in primary school reached grade five. Bahrain’s Shura Council approved a draft Education Law on October 9, 2001, that will enforce the compulsory aspect of education by imposing fines of up to 100 Bahraini Dinar (USD 263) on parents of students who fail to attend school. The government has never promulgated the law.

Child Labor Laws and Enforcement

The Labor Law of 1976 establishes 14 years as the minimum age for employment. Under the Labor Law, juveniles between the ages of 14 and 16 may not be employed in hazardous conditions, at night, or for more than

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261 U.S. Embassy- Manama, unclassified telegram no. 2602, June 2000. See also U.S. Department of State, Country Reports- 2002: Bahrain, Section 6d.
263 Constitution of Bahrain, Article 7(a) [cited July 25, 2002]. See also U.S. Department of State, Country Reports- 2002: Bahrain, Section 5.
264 World Bank, World Development Indicators 2003 [CD-ROM], Washington, D.C., 2003. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.
266 World Bank, World Development Indicators 2003.
6 hours per day.\textsuperscript{270} The Ministry of Labor and Social Affairs has inspectors to enforce legislation in the industrial sector, and reports indicate that the mechanisms in place are effective.\textsuperscript{271} Labor laws do not apply to child domestic workers.\textsuperscript{272} Forced or compulsory child labor is prohibited by the Constitution.\textsuperscript{273} Prostitution is illegal under the Penal Code, and encouraging a child less than 18 years of age to enter into prostitution is punishable by 2 to 10 years of imprisonment.\textsuperscript{274}

The Government of Bahrain has not ratified ILO Convention 138, but ratified ILO Convention 182 on March 23, 2001.\textsuperscript{275}

\begin{footnotesize}
\textsuperscript{270} Ibid. See also U.S. Embassy- Manama, unclassified telegram no. 3448.
\textsuperscript{272} U.S. Department of State, \textit{Country Reports- 2002: Bahrain}, Section 6c. There are no available statistics on the numbers of domestic child laborers and servants. Also, laws are intended to protect Bahraini citizens, and there is no reliable way to monitor or control working conditions for foreign or illegal workers. Foreigners make up two-thirds of the workforce.
\textsuperscript{273} \textit{Constitution of Bahrain}, Article 13(c).
\textsuperscript{274} The Penal Code prohibits solicitation for the purposes of prostitution, enticing a person to commit acts of immorality or prostitution, living off the profits from prostitution, and establishing a brothel. Punishments range from 2 to 10 years of imprisonment depending on the crime and the age of the victim. Bahraini authorities actively enforce the laws against prostitution, and violators are dealt with harshly and can be imprisoned or, if brought against a non-citizen, deported. In some cases, authorities reportedly return children arrested for prostitution and other nonpolitical crimes to their families rather than prosecute them, especially for the first offense. U.S. Department of State, \textit{Country Reports- 2002: Bahrain}, 6f. See Penal Code of Bahrain, Articles 324–329, as cited in Protection Project, “Bahrain.” See also \textit{Legislation of Interpol member states on sexual offences against children: Bahrain}, Interpol, [database online] [cited June 13, 2003]; available from http://www.interpol.int/public/Children/SexualAbuse/NationalLawsold/csaBahrain.asp.
\end{footnotesize}
**Government Policies and Programs to Eliminate the Worst Forms of Child Labor**

The Government of Bangladesh has been a member of ILO-IPEC since 1994. The ILO-IPEC program in Bangladesh has implemented various programs targeting the worst forms of child labor through awareness raising, education opportunities for children, income generating alternatives for families, and capacity building of partner organizations. These programs include USDOL-funded projects to eliminate child labor in the garment sector and in five hazardous industries, including bidis, construction, leather tanneries, matches, and domestic service in the homes of third parties. In 2000, USDOL also provided funding for a second national child labor survey, which was conducted in 2002 – 2003 by the Bangladesh Bureau of Statistics with technical assistance from ILO-IPEC’s SIMPOC. The Bangladesh Ministry of Labor, with the support of USAID, is implementing projects to combat child labor in selected industries including printing and bookbinding, welding, weaving, and fisheries. The Government of Bangladesh does not yet have a comprehensive child labor policy.

The government has developed a country-wide education program that trains school supervisors and teachers in a child-centered teaching methodology that is more open to children with special needs, such as current or former working children. In April 2000, the Government of Bangladesh began a stipend program that provides 20 taka (USD 0.33) per month to mothers of poor households as an incentive to send their children to school.
In January 2002, Bangladesh signed the Convention on Prevention and Combating Trafficking in Women and Children for Prostitution with other South Asian Association for Regional Cooperation countries. Bangladesh is one of three countries included in the USDOL-funded ILO-IPEC South Asia Sub-Regional Program to Combat Trafficking in Children for Exploitative Employment. With the support of UNICEF and ILO-IPEC, the government drafted the National Plan of Action on Trafficking and Sexual Exploitation of Children in early 2001. Through this Plan, the government supports activities that raise awareness, sensitize law enforcement officials, work with schools and improve laws to combat trafficking of children. In November 2002, USAID supported a nationwide awareness raising campaign on the prevention of trafficking in Bangladesh. The program, with participation from the Ministry of Women and Children’s Affairs, includes activities such as the briefing of law enforcement representatives and judges on legal proceedings regarding trafficking.

The Department of Social Services, under the Ministry of Welfare, is also implementing a project for socially disadvantaged women and children that assists victims of commercial sexual exploitation. In addition, the UNDP is working with the same ministry on a program to be implemented in six divisions of Bangladesh, providing 30,000 vulnerable street children with social services and improving the quality and outreach of selected agencies working in the sector.

As part of its Country Program 2001–2005, the World Food Program provides snacks for non-formal primary education students in areas with low enrollment. The Program also provides supplementary snacks and skills training to adolescent girls. The government also collaborates with UNICEF on the Basic Education for Hard to Reach Urban Children’s Project that provides two-year basic literacy education to over 350,000 working children living in poor, urban areas. In early 2003, the World Bank provided USD 18.24 million for a government program to develop a Social Investment Program, which will benefit, among other groups, street children and vulnerable populations.

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286 ILO-IPEC, South-Asian Sub-Regional Programme To Combat Trafficking in Children for Exploitative Employment in Bangladesh, Nepal and Sri Lanka, technical progress report, RAS/00/05/010, February 2000. See also ILO-IPEC, Combating Child Trafficking for Labor and Sexual Exploitation (TICSA Phase II), project document, RAS/02/P51/USA, Geneva, February 2002, 8.


288 U.S. Department of State, Trafficking in Persons Report.


Incidence and Nature of Child Labor

In 2001, the ILO estimated that 27.3 percent of children ages 10 to 14 years in Bangladesh were working.\textsuperscript{295} Reports indicate that children are found working in 200 different activities, 49 of which were identified as worst forms.\textsuperscript{296} Children are frequently found working in the agricultural sector\textsuperscript{297} and in the informal sector.\textsuperscript{298} Children are working in a variety of hazardous occupations and sectors, including bidi factories, construction, tanneries, and the seafood and garment industries.\textsuperscript{299} An ILO survey estimated that there are over 12,000 children working in hazardous conditions throughout the city of Dhaka.\textsuperscript{300} Many children work as domestic servants, porters, and street vendors,\textsuperscript{301} and are sexually exploited as prostitutes.\textsuperscript{302} In addition, many children are also reported to be involved with criminal gangs engaged in arms and drug trading and smuggling.\textsuperscript{303}

Children from Bangladesh are trafficked internationally for purposes of bonded labor, domestic service, sexual exploitation,\textsuperscript{304} the sale of organs, and marriage.\textsuperscript{305} Child trafficking is on the increase in Bangladesh.\textsuperscript{306} The problem is compounded by the low rate of birth registration, since children without legal documents have no proof that they are underage.\textsuperscript{307} UNICEF estimates that 4,500 children from Bangladesh are trafficked to Pakistan each year.\textsuperscript{308} India is another common destination for trafficked children and the lack of enforcement at the border facilitates illegal border crossings.\textsuperscript{309} Trafficking takes place from rural areas of Bangladesh to its larger cities, and to countries in the Gulf region and the Middle East.\textsuperscript{310} Young boys have been trafficked to the United

\textsuperscript{297} ILO, \textit{The Effective Abolition of Child Labour}, 214.
\textsuperscript{299} For the complete list of 47 sectors see Dr. Wahidur Rahman, \textit{Hazardous Child Labor in Bangladesh}, Bangladesh Department of Labor and ILO, Dhaka, 1996, 3-4.
\textsuperscript{301} Please see source for additional forms of child labor. Dr. Wahidur Rahman, \textit{Child Labour Situation in Bangladesh: Rapid Assessment}, ILO in collaboration with UNICEF, ix, 23.
\textsuperscript{302} Ibid., xi.
\textsuperscript{305} ILO-IPEC, \textit{Rapid Assessment on Trafficking in Children for Exploitative Employment in Bangladesh (TICSA)}, RAS/02/P51/USA, Dhaka, February, 2002, 17.
\textsuperscript{306} U.S. Department of State, \textit{Trafficking in Persons Report}.
\textsuperscript{307} UN Committee on the Rights of the Child, \textit{Consideration of Reports Submitted}, 18.
\textsuperscript{308} ECPAT International, Bangladesh. See also U.S. Department of State, \textit{Country Reports}, section f.
\textsuperscript{309} ECPAT International, Bangladesh. See also UN Wire, \textit{ILO Discovers “Extreme Forms” of Child Labor}. See also U.S. Department of State, \textit{Country Reports}.
Arab Emirates (UAE) and Qatar to work as camel jockeys. However, in 2002, the Government of the UAE made progress in stemming the trafficking of children to the country. The internal trafficking of children is a larger problem than external trafficking.

In 1991, the Government of Bangladesh made primary education compulsory for children aged 6 to 10 years. Bangladesh has achieved gender parity in primary school enrollment. In 2000, the gross primary enrollment rate was 100.3 percent, and the net primary enrollment rate was 88.9 percent. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school. Primary school attendance rates are unavailable for Bangladesh. The quality of primary education in Bangladesh is poor, in part due to inadequate teaching hours, high pupil-to-teacher ratio, and a lack of physical facilities. Basic competency surveys reveal that only one-half of children who complete primary schools in Bangladesh achieve a minimum basic education level.

**Child Labor Laws and Enforcement**

The minimum age for employment varies according to sector. The Employment of Children Act prohibits children less than 12 years of age from working in 10 sectors including the tanning, bidi, carpet, cloth, cement, and fireworks manufacturing sectors. The Act also prohibits children less than 15 years of age from working in railways or ports. The Mines Act prohibits children under 15 years of age from working in mines. The Factories Act and Factories Rules establish 14 years as the minimum age for employment in factories, and the Children's Act of 1974 prohibits the employment of children less than 15 years as beggars and in brothels. The majority of

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312 Efforts include a decision to ban jockeys below 15 years of age and weighing less than 45 kg (99 lbs.); a requirement that youth undergo various forms of medical testing to determine if they are of age to race; and humane repatriation initiatives. See Xinhua News Agency, *UAE Decision to Help Stop Smuggling of Bangladeshi Children*, The Protection Project Daily News Archives, [previously online] August 1, 2002 [cited October 8, 2002]; available from http://www.protectionproject.org/main1.htm [hard copy on file]. See also U.S. Department of State official, electronic communication to USDOL official, March 5, 2003. There is limited information on the efforts by the Government of Qatar to combat trafficking.

313 ILO-IPEC, *Rapid Assessment on Trafficking in Children for Exploitative Employment in Bangladesh*, xviii.

314 U.S. Department of State, *Country Reports, Section 5*.


316 World Bank, *World Development Indicators 2003*.

317 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


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child workers are found in the agriculture and domestic work sectors, but there are no specific laws covering the informal sectors.\textsuperscript{324} The Constitution forbids all forms of forced labor.\textsuperscript{325}

The Suppression of Immoral Traffic Act prohibits importing females for the purposes of prostitution.\textsuperscript{326} The Suppression of Violence against Women and Children Act, passed in 2000, protects children from sexual harassment and maiming for the use of begging or the selling of body parts, and it gives the courts the power to impose fines to the victims of the offense.\textsuperscript{327} Prostitution is legal for women over the age of 18 with government certification.\textsuperscript{328} The legal definition of prostitution does not account for males, so the government provides few services for boy victims of child prostitution.\textsuperscript{329} The Extradition Act enables the government to order traffickers who live or have escaped to other countries home for trial.\textsuperscript{330} The government provides support to returned trafficked victims but shelters were inadequate to meet their needs.\textsuperscript{331}

The Ministry of Labor and Employment is designated to enforce labor legislation; however, due to a lack of manpower and corrupt government officials, child labor laws are seldom enforced outside of the garment export industry.\textsuperscript{332} The National Children’s Council monitors the implementation of the Convention on the Rights of the Child\textsuperscript{333} and is the highest authority for overall policy guidance on child development.\textsuperscript{334} Government officials have arrested, prosecuted and assigned prison sentences to some traffickers.\textsuperscript{335} However, the courts system is overwhelmed by roughly one million excess cases, corruption is pervasive at the lower levels of the government, and officials in violation of laws are rarely reprimanded.\textsuperscript{336} In addition, traffickers are often charged with lesser crimes and are, therefore, difficult to identify.\textsuperscript{337}

The Government of Bangladesh has not ratified ILO Convention 138, but ratified ILO Convention 182 on March 12, 2001.\textsuperscript{338}

\begin{itemize}
\item \textsuperscript{324} U.S. Embassy- Dhaka, unclassified telegram no. 2999.
\item \textsuperscript{325} The Constitution of the People’s Republic of Bangladesh, Article 34, (November 1972), [cited September 1, 2003]; available from http://www.bangladeshgov.org/pmo/constitution/.
\item \textsuperscript{327} UN Committee on the Rights of the Child, Consideration of Reports Submitted, 7.
\item \textsuperscript{328} U.S. Department of State, Country Reports, Section 6f.
\item \textsuperscript{329} ECPAT International, Bangladesh, Child Prostitution.
\item \textsuperscript{330} Mina Neumuller, The Legal Framework on Trafficking in Bangladesh, Nepal and Sri Lanka, ILO-IPEC, Katmandu, October, 2000, 16.
\item \textsuperscript{331} U.S. Department of State, Country Reports, Section 6f.
\item \textsuperscript{332} The Ministry has only 110 inspectors to monitor about 180,000 registered factories and establishments. According to a Ministry official, there have been no prosecutions for violations of child labor laws. U.S. Embassy- Dhaka, unclassified telegram no. 2156, September 27, 2001. See also U.S. Embassy- Dhaka, unclassified telegram no. 2999. See also U.S. Department of State, Country Reports, Section 6f.
\item \textsuperscript{333} ECPAT International, Bangladesh.
\item \textsuperscript{334} Ministry of Women and Children Affairs, National Report on Follow-up to the World Summit for Children, “Renewed Commitment to the Convention on the Rights of the Child”.
\item \textsuperscript{335} U.S. Department of State, Trafficking in Persons Report: Bangladesh. At the end of 2002, 29 convictions of traffickers were obtained, and punishments ranged from 2 years to life. U.S. Embassy- Dhaka, unclassified telegram no. 3500.
\item \textsuperscript{336} U.S. Department of State, Trafficking in Persons Report.
\item \textsuperscript{337} U.S. Department of State, Country Reports, Section 6f.
\item \textsuperscript{338} ILO, Ratifications by Country, in ILOLEX, [database online] [cited September 9, 2002]; available from http://www.ilo.org/ilolex/english/newratframeE.htm.
\end{itemize}
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In October 2001, the Government of Barbados launched a pilot national child labor study, in cooperation with the ILO Caribbean Office, to assess the extent of worst forms of child labor in Barbados. Preliminary regional research has shown that the worst forms of child labor may exist in the criminal and informal sector in many Caribbean countries. The Government of Barbados and labor unions, like the Barbados Workers Union, have continued to work to prevent child labor within the country and across the Caribbean region. The Government continues to ban all imports from countries where child labor was utilized in the production process.

The Ministry of Education has committed itself to a 7-year Education Sector Enhancement Program to rehabilitate school buildings, ensure that primary and secondary schools are equipped with computers, and train teachers to help children become computer literate. The government has established an Educational Media Resource Center to review software for use in the country’s schools, especially in relation to the programs intended to promote computer literacy.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Barbados are unavailable. Information on child labor practices in the informal sector is also limited.

Education is free of charge in government institutions and compulsory for children ages 5 to 16. School attendance is strictly enforced. In 2000, the gross primary enrollment rate was 110.1 percent and the net primary enrollment rate was 104.9 percent. Primary school attendance rates are unavailable for Barbados. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

Footnotes:
340 Ibid.
342 Ibid.
345 World Bank, World Development Indicators 2003 [CD-ROM], Washington, D.C., 2003. According to the Ministry of Labor, Sports, and Public Sector Reform, there were no known cases or evidence of child labor and the worst forms of child labor in Barbados. U.S. Embassy- Bridgetown, unclassified telegram no. 1126.
346 U.S. Embassy- Bridgetown, unclassified telegram no. 1126.
347 Parents can be fined, and school attendance officers fined or imprisoned for failure to enforce attendance for up to 3 months. Ibid. See also UN Committee on the Rights of the Child, Consideration of Reports Submitted by States Parties under Article 44 of the Convention, CRC/C/3/Add.45, United Nations, Geneva, February 1997, para. 173.
348 World Bank, World Development Indicators 2003. Most children complete primary school at the age of 11, at which point they must take a standardized test, which determines whether the children qualify for formal secondary school or a trade school. The government notes that the population figures used to determine the net and gross education rates were extrapolated from the 1990 census and therefore may skew the enrollment rates. Mr. Glenroy Cumberbatch, EFA 2000 Report: Barbados.
349 For a more detailed description on the relationship between education statistics and work, see the preface to this report.
Child Labor Laws and Enforcement

The Miscellaneous Provisions of the Employment Act sets the minimum age for employment in Barbados at 16 years, and children are not permitted to work during school hours. The Minister of Labor must authorize apprenticeships and vocational training. A child undertaking an apprenticeship must have a certificate from a medical professional certifying that the apprentice or trainee is fit to meet the requirements of the job. The Police Force and the Department of Labor have jurisdiction over the monitoring and enforcement of child labor legislation, and labor inspectors conduct spot checks of businesses and check records to verify compliance with the law.

The Constitution prohibits forced labor. Procurement of all persons for prostitution is illegal and punishable with 15 years imprisonment.


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350 Employment Act stipulates that no person may employ children of compulsory school age during school hours. See U.S. Embassy- Bridgetown, unclassified telegram no. 1126. See also UN Committee on the Rights of the Child, Consideration of Reports, para. 202.

351 The Employment Act, Chapter 42, Section 2, 20, 29, and 30 also establishes guidelines and penalties to ensure that the apprenticeship or training does not become exploitative. U.S. Embassy- Bridgetown, unclassified telegram no. 1126.

352 According to the Employment Act, Section 17 and 19, police have the authority to enter any business under suspicion of using child laborers in order to inspect the facilities. According to the Employment Act, Section 15, the penalty for violating child labor legislation is imprisonment for up to 12 months and/or a fine of up to USD 1,000. Ibid.


355 Government of Barbados, Criminal Code, Article 13; available from http://209.190.246.239/protectionproject/statutesPDF/Barbadosf.pdf. Any adult who has sexual intercourse with a child under 16 years of age may be imprisoned for 15 years. If the child is over the age of 16 years the person may be imprisoned for 10 years. See Criminal Code.

Government Programs and Policies to Eliminate the Worst Forms of Child Labor

The Government of Belize has been a member of ILO-IPEC since 2000. The government has also established a National Committee for Families and Children (NCFC). The committee is responsible for monitoring the National Plan of Action for Children and includes a subcommittee on child labor. The 1998 Lima Accord has led to regional and national plans incorporating children’s issues. Belize recently established a National Task Force to combat trafficking. In 2003, the government released the results of a national child labor survey, funded by USDOL with technical assistance from ILO-IPEC’s SIMPOC.

From 1990–2000, the World Bank and the Government of Great Britain supported the Government of Belize in its efforts to improve primary education under UNESCO’s Education for All program. These efforts included the expansion of primary school facilities, improvement of teacher education, enhancement of education quality through curriculum development, establishment of a textbook loan scheme, and strengthening of the capacity of the Ministry of Education.

Incidence and Nature of Child Labor

In 2001, a Child Activity Survey conducted by government’s Central Statistical Office estimated that 14 percent of children ages 5 to 17 are economically active in Belize. The agricultural industry constitutes the largest employer of child workers, followed by work in community, social, and personal services (such as domestic work), retail and repair, construction, tourism, and manufacturing. Seventy-five percent of economically active children are found in rural regions, where they work after school, on weekends and during vacations on family

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359 UNICEF is assisting with the implementation of the national plan in Belize. See UN Committee on the Rights of the Child, Summary Record, Point 27.
360 U.S. Embassy–Belize, unclassified telegram no. 226598, August 2003.
363 SIMPOC and Belize, Child Labour in Belize, xviii. Although released in 2003, the survey was conducted in 2001.
364 Ibid.
365 Thirty percent of economically active children live in the Toledo district. See Ibid.
plots and businesses and are involved in the citrus, banana, and sugar industries as field workers. In urban areas, children shine shoes, sell newspapers and other small items, and work in markets. Teenage girls, many of whom have migrated from neighboring Central American countries, are reported to work as domestic servants, barmaids and prostitutes. No instances of forced child labor were reported in 2002, and there were few confirmed cases of trafficking in children for the purpose of prostitution. However, the practice of selling female children to older men for sexual purposes has been noted to occur throughout the country.

Education in Belize is compulsory between the ages of 5 and 15. Primary education is free, but related expenses, such as uniforms and books, are a financial strain on poor families. In 2000, the gross primary enrollment rate was 128.1 percent, and the net primary enrollment rate was 100.1 percent. Primary school attendance rates are unavailable for Belize. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. Results from the Child Activity Survey indicate that 47 percent of economically active children do not attend school.

**Child Labor Laws and Enforcement**

The Labor Law sets the minimum age for employment at 12 years of age. Children between the ages of 12 and 14 may only participate in light work that is not harmful to life, health or education. In addition, children between

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368 Ibid. A study on sex trafficking commissioned in 2001 by the National Committee for Families and Children and UNICEF found that 35 per cent of those working in the sex industry were under 18 years old, with the youngest being 13. See U.S. Department of State, *Country Reports 2002: Belize*, Section 6f. The study was conducted with assistance from Casa Alianza-Costa Rica and OAS, also based in Costa Rica. See National Committee for Families and Children, *Sexual Exploitation*, The Ministry of Human Development, Women and Civil Society, 2001; available from [http://www.belize.gov.bz/cabinet/d_balderamos_garcia/issue1/page6.htm](http://www.belize.gov.bz/cabinet/d_balderamos_garcia/issue1/page6.htm).


371 Government of Belize, *Education Act*, Chapter 36, (April 24, 1991), [cited August 13, 2003]; available from [http://www.belizelaw.org/lawadmin/index2.html](http://www.belizelaw.org/lawadmin/index2.html). Children may enter a secondary school, the government-run apprenticeship program, or a vocational institution after completing primary education. However, admission to these programs is highly competitive, as they only have space for about half of the children finishing primary school. See U.S. Department of State, *Country Reports 2002: Belize*, Section 5.


374 For a more detailed description on the relationship between education statistics and work, see the preface to this report.

375 SIMPOC and Belize, *Child Labour in Belize*, xviii.
12 and 14 years may work only after school hours and for a total of 2 hours on a school day or Sunday; they may work between the hours of 6 a.m. and 8 p.m. on any day.\textsuperscript{378} The Labor Law applies to all employment in the formal sector, but not to self-employment or employment by family members.\textsuperscript{379} The minimum age for employment near hazardous machinery is 17 years.\textsuperscript{380} The Labor Law sets penalties for non-compliance with minimum age standards at USD 20 or 2 months imprisonment for the first offense, and in the case of subsequent offenses, at USD 50 or 4 months imprisonment.\textsuperscript{381} Forced and bonded labor are prohibited in Belize.\textsuperscript{382}

In 1998, Belize passed the Family and Children’s Act, which consolidated previous legislation regarding the protection of children in the formal sector. According to the Act, children (defined as persons below 18 years of age) are prohibited from employment in activities that may be detrimental to their health, education, or mental, physical, or moral development.\textsuperscript{383}

In 2003, Belize enacted the Trafficking in Persons (Prohibition) Act.\textsuperscript{384} Traffickers can also be prosecuted under immigration laws, and the Criminal Code, which prohibits procuring a female for sexual exploitation in or outside of Belize.\textsuperscript{385}

Inspectors from the Departments of Labor and Education enforce labor regulations.\textsuperscript{386} However, despite the addition of seven new labor officers in 2001, senior officials indicate that they do not have enough staff to monitor every farm and shop in the country.\textsuperscript{387} The Ministry of Education investigates complaints of truancy and minor forms of child labor. The NOPCA receives complaints on the worst forms of child labor and refers them to the Department of Human Services and the Police.\textsuperscript{388} The Family Services Division in the Ministry of Human Development, Women and Children, and Civil Society, the police and immigration officials investigate trafficking cases involving children.\textsuperscript{389}

The Government of Belize ratified both ILO Convention 138 and ILO Convention 182 on March 6, 2000.\textsuperscript{390}


\textsuperscript{379} U.S. Embassy- Belize, unclassified telegram no. 771.


\textsuperscript{381} Labour Act, Section 172.


\textsuperscript{384} U.S. Embassy- Belize, unclassified telegram no. 226598.


\textsuperscript{386} U.S. Department of State, \textit{Country Reports 2002: Belize}, Section 6d.

\textsuperscript{387} U.S. Embassy- Belize, unclassified telegram no. 773.

\textsuperscript{388} Chief Executive Officer Ministry of Labor, Local Government, and Sugar Industry, letter to USDOL official, September 9, 2002. However, Belize does not have legal tools to specially address laws and regulations against the worst forms of child labor. See U.S. Embassy- Belize, unclassified telegram no. 773.

\textsuperscript{389} Immigration officials handled a majority of the suspected trafficking cases. See U.S. Department of State, \textit{Country Reports 2002: Belize}, Sections 5 and 6d.

\textsuperscript{390} ILO, \textit{Ratifications by Country}
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Benin has been a member of ILO-IPEC since 1997. The country is one of nine countries participating in a USDOL-funded ILO-IPEC project to combat the trafficking of children for exploitative labor in West and Central Africa. In June 2002, the U.S. State Department’s Africa Bureau announced its West Africa Regional Strategy to Combat Trafficking in Persons, which includes Benin. In August 2003, the U.S. Department of State’s Office to Monitor and Combat Trafficking in Persons announced the approval of a two-year program that will strengthen the capacity of the Government of Benin, particularly the Brigade for the Protection of Minors, to address child trafficking. Also in 2003, USDOL funded a USD 2 million education initiative to improve access to quality, basic education to children at risk of child trafficking in Benin.

In January 2002, officials from Benin attended a meeting organized by the Government of Côte d’Ivoire, in collaboration with INTERPOL, to discuss child trafficking in West and Central Africa. Issues that were covered included the prevention of trafficking and rehabilitation of trafficking victims. In the resulting declaration, the Yamoussoukro Declaration, the conference participants pledge to carry out coordinated information campaigns on child trafficking. Also in 2002, the Governments of Benin and Gabon signed an agreement on the repatriation and reintegration of trafficked children.

In December 1999, the Ministry of Family, Social Protection, and Solidarity (MFSPS) created the Division of Family, Childhood, and Adolescents, which is working with UNICEF on a variety of programs to combat child trafficking. In 1999, the government carried out a nationwide campaign to raise awareness about the rights of vidomegon children and the responsibilities of parents and adults who engaged in the practice. Vidomegon is a traditional practice of placing poor children in wealthier households; in exchange the child will typically work for...
the family. While the practice is ostensibly intended to benefit the child, the situation frequently degenerates to forced servitude. Vidomegon children may be subjected to poor working and living conditions, may be denied education, and are vulnerable to abuse and exploitation, including trafficking. The MFPS and UNICEF collaborated to provide educational centers for vidomegon where the children can interact with each other and take part in various social and educational activities. The MFPS, along with several other organizations, has supported Projet Oasis, which provides protective and rehabilitative services to child victims of abuse, trafficking, and abandonment and seeks to place each child in a family. Other MFPS activities include the creation of local vigilance committees to help combat child trafficking; the provision of literacy training for child workers under the age of 14 years and apprenticeships for those over the age of 14 years; and campaigns to sensitize truck drivers and border authorities about the sexual exploitation and trafficking of children.

The National Commission on Child Rights (NCCR) was created in 1999 and installed in 2000 as the result of Decree Nos. 99-559 and 2000-600. The NCCR has created departmental committees that report on problems affecting children, including child trafficking. A Plan d’Urgence was published by the NCCR in October 2002 in response to an incident in April 2001, when it was reported that a ship thought to be carrying trafficked children had departed from and returned to a port in Benin. The Government of Benin is working with the Global Program against Trafficking in Human Beings of the UN Office on Drugs and Crime (UNODC) to strengthen anti-trafficking efforts. UNODC is providing technical assistance in areas such as research, law enforcement training, and regional networking. The Government of Benin has also worked with Care International and the Network of Journalists for the Prevention of Child Trafficking and Child Abuse to sensitize the public to child labor problems.

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402 Projet Oasis assists non-handicapped children ages 13 years and under, and of both sexes. In its twelve years of operation, 8,818 children have received help. Children are referred to the program by the police and the Minors’ Brigade. Terre des hommes, Livret d’Indentification 2002, Project Oasis Cotonou - Bénin. Accueil, Protection et Réinsertion des Enfants Victimes d’Exploitation au Travail et D’Autres Types de Mauvais Traitements, 2002, 3, 4, 6.


Since 1994, UNICEF and its partners have been implementing programs that allow the community to become directly involved in aspects of school administration and in promoting girls’ education.408

**Incidence and Nature of Child Labor**

In 2001, the ILO estimated that 26.3 percent of children ages 10 to 14 in Benin were working.409 Benin is a source, destination and transit country for the cross border trafficking of children.410 Children from Benin are trafficked into Ghana, Gabon, Nigeria, Cote d’Ivoire, and Cameroon;411 children from Burkina Faso, Niger, and Togo are sold into servitude in Benin.412 Trafficked children often work as agricultural workers, domestic servants, and commercial sex workers.413 The results of a 1999 study on child labor carried out by the Government and the World Bank revealed that 49,000 children between the ages of 6 and 16 years from rural Benin were victims of child trafficking.414

In Benin, children as young as 7 years old have been observed working on family farms, in small businesses, on construction sites in urban areas, in public markets, and in domestic servitude.415 Families facing extreme poverty placed children in the care of “an agent” believing that the child would work as a farm hand or a domestic worker and that the wages from this labor would be sent back to the family.416 In some cases the children were transported to neighboring countries to work.417 There are also reports of children in Benin working in the sex industry as prostitutes, with children from poor families and street children being particularly vulnerable to commercial sexual exploitation.418

Education in Benin is free for primary school children ages 6 to 11. However, additional mandatory expenses associated with schooling, including uniforms, transportation, and school stationery, tend to be prohibitive for poor families. Education is reportedly compulsory for all children in primary school, but there is no mechanism for enforcement.419 Gender inequality in school enrollment in Benin is apparent. In the 2001-2002 school year, the gross primary enrollment rate in Benin was 94.3 percent (110.5 percent for boys and 78.1 percent for girls).420

408 In one of the project locations the number of children attending school more than tripled between 1993–2000, and comparable gains have been observed in other project areas. UNICEF has plans to work with the government and its partners to expand this model and improve educational support for girls’ education in Benin. UNICEF, Girls’ Education in Benin, [previously online] [cited July 3, 2003]; available from http://www.unicef.org/programme/girlseducation/action/cases/benin.htm [hard copy on file].


415 Ibid., Section 6d.

416 Ibid., Section 6c.

417 Ibid.

418 Ibid., Section 6f. See also, UN Committee on the Rights of the Child, Initial Reports of State Parties: Benin, para. 223.


Attendance rates also reflect the gender disparity in access to education. In 2001, the gross primary school attendance rate was 81.0 percent (93.6 percent for boys and 67.4 percent for girls) while the net primary school attendance rate was 53.5 percent (59.9 percent for boys and 46.5 percent for girls).421

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 14 years422 and prohibits forced labor.423 In addition, the Labor Code requires employers to maintain a register of all employees under the age of 18 years; the register must record the birth date of each of these employees.424 It is illegal to prostitute a minor in Benin.425 Children are protected from abduction and displacement under current legislation, but specific anti-trafficking legislation does not exist.426

Between 1995 and 1999, the Brigade for the Protection of Minors intercepted 2,458 children who were being trafficked.427 There are reports of the capture of traffickers but no reports of subsequent legal measures being taken to enforce legal penalties.428


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424 See Article 167, *Code du Travail*.

425 The penalty for prostituting a minor, or in any way assisting or protecting the prostitution of a minor is two to five years in prison and a fine of 1,000,000 to 10,000,000 francs (USD 1,657.12 to USD 16,571). Criminal Code, Section IV - Indecent Behavior, Article 334b, (April 13, 1946); available from http://209.190.246.239/protectionproject/statutesPDF/Beninf.pdf. The prostitution of female children can be prosecuted under 1905, and 1912, decrees that prohibit using deceit, coercion, or violence to entice a minor girl to satisfy another, or under the Law of April 13, 1946, that prohibits hiring or training prostitutes, sharing in the proceeds, acting as an intermediary for prostitution, or establishing a brothel. Government of Benin, *Decrees of August 19, 1912 and February 7, 1905*, (1922); available from http://209.190.246.239/protectionproject/statutesPDF/Beninf.pdf. Note currency conversion performed using FX Converter, [online] [cited August 27, 2003]; available from http://www.carosta.de/frames/convert.htm. The exchange rate applied is 1 USD = 603.46 XOF.

426 The Criminal Code provides that a person who has abducted, concealed, or suppressed a child will be punished by imprisonment. *Crimes and offenses tending to hinder or destroy proof of the civil status of a child, or to endanger its existence; abduction of minors; violations of burial laws*, Criminal Code, Section VI; available from http://209.190.246.239/protectionproject/statutesPDF/Beninf.pdf. In addition, decree No. 95-191 (1995) states that adults wishing to exit the country with a child under 18 years of age must register with the proper local authority and pay a fee held in escrow until the child has been returned to the village. *ILO-IPEC, Combating the Trafficking of Children (Phase II) Country Annex: Benin, project document,*.


Government Policies and Programs to Eliminate the Worst Forms of Child Labor

Since ratifying the Convention on the Rights of the Child in 1990, the Government of Bhutan has amended the Marriage Act (1996), and has enacted the Regulation of Wage Rate, Recruitment Agencies and Workmen’s Compensation Act (1993) to safeguard the rights of children. The government is working with the UNDP to improve policies that address the needs of the country’s poor and impoverished. His Majesty the King Jigme Singye Wangchuck established the Youth Development Fund in 1998 to provide assistance for ongoing and new youth activities and programming. The Government of Bhutan also coordinates with the WFP on a USDA-supported school-feeding program. The Bhutanese Department of Education finances the construction of kitchens and storerooms, provides cooking materials and stoves, pays the salaries of cooks, and distributes a meal stipend for children in secondary boarding schools. As a member state of the South Asian Association for Regional Cooperation, Bhutan signed the Convention on Preventing and Combating Trafficking in Women and Children for Prostitution in January 2002.

UNICEF is working to improve the country’s education system, with special emphasis on women, children, and disadvantaged students. Efforts are focused on improving primary, non-formal, and special education, as well as providing teacher training and essential school supplies. The World Bank is funding an education program implemented by the Ministry of Health and Education that is constructing new schools and upgrading existing facilities, expanding and improving teacher education, revising curriculum and examinations, and introducing decentralized school monitoring and evaluation through training of central staff and head-teachers. The ADB and the Government of Germany recently funded a skills training project aimed at unemployed youth, women and the poor, which is being carried out by the Government of Bhutan’s National Technical Training Authority. The Government of Bhutan will contribute approximately USD 3 million to this project. Sixty percent of recurrent educational expenditures are invested into primary education.

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434 South Asian Association for Regional Cooperation Secretariat, Eleventh SAARC Summit held in Kathmandu, press release, January 9, 2002.

435 UNICEF, Second Chance at Literacy, UNICEF in Bhutan, [online] [cited June 13, 2003]; available from http://www.unicef.org/bhutan/educat.htm. In addition, the Education Department is launching an “inclusive education” program that will integrate students with disabilities into regular schools by renovating one school in each of the 20 school districts to provide basic facilities for disabled students and training for teachers. See UNICEF, Disabled Children Join Mainstream, UNICEF in Bhutan, [online] [cited June 13, 2003]; available from http://www.unicef.org/bhutan/disable.htm.


Incidence and Nature of Child Labor

In 2001, the ILO estimated that 50.2 percent of children ages 10 to 14 years in Bhutan were working.\textsuperscript{439} Although detailed information on the sectors in which children are working is limited, it is reported that children are often engaged in agricultural work on family farms.\textsuperscript{440}

Education, including technical and vocational education, is free up to the tertiary level for all children aged 6 years or older in Bhutan.\textsuperscript{441} In 1998, Bhutan had a gross primary enrollment rate of 71.9 percent. Gross enrollment varied between sexes, with boys enrolled at a rate of 82.1 percent and girls at 61.5 percent. The net primary enrollment rate was 52.9 percent in 1998, with 58.4 percent for boys and 47.2 percent for girls.\textsuperscript{442} The completion rate of 7 years of schooling in 2001 was 60 percent for girls and 59 percent for boys.\textsuperscript{443} In 1999, 90.42 percent of children enrolled in primary school reached grade five.\textsuperscript{444} Primary school attendance rates are unavailable for Bhutan. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{445} Most of the primary schools in southern areas of Bhutan that were closed in 1990 remain closed. The closure of the schools in these areas, which are heavily populated by ethnic Nepalese, effectively limits the ability of ethnic Nepalese to obtain a basic education.\textsuperscript{446}

Child Labor Laws and Enforcement

Employment of children is prohibited by the Regulation for Wage Rate, Recruitment Agencies and Workmen’s Compensation Act (1994);\textsuperscript{447} however, a minimum age has not been established.\textsuperscript{448} For all practical purposes, however, the age of 18 has been established as the age of majority in all matters of the state, including employment, by the Marriage Act of 1996.\textsuperscript{449} Forced or compulsory labor is prohibited by Bhutanese law, and there are no


\textsuperscript{444} World Bank, \textit{World Development Indicators} 2003. This percentage may hide the fact that many children promoted to grade five may combine school and work. In addition, little is known in regard to Bhutanese standards for promoting children through primary school.

\textsuperscript{445} For a more detailed discussion on the relationship between school statistics and work, see the preface to this report.

\textsuperscript{446} Schools were closed by the government as a result of protests by Southern Bhutanese to the government’s “One Nation, One People” citizenship policies. U.S. Department of State, \textit{Country Reports- 2002: Bhutan}, Section 5. See also Bhutan Association of Human Rights Activists, \textit{Government Repression of Southern Bhutanese}, [online] [cited December 17, 2003]; available from http://www.hurights.or.jp/wcar/E/doc/other/Refugee/AHURA.htm.

\textsuperscript{447} UN Committee on the Rights of the Child, \textit{Initial Reports of State Parties: Bhutan}, para. 32.

\textsuperscript{448} UN Committee on the Rights of the Child, \textit{Summary Record: Bhutan}, para. 23.

\textsuperscript{449} Ibid., para. 41.
reports that such practices occur.\(^{450}\) Trafficking in persons is not specifically prohibited,\(^{451}\) and there have been reports, but no specific information, that children were trafficked from Bhutan to Nepal, India, and Pakistan.\(^{452}\)

The Government of Bhutan is not a member of the ILO and therefore has not ratified ILO Convention 138 or Convention 182.\(^{453}\)


\(^{451}\) Ibid., Section 6f.


Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In April 2001, the Bolivian Congress approved the USD 90 million National Plan for the Progressive Eradication of Child Labor 2000-2010 designed by the Interinstitutional Commission for the Eradication of Child Labor. The Plan’s strategic objectives include the reduction of child labor for children under the age of 14, the protection of adolescent workers over the age of 14, and the elimination of the worst forms of child labor. It also includes provisions to rehabilitate and reintegrate child victims of commercial sexual exploitation, although the government lacks funding for this and other project activities. The Commission has developed five sectored sub-commissions to implement the priorities of the National Plan. The sub-commissions focus on child labor in the following areas: sugar cane harvesting; mining; raising awareness/communications; commercial sexual exploitation; and domestic work.

In 2002, the government completed a study on child prostitution, the results of which will be used to create incentive programs to keep children away from this hazardous activity. In 2003, the government issued a decree allowing children to resume classes in a new location at any point in the school year, which will enable children of families that migrate to continue with their education. The government also obligated sugar cane industry leaders to sign contracts with workers that included a clause prohibiting child labor. In addition, the government will make available free birth certificates to children who work the sugar cane harvest, facilitating their access to social services including health and education. The government has also provided training to the Defenders of Minors offices in Santa Cruz, which will increase the number of child labor inspections in that region. Since 2000, the government has been participating in a USDOL-funded ILO-IPEC regional project to eliminate child labor in small-scale mining in the Andean region. From 2000 to 2001, ILO-IPEC also implemented a project to progressively eradicate child labor performed by street children in the city of El Alto.

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456 The plan includes a variety of strategies to reach its goals, such as awareness raising and income-generating alternatives for families. Inter-Institutional Commission for the Eradication of Child Labor, *Plan de Erradicación*, 35, 38.


462 Ibid.

463 Ibid.

464 Ibid.

465 The regional project includes Bolivia, Ecuador and Peru. ILO-IPEC, *Phase I: Program to Prevent and Progressively Eliminate Child Labor in Small-scale Traditional Gold Mining in South America*, project document, (ILO) LAR/00/05/050, Geneva, April 1, 2000.

In September 2002, USDOL funded a USD 1.5 million project to improve the access to and quality of basic education for working children in the Potosí mines. In October 2001, IDB financed a program to strengthen technical and technological training for young school dropouts with a gender focused approach. In 2003, IDB approved a second phase of the education reform program. In 2002, the World Bank invited Bolivia to participate in the Education for All Fast Track program to build on its success in creating and implementing policies to improve the quality and delivery of primary education.

From 1994-2003, the Government of Bolivia prioritized the access and quality of primary education in its Education Reform efforts. Beginning in 2004, the government will launch the second phase of the Reform, which will focus on improving access and quality at the pre-school and secondary levels. The WFP’s strategies in its 2003-2007 country plan for Bolivia were integrated into Bolivia’s poverty reduction strategy to provide food aid to schools and shelters for street children with the goal of stabilizing school attendance rates, decreasing drop out rates and increasing grade promotion, particularly among street children and girls. The Ministry of Education’s Vice-Ministry of Alternative Education has developed a night class curriculum designed to keep working children and adolescents in school by offering them flexible, contextual, vocational, and reality-based lessons.

**Incidence and Nature of Child Labor**

In 2000, UNICEF estimated that 26.4 percent of children ages 5 to 14 years in Bolivia were working. Children generally enter the labor market from 10 to 12 years of age, but there are reports of children working who are as young as 10 years. The target numbers for the program are 42,000 primary school students and 7,000 street children. The World Bank’s World Development Indicators report for 2003 states that 10.75 percent of children ages 10 to 14 were in the labor force.

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472 Ibid., 4.


475 Children were deemed working if they performed any paid or unpaid work for someone who is not a member of the household, performed more than four hours of housekeeping chores in the household, or performed other family work. Mario Gutiérrez Sardán for the Government of Bolivia, *Multiple Indicator Cluster Survey (MICS) Report: Bolivia, UNICEF*, La Paz, May 2001, 44, [cited August 25, 2003]; available from http://www.childinfo.org/MICS2/newreports/bolivia/bolivia.pdf. In 2001, it was reported that 10.75 percent of children ages 10 to 14 were in the labor force. World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003.
young as 6 years old. A large number of children are found working in sugar cane harvesting and production in Santa Cruz. In urban areas, children shine shoes, sell goods, and assist transport operators. Children also work as small-scale miners, indentured domestic laborers and prostitutes. Women and adolescents from the indigenous areas of the high plains are at the greatest risk of being trafficked. Many children from rural areas lack identity documents and birth certificates necessary

The Constitution of Bolivia calls for the provision of education as a principal responsibility of the state, and establishes free and compulsory primary education for 8 years for children ages 6 to 14. In 2000, the gross primary enrollment rate was 115.9 percent and the net primary enrollment rate was 96.9 percent. More than 56 percent of Bolivian children and adolescents, however, do not attend or have abandoned school. Verbal punishment and corporal abuse exist in schools. Inadequate incentives for teachers make the teaching profession unattractive.

478 ILO-IPEC, Phase I: Program to Prevent Child Labor in Gold Mining, project document, 3.
479 It is also reported that children work as drug transporters. U.S. Department of State, Country Reports on Human Rights, Sections 5, 6d.
481 It is also reported that children work as drug transporters. U.S. Department of State, Country Reports on Human Rights, Section 6f.
482 Ibid.
483 Although Article 1 of Decreto Ley No. 13.907 requires 1 year of compulsory service for Bolivians who are 18 years old, it is reported that 40 percent of the armed forces are under 18 and as young as 14. Coalition to Stop the Use of Child Soldiers, “Bolivia,” in Global Report 2001: Bolivia, , 2001; available from http://www.child-soldiers.org/cs/childsoldiers.nsf/f30d86b5e33403a180256ae500381213/d3f060b388329fb0256a6e002426d7?OpenDocument.
484 World Bank, World Development Indicators 2003. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.
485 Inter-Institutional Commission for the Eradication of Child Labor, Plan de Erradicación, 11. In urban centers, 57 percent of all children between ages 7 and 12 leave school before the sixth grade. The drop-out rate was 89 percent in rural regions. Ministry of Sustainable Development and Planning, Proyecto de Continuidad del Programa de Escolarización de Niñas y Niños Trabajadores de 7 a 12 Años de Edad, proposal, Vice Ministry of Gender, Generational, and Family Affairs, Bureau of Generational and Family Affairs, La Paz, 2001, 12. The Child and Adolescent Code calls upon the government to take steps to reduce school drop-out rates and in rural areas, to provide pedagogical materials and resources, to adapt the school calendar and attendance schedule to local realities, and to raise awareness within communities and among parents about the importance of registering children for school and maintaining their regular attendance. See Government of Bolivia, Ley del Código del Niño, Niña y Adolescente, Ley No. 2026, Articles 115-116, (October 14, 1999), [cited August 25, 2003]; available from http://www.geocities.com/bolilaw/legisla.htm.
to receive social benefits and protection. In May 2002, a new Supreme Decree was issued that established a program to provide free birth certificates to children, especially in rural areas, born on or after the first of January 2002. The Office of the First Lady is currently spearheading this project.

**Child Labor Laws and Enforcement**

The Child and Adolescent Code sets the minimum age for employment at 14 years. National legislation on hazardous labor prohibits children from taking part in activities involving danger to health or morals, physically arduous labor, exposure to chemicals and noxious substances, dangerous machinery, and the production and handling of pornographic materials. Under the Code, employers are required to ensure that adolescent apprentices attend school during normal school hours.

The Constitution prohibits any kind of labor without consent. Forcing an individual under 18 years into prostitution carries a maximum penalty of 20 years imprisonment, but enforcement is poor and police raids are ineffectual and easily avoided. All forms of pornography are illegal under Bolivian law. The 1999 Law for the Protection of the Victims of Crimes Against Sexual Freedom prohibits individuals from benefiting from the corruption or prostitution of a minor, and also outlaws trafficking in persons for the purpose of prostitution.

An interagency Committee on Minors was formed to combat the extraterritorial trafficking of adolescents for forced labor. However, a lack of resources allows trafficking of children to continue. The Government of Bolivia cooperates with other governments to investigate and prosecute trafficking cases. Corruption among government officials is a problem, and the government has made efforts to work with judicial officials.

In March 2001, the government adopted into law stipulations of the Child and Adolescent Code that allow judges and other authorities of the Ministry of Justice to punish violations of children’s rights within the country.
However, a set of fines and penalties has not been standardized for child labor violations.\textsuperscript{507} In 1996, the Vice-Ministry of Gender, Generational and Family Affairs created the Municipal Child and Adolescent Defense Offices, which offer free public services to promote, protect, and defend the rights of children and adolescents.\textsuperscript{508} As of June 2001, there were 150 such Defense Offices functioning in 135 municipalities.\textsuperscript{509}


\textsuperscript{507} U.S. Embassy- La Paz, unclassified telegram no. 3740.

\textsuperscript{508} Ministry of the Presidency, \textit{Cumbre Mundial de la Infancia: Evaluación de Metas}, Vice Ministry of Governmental Coordination, Bureau of Coordination with the National Administration, La Paz, June 2001, 12.

\textsuperscript{509} Ibid., 5, Area No. 6: Educación y Desarrollo durante la Niñez Temprana.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

While the Government of Bosnia and Herzegovina does not have programs specifically targeting the elimination of the worst forms of child labor, it is participating in efforts to combat child trafficking. In December 2002, it signed a joint declaration with 12 other southeastern European nations to better assist victims of trafficking. The IOM and UNICEF, among others, have developed their own assistance and prevention programs within the country. The IOM, in cooperation with government authorities, the UN and NGOs, operates a project to protect and assist trafficking victims by providing them with transportation, housing and financial assistance. The project targets women and children working in the commercial sex industry. The IOM also trains government officials in counter trafficking methods, law enforcement, and the proper treatment of victims. In its project on protection from extreme forms of violence, UNICEF is working with the various government bodies dealing with children’s issues to assess how to better protect children at risk for being trafficked or who are trafficking victims. In 2003, the government established a National Coordinator’s Office to Combat Trafficking. In addition, UNICEF continues to work with the Ministries of Education of Bosnia and Herzegovina’s two entities to implement a project providing access to essential services for vulnerable groups, which has as one of its goals to increase the enrollment and retention of minority Roma children in the education system.

511 The 1995 Dayton Accords established two distinct entities within Bosnia and Herzegovina: the Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska (RS).


513 The majority of assistance projects within Bosnia and Herzegovina are carried out by international organizations and NGOs, with the government authorities playing minor roles. In 2004, the government should assume responsibility for a project in Sarajevo to shelter and assist TIP victims. The IOM has assisted 590 trafficked women and children since August 1999. Approximately 11 percent were girls under the age of 18. See IOM, Shelter and Return of Trafficked Girls and Women in BiH, [online] 2003 [cited June 24, 2003]; available from http://www.iom.ba/Programs/OnGoing/trafficking.htm. See also Human Rights Watch, HOPES BETRAYED: Trafficking of Women and Girls to Post-Conflict Bosnia and Herzegovina for Forced Prostitution, Washington, D.C., November 2002, 4; available from http://www.hrw.org/reports/2002/bosnia.


Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 17.7 percent of children ages 5 to 14 years in Bosnia and Herzegovina were working.\textsuperscript{518} Children occasionally assist their families with farm work and various jobs, and Roma children beg on the streets in Sarajevo.\textsuperscript{519} The prostitution and trafficking of girls remains a problem.\textsuperscript{520} Reports indicate that there are isolated cases of children as young as 13 and 14 years old from Eastern Europe and the former Soviet Union who are trafficked to Bosnia and Herzegovina and sold into prostitution.\textsuperscript{521}

Education is free and compulsory until age 15.\textsuperscript{522} The right to education is guaranteed by the constitutions of the country’s two political entities, the Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska (RS), but each entity established compulsory education requirements in its own specific laws.\textsuperscript{523} In 1998, the gross primary enrollment rate was 103.6 percent, and the net primary enrollment rate was 97.4 percent.\textsuperscript{524} In 2000, the primary attendance rate was 94 percent.\textsuperscript{525} A lack of reliable official statistics on attendance and level of school completed, however, hinder efforts to ensure that all school age children receive an education.\textsuperscript{526}

\textsuperscript{518} Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. Less than 1 percent of children between ages 5 and 14 were paid for their employment, 6 percent of children participated in unpaid work for someone other than a family member, and 15 percent of children worked on the family farm or in the family business. See Government of Bosnia and Herzegovina, \textit{Multiple Indicator Cluster Survey 2 (MICS 2): Bosnia and Herzegovina}, UNICEF [online] 2000 [cited June 24, 2003]; available from http://www.ucw-project.org/cgi-bin/ucw/Survey/Main.sql?come=Tab_Country_Res.sql&ID_SURVEY=169. See also Government of Bosnia and Herzegovina, \textit{Household Survey of Women and Children in Bosnia and Herzegovina 2000: A Multiple Indicator Cluster Survey: BEH MICS 2000}, UNICEF; May 29 2002, 54; available from http://www.childinfo.org/MICS2/newreports/bosniaherzegovina/b&h.pdf.


\textsuperscript{520} According to the State Department, estimates of the number of trafficking victims are not considered reliable and vary considerably. Data collected by the United Nations Mission in Bosnia and Herzegovina and the IOM indicate that between 750 to 900 females were thought to be coerced or deceived into prostitution in 2002. Of these, between 10 to 15 percent were under the age of 18. According to LARA, a leading NGO in Bosnia and Herzegovina that combats trafficking, estimates range as high as 2,000 trafficked women and children. See ibid., Section 6f. See also Human Rights Watch, \textit{Human Rights Watch Trafficking Report for BiH}, 11-12. See also Martina E. Vandenberg Human Rights Watch, \textit{Testimony on Trafficking of Women and Girls to Bosnia and Herzegovina for Forced Prostitution}, House Committee on International Relations, Subcommittee on International Operations and Human Rights, Washington, D.C., April 24 2002, 1.


\textsuperscript{523} Article 2(3)(f) of the Constitution of Bosnia and Herzegovina establishes the right to education for all persons, but compulsory education laws and curricula are established by the entities. The GFAP Annex 4 Article III lists the responsibilities of the institutions of BiH and the entities. GFAP Annex 4 Article III 3(a) states that “all government functions and powers not expressly assigned in this Constitution to the institutions of Bosnia and Herzegovina shall be those of the Entity.” Consequently, the entities, not the state-level government, are responsible for such matters as education, health, and intra-entity law enforcement. In the FBiH, each of the 10 cantons also is responsible for health and education. Currently, the two entities have differing curricula, but an agreement has been reached to develop a common curriculum. See \textit{The General Framework Agreement: Annex 4: Constitution of Bosnia and Herzegovina}, (December 14, 1995); available from http://www.ohr.int/dpa/default.asp?content_id=372. See also UNICEF, UNICEF Consolidated Donor Report for Southeastern Europe: Bosnia and Herzegovina: January-December 2000, Area Office of the Balkans, March 2001; available from http://www.unicef.org/balkans/donrep-seeur-2000.pdf [hard copy on file].


\textsuperscript{525} Government of Bosnia and Herzegovina, \textit{Household Survey of Women and Children in Bosnia}, 25.

\textsuperscript{526} U.S. Embassy- Sarajevo, electronic communication.
limited in war-affected areas, where one-third to one-half of schools have been destroyed. The quality of education in rural areas has deteriorated, and in some areas more girls are quitting primary school than in the past. Tension among different ethnic communities and local policies favoring citizens in the ethnic majority also prevent minority or refugee children from attending school in these regions. Efforts to address these issues, including implementation of the 2002 Interim Agreement on Accommodation of Specific Needs and Rights of Returnee Children, have led to modest improvements in a number of cases.

**Child Labor Laws and Enforcement**

In both FBiH and RS, the Labor Law sets the minimum age for employment at 15 years, and minors between the ages of 15 to 18 must provide a valid health certificate in order to work. Also, in both entities, children are prohibited from performing hazardous and overtime work. Night work by minors is also banned, although temporary exemptions may be granted by the labor inspectorate in regards to machine breakdowns, the elimination of consequences of force majeure, and protection of the political entity. In FBiH, an employer found in violation of the above prohibitions must pay a fine ranging from 2,000 to 14,000 convertible marks (USD 1,273 to 8,917). In the RS, fines range from 1,000 to 10,000 convertible marks (USD 637 to 6,396) for hiring children under the age of 15 and requiring overtime work or hazardous work of a minor. The fines are raised to 2,000 to 15,000 convertible marks (USD 1,273 to 9,554) for employers who allow underage workers to work at night.

On March 1, 2003, the Criminal Code of Bosnia and Herzegovina came into effect, criminalizing human trafficking. Anyone taking part in the recruitment, transfer, or receipt of persons through the use of threat, force, coercion, abduction, fraud, or deception shall be punished with imprisonment from 1 to 10 years. If the victim is a child under the age of 18, the perpetrator is to be imprisoned to a term of not less than 5 years.

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528 U.S. Embassy- Sarajevo, electronic communication.
529 U.S. Department of State, Country Reports- 2002: Bosnia and Herzegovina, Section 5.
530 While students and faculty of different ethnic groups began to share the same school facilities, their classes were on different floors or they attended in shifts. Students of different ethnic groups did not interact with each other. See Interim Agreement on Accommodation of Specific Needs and Rights of Returnee Children, (March 5, 2002); available from http://www.unhcr.ba/protection/refugees&dp/agreem~1.PDF. See also U.S. Department of State, Country Reports- 2002: Bosnia and Herzegovina, Section 5.
532 The Labour Law (FBiH), Articles 15, 32, and 51. See also The Labor Law (RS), Articles 14, 41, and 69.
533 The Labor Law of the BiH Federation refers to protections of the interests of the Federation, while the Labor Law of the RS refers to protection of the interests of the Republic. See The Labour Law (FBiH), Article 36. See also The Labor Law (RS), Article 46.
535 The Labour Law (RS), Article 150.
536 Ibid.
sexual relations with a juvenile is specifically prohibited. On October 14, 2003, the Law on Movement and Stay of Foreigners and Asylum entered into force. The law’s implementing regulations address the provision of services to trafficking victims. There have been allegations of both local law enforcement and international police facilitation of the trafficking of women.


538 In FBiH, persons caught recruiting or luring juvenile females into prostitution face imprisonment between 1 and 10 years, while having sexual intercourse with a child under the age of 14 is punishable by imprisonment between six months and five years. The FBiH Criminal Code mandates between 6 months and 10 years imprisonment for those convicted of rape or forced sexual intercourse. In the RS, the punishment for persons convicted of rape or having sexual intercourse with a child is imprisonment for 3 to 15 years. Under the RS Criminal Code, an imprisonment term of 1 to 12 years is authorized for individuals who for profit compel or lure persons under the age of 21 into offering sexual services, including by threat or use of force or by abusing the situation originating from the persons' stay in another country. In practice, traffickers are sentenced in Bosnia and Herzegovina usually to imprisonment for no more than six to eight months. See Criminal Code of the Federation of Bosnia and Herzegovina, (November 20, 1998), Articles 221, 22, 24, and 29; available from http://www.ohr.int/ohr-dept/legal/crim-codes/default.asp?content_id=5130. See also Criminal Code of the Republika Srpska, (July 31, 2000), Articles 185 and 88; available from http://www.ohr.int/ohr-dept/legal/crim-codes/default.asp?content_id=5129. See also Criminal Code of the Brcko District of Bosnia and Herzegovina, (June 2000), Articles 209 and 12; available from http://www.ohr.int/ohr-dept/legal/crim-codes/doc/bd-criminal-code.doc. See also U.S. Department of State, Trafficking in Persons Report, Washington, D.C., June 11 2003; available from http://www.state.gov/g/tip/rs/tiprpt/2003/21275.htm. See also U.S. Department of State, Country Reports- 2002: Bosnia and Herzegovina, Section 6f.

539 In 2002, 26 local police officers were decertified by the United Nations Mission in Bosnia and Herzegovina as a result of investigations related to trafficking, and another 25 police officers are under investigation by the Interior Ministry. In addition, 10 members of the Stabilization Force were detained in a raid on a Sarajevo bar. See U.S. Department of State, Country Reports- 2002: Bosnia and Herzegovina, Section 6f.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Botswana has been implementing a 10-year National Program of Action for Children since 1997 that incorporates the 7 major global goals identified at the 1990 UN Summit for children. The government is working with NGO’s, community-based organizations, and the private sector on a National Orphan Programme tasked with policy development, capacity building, and coordinating inter-institutional activities, as well as developing a comprehensive National Orphan Policy based on the Convention on the Rights of the Child. In September 2003, USDOL funded a USD 5 million regional project in Southern Africa, which includes Botswana, aimed at combating child labor.

In 2000, the Government of Botswana signed a USD 4.5 million funding agreement with UNICEF to improve the situation of children in the country. The money is being used to serve children who are pregnant and children in remote areas by providing more learning facilities. Additionally, UNICEF implements a girls’ education program in Botswana aimed at improving the primary school curriculum, supporting the formulation of an early childhood care and education policy, developing pregnancy prevention policies and programs, and improving the environment at boarding schools where boys and girls enrollment is low.

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 13.95 percent of children ages 10 to 14 years in Botswana were working. In urban areas, increasing numbers of street children, many of them HIV/AIDS orphans, allegedly engage in begging and prostitution. Child prostitution is also reported to occur on the border road between South Africa and Botswana and in tourist areas. In remote areas, young children reportedly work as cattle tenders, domestic servants and babysitters.

Primary education is free for seven years, but it is not compulsory. In 2000, the gross primary enrollment rate was 108.3 percent, and the net primary enrollment rate was 84.3 percent. Total net and gross enrollment rates for girls and boys are relatively equal. In 1999, 86.8 percent of children enrolled in primary school reached grade 5.

Primary school attendance rates are unavailable for Botswana. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

549 Ibid., Section 5. See also U.S. Embassy- Gaborone, unclassified telegram no. 3277, September 2001.
550 In 1998, the net primary enrollment rate for boys was 82.5 percent and 86 percent for girls. The gross primary enrollment rate for boys was 108 percent for both boys and girls. World Bank, World Development Indicators 2003.
551 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
Child Labor Laws and Enforcement

The minimum age for basic employment for children is 14 years, and 18 years for hazardous work. However, family members may employ children under the age of 14 in family businesses. The law protects adopted children from being exploited as cheap labor or coerced into prostitution. The government does not prohibit forced or compulsory labor of children, although there are no reports that such practices occur. Child prostitution and pornography are criminal offenses and punishable by a 10-year minimum sentence for “defilement” of persons under 16.

The Child Welfare and Juvenile Services Division at the Ministry of Local Government is the government agency that oversees the protection and welfare of children. The Employment Act authorizes the Commissioner of Labor to investigate cases of child labor and to terminate unlawful employment of a child. Child labor laws are enforced by the child welfare divisions of the district and municipal councils. The highest penalty for unlawful child employment is imprisonment up to 12 months, a fine of 1500 Pula (USD 322), or a combination of both.


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554 U.S. Embassy- Gaborone, unclassified telegram no. 3277.
555 U.S. Department of State, Country Reports- 2002: Botswana, Section 6d.
556 Ibid.
557 Ibid., Section 6c.
560 U.S. Embassy- Gaborone, unclassified telegram no. 3277.
562 U.S. Embassy- Gaborone, unclassified telegram no. 3277. For currency conversion see FX Converter, Currency Converter.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Brazil has been a member of ILO-IPEC since 1992. In 2003, USDOL funded an ILO-IPEC program to support the government’s Timebound Program to eliminate the worst forms of child labor within a specified time period. Also in 2003, USDOL funded a program to improve access to and quality of basic education in areas with a high incidence of child labor. In past years, USDOL funded projects in Brazil through ILO-IPEC including a regional program to combat the problem of hazardous child domestic work; a program that addresses the commercial sexual exploitation of minors in two border cities between Brazil and Paraguay, and a child labor survey. The survey report was published in April 2003. In addition, the Government of Brazil, along with ILO-IPEC, the other MERCOSUR governments and the Government of Chile, has developed a 2002–2004 regional plan to combat child labor.

The federal government administers numerous programs under different ministries and has formed various commissions to combat and address issues related to child labor in Brazil. These programs to eradicate child labor are listed in the Government of Brazil’s multi-year plan. The 2004 – 2007 multi-year plan, which is currently being formulated through a process of popular consensus, will include funds for programs to combat child labor.

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569 Among these is the Executive Group to Combat Forced Labor and the National Office of Coordination for Combating the Exploitation of Child and Adolescent Labor. State governments have also formed local commissions, such as the State of Rio de Janeiro’s Commission on the Prevention and Eradication of Child Labor. See Public Labor Ministry, Quadro de Representações, [previously online] November 14, 2001 [cited September 13, 2002]; available from http://www.pgt.mpt.gov.br/comissoes.html [hard copy on file].


In September 2002, the Ministry of Labor and Employment (MTE) created the National Commission to Eradicate Child Labor (CONAETI), whose main goal is to implement ILO Conventions 138 and 182. The CONAETI will also work to increase coordination among federal efforts to address child labor and elaborate a National Plan for the Eradication of Child Labor.\(^\text{573}\) In May 2000, the MTE established the Tripartite Commission,\(^\text{574}\) which produced a list of 81 activities in September 2001 defined as “worst forms” of child labor.\(^\text{575}\) The CONAETI will reevaluate this list in 2003.\(^\text{576}\)

Each Brazilian state has a Special Group to Combat Child Labor and Protect the Adolescent Worker (GECTIPA), which is responsible for reporting upcoming local activities and their outcomes to the MTE.\(^\text{577}\) In 2003, the GECTIPAs will be responsible for raising awareness and working with the private sector to set up a framework for a youth apprenticeship program. In addition, these groups will produce a child labor mapping system, which will be available in November.\(^\text{578}\) In some regions, councils defend the rights of children and adolescents at the federal, state, and municipal levels.\(^\text{579}\)

In 2003, the President of Brazil issued an Executive Order for a government-wide initiative to combat the sexual exploitation of minors.\(^\text{580}\) The Federal Ministry of Social Assistance (MAS) oversees a program to create centers and networks to assist children and adolescents who are victims of sexual abuse and exploitation.\(^\text{581}\) Government service providers are receiving training from USAID on the special needs of child and youth victims of...
trafficking. At the end of 2002, the Ministry of Justice, in cooperation with the UN Drug Control Program, announced a program to combat trafficking in persons for sexual exploitation, funded in part by the government of Portugal. Early in 2002, Brazil initiated a Global Program to Prevent and Combat Trafficking in Human Beings, which includes the targeting of victims who are trafficked for commercial sexual exploitation and forced labor. The Ministry of Tourism implemented an international campaign to raise awareness on sex tourism, and the National Human Rights Secretariat mounted a national awareness raising campaign against the sexual exploitation of children. Also during the year, federal and state police monitored the internet for sex traffickers. A Parliamentary Investigative Commission on Sexual Tourism began functioning in September 2001 in the city of Fortaleza.

The MAS Program on the Eradication of Child Labor (PETI) gives stipends to families who remove children from work and keep them in school. In addition, PETI offers target children an after school program which includes school reinforcement, sports and art-related activities. In October 2003, PETI had provided services to approximately 810,000 children. In cooperation with the MTE, MAS also has a program that provides skills training to adolescents between the ages of 15 and 17 for future employment and encourages them to become involved in the social development of their communities. The Ministry of Education (MEC) has developed Bolsa Escola, a preventive counterpart to the PETI program, which provides mothers with a monetary stipend. In return, the mothers agree to ensure that their children maintain at least an 85 percent attendance rate in school. Bolsa Escola, now providing stipends to mothers for nearly nine million children throughout Brazil, is the largest program of its kind in the world. The government has also designed special classes to address the problem of

585 U.S. Department of State, Trafficking in Persons Report. USAID has a Memorandum of Understanding with the Ministry of Social Assistance and the National Secretariat of Human Rights to collaborate to improve social and psychological services for trafficking victims, assist the Government of Brazil to strengthen national laws on domestic trafficking, and support a national trafficking in persons awareness campaign. See Statement by Kent R. Hill.
587 Viviane Lima, O Povo, CE, September 20, 2001, 18, as cited in CPI do Turismo Sexual em Fortaleza já tem denúncias, “Agencia de Noticias dos Direitos da Infancia”.
588 U.S. Embassy- Rio de Janeiro, unclassified telegram no. 1715, November 9, 2000. While state and municipal governments are responsible for implementing a large part of the program at the local level, the Federal Ministry of Welfare and Social Assistance provides guidelines and most of the funding. See U.S. Consulate – Sao Paulo, unclassified telegram no. 1439. In 2002, the PETI program adopted the MTE list of worst forms of child labor as a framework for selecting labor activities to include in the program. U.S. Consulate- Sao Paulo, unclassified telegram no. 1394.
592 U.S. Consulate– Sao Paulo, unclassified telegram no. 1394.
593 Ibid. U.S. Department of State, Country Reports 2002. Municipal governments are responsible for the day-to-day management of the program.
students who are forced to repeat grades,\textsuperscript{594} created a school lunch program which seeks to promote children’s attendance,\textsuperscript{595} and raised the average wage paid to teachers by 12.9 percent nationally and up to 49.2 percent in the Northeast region.\textsuperscript{596} These programs are partly supported through the Fund to Combat Poverty.\textsuperscript{597}

The World Bank provides loans to the government of Brazil for projects that aim to improve primary education mainly in the poorer region of the Northeast.\textsuperscript{598} In June 2003, the Bank approved a USD 60 million loan to the state of Bahia for a second phase of a program to improve access, quality and management of primary and secondary schools in the region.\textsuperscript{599} The IDB is assisting the MEC with three projects that address shortcomings in secondary and higher education.\textsuperscript{600} In addition, the IDB approved a USD 500 million loan to Brazil in August 2002 to support country investment in monetary transfer payment programs for poor families.\textsuperscript{601}

**Incidence and Nature of Child Labor**

In 2001, based on statistics from the Brazilian Institute of Geography and Statistics, it is estimated that 12.7 percent of children ages 5 to 17 years in Brazil were working.\textsuperscript{602} Of all males between the ages of 5 and 17 years, 16.4 percent were working; of all females between the ages of 5 and 17, 9 percent were working.\textsuperscript{603} Child labor occurs

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\textsuperscript{596} UNESCO, \textit{Education for All 2000 Assessment: Country Reports- Brazil}, prepared by National Institute for Educational Studies and Research, pursuant to UN General Assembly Resolution 52/84, [cited October 9, 2003]; available from http://www2.unesco.org/wef/countryreports/brazil/rappport_2_4_4.htm.

\textsuperscript{597} Emenda Constitucional N.31, de 14 de Dezembro de 2000, No. 31, (December), article 79; available from http://www.pge.sp.gov.br.


\textsuperscript{602} Brazilian Institute of Geography and Statistics, \textit{Pesquisa Nacional por Amostra de Domicílios}, 48.

\textsuperscript{603} The total number of working children between the ages of 5 and 17 is 5,482,515. The total number of working girls in this age group is 1,912,299 and the total number of boys is 3,570,216. Ibid.
more frequently in northeastern Brazil than in any other region and is particularly common in rural areas.\textsuperscript{604} The number of working boys is nearly double that of working girls.\textsuperscript{605} Children work on commercial citrus, sugar cane, and sisal\textsuperscript{606} farms; in traditional sectors of the Brazilian economy, including the footwear, mining and charcoal industries;\textsuperscript{607} and as domestic servants\textsuperscript{608} and scavengers in garbage dumps.\textsuperscript{609} Children are involved in prostitution,\textsuperscript{610} pornography,\textsuperscript{611} and the trafficking of drugs,\textsuperscript{612} and are victims of internal trafficking networks that transport them to mining and construction sites and tourist areas for the purposes of prostitution.\textsuperscript{613} A 2002 report revealed that adolescent girls are being trafficked internationally with falsified documents for the purposes of prostitution.\textsuperscript{614} Children are also reported to serve as “soldiers” in drug gangs that control most of Rio de Janeiro’s shantytowns.\textsuperscript{615} Many working children are found in the informal sector, and nearly half receive no income.\textsuperscript{616}

Basic education (grades 1 through 8) is free and compulsory for children between the ages of 7 and 14.\textsuperscript{617} In 2000, the gross primary enrollment rate was 162.3 percent, and the net primary enrollment rate was 97.0 percent.\textsuperscript{618} Child labor contributes to the “age-to-grade” distortion of children in school, a widespread characteristic of the Brazilian education system. This distortion refers to the large number of children in the country who are enrolling and/or attending school at a grade level below that which is considered appropriate for their age group.\textsuperscript{619} In 2001, 80.3 percent of working children between the ages of 5 and 17 were attending school.\textsuperscript{620}


\textsuperscript{605} In 2001, 3,570,216 boys aged 5 to 17 years were working and 1,912,299 girls of the same age group were working. ILO-IPEC Official, \textit{Sumário - PNAD/SIMPOC 2001: Pontos Importantes}, Attachment USDOL Official, April 16, 2003.

\textsuperscript{606} A plant that yields a stiff fiber used for cordage and rope.

\textsuperscript{607} U.S. Department of State, \textit{Country Reports 2002}, Section 6d.


\textsuperscript{612} Dr. Jailson de Souza e Silva and Dr. André Urani, \textit{Brazil: Children in Drug Trafficking: A Rapid Assessment}, ILO, Geneva, February 2002.

\textsuperscript{613} Protection Project, “Brazil,” 79.


\textsuperscript{617} U.S. Consulate – Sao Paulo, unclassified telegram no. 1439.


\textsuperscript{619} For a detailed explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.

\textsuperscript{620} Calculated from the Brazilian Institute of Geography and Statistics, \textit{Pesquisa Nacional por Amostra de Domicílios}, 76.
Child Labor Laws and Enforcement

After a 1998 Constitutional amendment, the minimum age for general employment was raised from 14 to 16 years and the minimum age for apprenticeships from 12 to 14 years.\(^{621}\) The 1990 Statute on Children and Adolescents prohibits children under the age of 18 from working in unhealthy, dangerous and arduous conditions, at night, or for long hours that impede school attendance. It also prohibits children less than 18 years of age from carrying heavy loads and working in settings where their physical, moral or social being is at risk.\(^{622}\) Trafficking is also addressed in Brazilian laws. Under the Penal Code, it is illegal to hire workers with the intention of transporting them to another state or national territory.\(^{623}\) However, the Code does not address the issue of internal sex trafficking.\(^{624}\) Brazil’s Federal Criminal Statute provides for prison terms and fines to anyone caught prostituting or trafficking another individual (internationally), or running a prostitution establishment with increased penalties for adolescents between the ages of 14 and 18 years.\(^{625}\) Located throughout the country, offices of the Centers for the Defense of Children and Adolescents are responsible for reporting violations of children’s rights.\(^{626}\)

The Ministry of Labor and Employment (MTE) is responsible for training inspectors to determine child labor work site violations.\(^{627}\) In the first 8 months of 2002, an estimated 3,250 inspectors conducted more than 19,500 inspections involving cases in which workers were under the age of 18.\(^{628}\) Employers that violate Brazil’s child labor laws are subject to monetary fines, but the initial levying of fines usually occurs only after several violations.\(^{629}\) In 2002, labor inspectors from the MTE worked with prosecutors from the Federal Labor Prosecutor’s Office (MPT),\(^{630}\) who can impose larger fines than labor inspectors.\(^{631}\) The MPT’s National Commission to fight Child Labor focuses its strategy in specific sectors, including trash picking, commercial sexual exploitation, apprenticeships, and family–based work.\(^{632}\)

The Government of Brazil ratified ILO Convention 138 on June 28, 2001 and ILO Convention 182 on February 2, 2000.\(^{633}\)

\(^{621}\) U.S. Consulate - Sao Paulo, unclassified telegram no. 1439. See also Public Labor Ministry, O Ministério Público do Trabalho na Erradicação do Trabalho Infantil e na Proteção do Trabalho do Adolescente, [previously online] [cited March 27, 2002]; available from http://www.pgt.mpt.gov.br/trabinfantil/index.html [hard copy on file].

\(^{622}\) Public Labor Ministry, Erradicação do Trabalho Infantil.

\(^{623}\) Violators can be fined and incarcerated for one to three years. The punishment increases if the victim is younger than age 18. See Public Labor Ministry, Tiaballo Escravo: O Ministério Público do Trabalho na Erradicação do Trabalho Forcado, [previously online] [cited October 7, 2002]; available from http://www.pgt.mpt.gov.br/trabescravo/atuacao.html [hard copy on file].

\(^{624}\) PESTRAF-BRASIL, Pesquisa sobre Tráfico de mulheres, 118.

\(^{625}\) Such offenses are punishable by prison terms of 1 to 10 years. See Federal Criminal Statute, Articles 227–231, [cited August 23, 2002]; available from http://209.190.246.239/protectionproject/StatutesPDF/Brazilf.pdf.

\(^{626}\) U.S. Department of State, Country Reports 2002, Section 6d.

\(^{627}\) U.S. Consulate - Sao Paulo, unclassified telegram no. 1439.

\(^{628}\) U.S. Consulate- Sao Paulo, unclassified telegram no. 1394.

\(^{629}\) Ibid.

\(^{630}\) The Federal Labor Prosecutor’s Office is an independent government agency responsible for the prosecuting of labor infractions.

\(^{631}\) U.S. Department of State, Country Reports 2002, Section 6d.

\(^{632}\) Ibid.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Bulgaria is an associated member of ILO-IPEC. In 2002, the Government of Bulgaria adopted a National Action Plan Against the Worst Forms of Child Labor, which aims to eliminate the worst forms of child labor by focusing on such issues as education and new legislation. The government has also produced a Strategy and Action Plan on Protecting the Rights of Children in Bulgaria that focuses on promoting the welfare of children. In March 2003, the Ministry of Labor and Social Policy's Chief Labor Inspectorate and the State Agency for Child Protection signed an agreement to cooperate to provide greater protections for working children. The Ministry of Education is working with the teachers' union to educate children about their human and labor rights. Under an ILO-IPEC preparatory project, a sample survey on child labor in Bulgaria was completed in 2001.

The government has also established task forces to address the issue of trafficking in persons. IOM supports a regional effort on the trafficking of women and children in the Balkans, including Bulgaria, that includes initiatives to build government capacity. In December 2002, the government signed a joint declaration with other Southeastern European nations to better assist victims of trafficking.

The Ministry of Labor and Social Policy has collaborated with NGOs to develop projects promoting education for vulnerable groups. An ethnic reintegration effort involving children of Roma ethnicity, a minority group in Bulgaria, began in some of the country's schools in 2000. In order to increase Roma attendance, the government...

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537 A cooperative action plan is currently under development. See U.S. Embassy— Sofia, unclassified telegram no. 1608.
539 ILO-IPEC, At a Glance: IPEC’s Technical Cooperation Activities in Europe and Central Asia, (included in an email communication dated March 6, 2002) 1, 3.
and NGOs provide subsidies for schooling expenses such as school lunches, books, and tuition fees.\textsuperscript{644} With support from USAID,\textsuperscript{645} additional integration efforts, such as busing programs, began in 2002.\textsuperscript{646} For the period 2003–2004, USAID is continuing to fund activities for Roma children designed to reduce school-dropout rates.\textsuperscript{647} The EU has also provided funding for projects to encourage school attendance by Roma children that include income support for Roma families, cultural sensitivity training for teachers, and development of Roma-friendly curriculum.\textsuperscript{648} With EU support, the government has also provided funding for additional teaching assistants, usually from minority ethnic groups, to be placed in classrooms with Roma and Turkish students.\textsuperscript{649} The World Bank has funded a 3-year education modernization project in the country that began in 2001 and a 3-year child welfare reform project in 2001.\textsuperscript{650}

\section*{Incidence and Nature of Child Labor}

In 2000, the ILO estimated that 14 percent of children ages 5 to 17 years in Bulgaria were working.\textsuperscript{651} Children engaging in paid work outside of the home work in the commercial and service sectors, agriculture, forestry, transportation, communications, industry, and construction.\textsuperscript{652} Such work tends to occur in the informal sector.\textsuperscript{653} Children also engage in unpaid work for family businesses or farms, and in their households.\textsuperscript{654} Children are involved in the distribution of drugs and in prostitution, sometimes working with organized crime rings.\textsuperscript{655} According to the Ministry of the Interior, in 2002 there were a total of 501 reported underage prostitutes.\textsuperscript{656} In

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{645} USAID, \textit{Data Sheet: Bulgaria}, Washington, DC, no date.
\item \textsuperscript{646} U.S. Department of State, \textit{Country Reports- 2002: Bulgaria}.
\item \textsuperscript{647} USAID, \textit{Data Sheet}.
\item \textsuperscript{648} Republic of Bulgaria Council of Ministers Representative, personal communication with USDOL official, October 7, 2003.
\item \textsuperscript{649} Ibid. See also U.S. Embassy— Sofia, unclassified telegram no. 1608.
\item \textsuperscript{651} Six percent of children (83,000) work for payment, 32 percent (418,000) work on the household farm, and 47 percent (611,000) work in the household. Of the children performing paid labor, 94.1 percent do not have a contract. See ILO-IPEC, \textit{Problems of Child Labor in the Conditions of Transition in Bulgaria: Study project}, Sofia, 2000, 13, 31–32.
\item \textsuperscript{652} Ibid., 32. Children work in restaurants, shops, hotels, and small-scale textile factories. They also sell newspapers and other items. See U.S. Department of State, \textit{Country Reports- 2002: Bulgaria}, Section 6d. See also ILO-IPEC, \textit{Problems of Child Labor}, 31.
\item \textsuperscript{653} ILO-IPEC, \textit{Problems of Child Labor}, 32. It is believed that underage employment in the informal and agricultural sectors is increasing due to the break-up of collective farms and the growth of the private sector. See U.S. Department of State, \textit{Country Reports- 2002: Bulgaria}, Section 6d.
\item \textsuperscript{654} Farm work may expose children to toxic chemicals and increased risk of injury. ILO-IPEC, \textit{Problems of Child Labor}, 32, 34, 36, 47. Children of the ethnic Turkish minority face health hazards from work on family tobacco farms. See U.S. Embassy— Sofia, unclassified telegram no. 1608. See also U.S. Embassy— Sofia, unclassified telegram no. 2498.
\item \textsuperscript{656} See U.S. Embassy— Sofia, unclassified telegram no. 1608. According to the Ministry, in 2001 there were a total of 340 reported under-age prostitutes. See U.S. Embassy— Sofia, unclassified telegram no. 2498.
\end{itemize}
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2000, the police estimated that 10 percent of prostitutes were minors. Bulgaria is a source, transit, and destination country for trafficking in girls for sexual exploitation.

Education is compulsory up to the age of 16 under the National Education Act of 1991, with children typically starting school at the age of 6 or 7. In 2000, the gross primary enrollment rate was 103.2 percent, and the net primary enrollment rate was 94.3 percent. Roma children tend to have low attendance and high dropout rates. National primary school attendance rates are unavailable for Bulgaria. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 16 years. Exceptions to the Labor Code provide that children ages 13 to 15 may engage in light work and perform certain jobs approved by the government. Children under 18 are required to work reduced hours and are prohibited from hazardous, overtime, and night work. The Family Code establishes legal protections for children working in family businesses. In 2000, the Child Protection Act was enacted, which prohibits the involvement of children in activities that might harm their development, such as begging and prostitution. The Constitution prohibits forced labor, and the Penal Code prohibits procuring women and children for prostitution, abducting a woman or child for the purposes of sexual

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658 No official statistics on trafficking of children are available. Bulgarian victims are trafficked to countries across Western, Southern and Eastern Europe, as well as to South Africa, while victims have been trafficked into Bulgaria from Ukraine, Moldova, Romania, Russia, and the Caucasus countries. Ethnic Roma are disproportionately represented among Bulgarian victims. See U.S. Department of State, *Trafficking in Persons Report-Bulgaria*, 38. See also UNICEF, UN Office of the High Commissioner for Human Rights, and OSCE/Office for the Democratic Institutions and Human Rights, *Trafficking in Human Beings*, 51-52.
662 For a more detailed discussion of the relationship between education statistics and work, see the preface to this report.
664 Ibid., 137, 40, 47, 303-05.
exploitation, and depriving any individual of his or her liberty.668 In May 2003, the government adopted a trafficking in persons law that includes measures for the protection of child victims of trafficking.669

The Chief Labor Inspectorate is responsible for enforcing all labor laws, including those covering child labor. As of August 2003, the inspectorate had 400 inspectors, an increase from 271 inspectors in 2002.670 Child labor laws are generally well enforced in the formal sector.671 In 2002, the inspectorate conducted checks on 30,298 enterprises and found 598 violations of child labor laws.672 Weaknesses in the judicial system hamper enforcement of trafficking laws.673


668 Article 142a prohibits trafficking by criminalizing the illegal deprivation of liberty of a person and, in cases involving minors, establishes a penalty of imprisonment for three to 10 years. Articles 155 and 156 prohibit the abduction or persuasion of a female for prostitution, and set a penalty of up to 12 years imprisonment when the crime involves a minor. Article 188 sets penalties of up to six years imprisonment for those who compel a minor to engage in prostitution. See Government of Bulgaria, Penal Code; available from http://209.190.246.239/protectionproject/statutesPDF/Bulgariaf.pdf.

669 U.S. Embassy— Sofia, unclassified telegram no. 1608.

670 See Ibid. See also U.S. Embassy- Sofia, unclassified telegram no. 2498.

671 U.S. Department of State, Country Reports- 2002: Bulgaria, Section 6d.

672 U.S. Embassy— Sofia, unclassified telegram no. 1608. The number of violations is down from 2001. See U.S. Embassy- Sofia, unclassified telegram no. 2498.

673 U.S. Department of State, Trafficking in Persons Report- Bulgaria, 38.

Government Programs and Policies to Eliminate the Worst Forms of Child Labor

The Government of Burkina Faso has been a member of ILO-IPEC since 1999. The government and ILO-IPEC have also launched a national program funded by France to contribute to the elimination of the worst forms of child labor. In 2003, USDOL funded a USD 3 million education initiative to increase enrollment in and graduation from basic education programs among children at risk of child trafficking in Burkina Faso. A national child labor survey project was funded in 2002 and is currently in the design and implementation stages. Burkina Faso is one of nine countries participating in the USDOL-funded ILO-IPEC project to combat the trafficking of children for exploitative labor in West and Central Africa; the project began in July 2001 and is scheduled for completion in July 2004. In June 2002, the U.S. State Department's Africa Bureau announced its West Africa Regional Strategy to Combat Trafficking in Persons, which includes Burkina Faso. In January 2002, officials from Burkina Faso attended a meeting organized by the Government of Côte d'Ivoire, in collaboration with INTERPOL, to discuss child trafficking in West and Central Africa. Issues that were covered included the prevention of trafficking and the rehabilitation of trafficking victims. In the resulting declaration, the Yamoussoukro Declaration, the conference participants pledged to conduct coordinated information campaigns on child trafficking.

The Ministry of Social Action and National Solidarity collaborated with other governmental agencies and NGOs to create Vigilance and Surveillance Committees for child trafficking, open transit centers for trafficked children, and carry out awareness-raising activities for bus drivers, bus terminal workers and others. Highway police have received sensitization training on child trafficking. In partnership with NGOs, UNICEF and the ILO, the government has organized workshops and seminars on child trafficking and child labor.

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679 The regional child trafficking project covers Benin, Burkina Faso, Cameroon, Côte d'Ivoire, Gabon, Ghana, Mali, Nigeria, and Togo. See ILO-IPEC, Combating the Trafficking in Children for Labor Exploitation in West and Central Africa (Phase II), project document, RAF/01/P53/USA, Geneva, July 2001, 1.

680 The strategy is intended to encourage governments in the region to develop and implement laws that allow for the prosecution of traffickers. As part of this strategy, U.S. missions in the region will focus U.S. Government resources to support efforts by host governments to prosecute traffickers, protect and repatriate victims, and prevent new trafficking incidents. The strategy will be implemented through improved coordination among donors, funding of regional and international organizations, and direct funding for host government or local NGOs. See U.S. Embassy – Abuja, unclassified telegram no. 1809, June 2002.


684 U.S. Embassy- Ouagadougou, unclassified telegram no. 1021.
In 1986, the Ministry of Social Action and National Solidarity established the Center for Specialized Education and Training to assist street children; it currently serves boys referred by the Ministry of Justice and boys with behavioral problems who are sent to the Center by their parents. In addition, the government has produced documentary films on child labor in the mining and domestic service sectors, and has produced a television series on child labor.

In June 2002, the Government of Burkina Faso was selected to receive funding from the World Bank and other donors under the Education for All Fast Track Initiative, which aims to provide all children with a primary school education by the year 2015. In September 2002, the Government of Burkina Faso launched a 10-Year Basic Education Development Plan (2001-2010), which is projected to cost 235 billion CFA francs (USD 350 million). Eighty-two percent of the funding for the education plan will be allocated to improve primary school level education, primarily in rural areas. Between 1990 and 2000, the government increased the portion of the education budget dedicated to basic education and invested in the construction of additional school facilities. UNICEF has worked with the government to fund programs like the building of satellite schools and non-formal basic education centers, promoting community participation in schooling, producing textbooks, and building the capacity of the education system. The Ministry of Basic Education is working with Catholic Relief Services and the World Bank on a school health program.

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 41.9 percent of children ages 10 to 14 in Burkina Faso were working. In Burkina Faso, most working children are found in agriculture, gold washing and mining, and informal sector activities; vending and domestic service are significant sectors for girls. Children working in agriculture have been found to be overworked and suffer from injuries such as snakebites. Burkina Faso is a source, transit, and

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686 U.S. Embassy- Ouagadougou, unclassified telegram no. 1021. See also, Zongo, public comment, 9.


689 Integrated Regional Information Networks, Burkina Faso: Focus on New Plan for Basic Education.


694 Zongo, public comment, 7.

destination country for trafficked children. Studies indicate that a significant proportion of trafficking activity is internal. In 2002, the NGO Terre des Hommes Lausanne estimated that 165,000 working children are separated from their parents. Children are trafficked into Burkina Faso’s two largest cities, Bobo-Dioulasso and Ouagadougou, to work as domestic servants, street vendors, in agriculture, and in prostitution. An ILO study estimated that more than 81,000 children in these two cities have been “placed” in work situations by an intermediary.

The Education Act made schooling compulsory from age 6 to 16. In 2000, the gross primary enrollment rate was 44.3 percent (51.7 percent for boys and 36.8 percent for girls), and the net primary enrollment rate was 35.5 percent (41.6 percent for boys and 29.4 percent for girls). School enrollment and literacy rates for girls are lower in rural regions than in urban regions. The Government of Burkina Faso reported that the attendance ratio for the 2000-2001 school year was 43.4. In principle, the government bears the cost of primary and secondary education, but communities are frequently responsible for constructing primary school buildings and teachers’ housing. Even when schools are present, many families cannot afford school fees.

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 14 years, but children who are 12 or 13 years old may perform light work for up to 4 and one-half hours per day in the domestic and agricultural sectors; other light work is permitted for children under the age of 12. Therefore under the law, children may start working fulltime at age 14, but are required to remain in school until the age of 16. Slavery and slavery-like practices, inhumane and cruel treatment, physical or emotional abuse of children are forbidden by the Burkinabe
Constitution and forced labor is forbidden by the Labor Code. On May 27, 2003, the National Assembly adopted anti-trafficking in persons legislation that proscribes child trafficking for any purpose. The Penal Code forbids direct and indirect involvement in the prostitution of persons, and explicitly proscribes the prostitution of persons less than 18 years of age. Contributing to the corruption or debauchery of a minor is also illegal. Penalties specified for these crimes apply even if the offenses are committed in different countries.

The Ministry of Social Affairs and the Directorate of Labor, Health, and Security, Child Labor and Trafficking Division at the Ministry of Labor enforce child labor laws. The government has minimal resources to conduct child labor investigations. In 1997, the government conducted an investigation targeting the employers of 2,000 children in the agriculture, mining, and domestic sectors, and in 2001, the government prosecuted a foreign national accused of trafficking children in Burkina Faso.


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709 Forced labor is forbidden by Article 2 of the Burkina Faso Labor Code. However, under certain circumstances persons between the ages of 18 and 45 years may be compelled to work. See, Burkina Faso Labor Code.
711 Indirect or direct involvement is meant to describe the action of a person who does any of the following: “knowingly aids, assists, or protects the prostitution of others for the purposes of prostitution; shares, in any manner whatsoever, in the profits, or receives subsidies from [the prostitution of others]; knowingly lives with a person regularly engaged in prostitution; engages, entices, or supports a person for the purpose of engaging in prostitution or debauchery, or delivers a person into prostitution or debauchery; or serves as an intermediary . . . between persons engaging in prostitution or debauchery and individuals who exploit or remunerate the prostitution or debauchery of others.” See Government of Burkina Faso, Criminal Code, Section IV-Offenses against Public Morals, (April 13, 1946); available from http://209.190.246.239/protectionproject/statutesPDF/BURKINAFASO.pdf.
712 Article 334-1 of the Burkina Faso Criminal Code makes illegal the regular contribution to the corruption of a juvenile under age 21 and the occasional contribution to the corruption of a juvenile under age 16. Ibid.
713 Ibid., Articles 334 and 34-1.
714 Penalties for child labor law violations include 3-month to 5-year prison sentences and fines ranging from CFAF Franc-BCEAO 5,000 to 600,000 (USD 8.29 to USD 994.64). U.S. Embassy- Ouagadougou, unclassified telegram no. 1021. The exchange rate applied is 1 USD = 0.00166 XOF. FX Converter, [online] [cited August 27, 2003]; available from http://www.oanda.com/convert/classic.
715 U.S. Embassy- Ouagadougou, unclassified telegram no. 1021.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Burundi is an associated country of ILO-IPEC. In 1992, the government established the National Plan of Action for the Survival, Development and Protection of Rights of Children. Among the goals to be achieved by 2000, the National Plan sought to universalize education for children ages 7 to 12 years of age, increase the net primary enrollment rate from 52.0 to 80.0 percent, reintegrate street children into the school system, and improve child protection services. In 2001, the government's Institute of Statistics and Economic Studies of Burundi and UNICEF published a national evaluation survey on the Living Conditions of the Children and Women in Burundi, which included assessments of education and child labor.

The UN High Commissioner for Refugees has implemented projects in Burundi that reunite children with their parents, educate returnees, and provide education and work alternatives for adolescents. In 2001 a 4-year, USDOL-funded ILO-IPEC regional program designed to reintegrate child soldiers in their families and communities, as well as prevent further involvement of children in armed conflicts in Central Africa was initiated in Burundi. In October 2001, the Ministry of Labor provided strong support for these ongoing activities. UNICEF signed an MOU with the Government of Burundi with the goal of developing a program to address the problem of child soldiers by engaging both the government's army and the rebels.

The World Bank has committed several loans to Burundi, with a focus toward social protection. The Social Action Project funds improvement of social services, including health and general education. The Multisectoral HIV/AIDS Control and Orphans Project helps find homes for orphans, provides financial support for their care and schooling, and builds the public and private infrastructure that cares for this vulnerable group of children. UNICEF has provided school materials in emergency areas and those most affected by the conflict, and is also working to improve education for girls.

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722 Regional Programme on the Prevention and Reintegration of Children Involved in Armed Conflicts in Central Africa (Phase I), 8-9.


Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 32.2 percent of children ages 5 to 14 years in Burundi were working.729 Approximately 79.0 percent of those children were active in domestic activities, such as tending to the sick, carrying water, and caring for children.730 Children are also known to participate in subsistence agriculture and other informal sector activities.731 Children work as soldiers in Burundi, and the government and rebel forces are known to actively recruit children.732 The most vulnerable elements of society, such as street children, are at high risk of exploitation by armed groups.733 Child prostitution is reported to be a problem.734

Primary education in Burundi is compulsory for six years.735 In 2000, the gross primary enrollment rate was 65.0 percent, and the net primary enrollment rate was 53.7 percent.736 In 2000, only 47.0 percent of school-age children regularly attended primary school (43.7 percent for girls and 50.5 percent for boys).737 In 1999, 58.4 percent of children enrolled in primary school reached grade 5.738 Enrollment and attendance have been adversely affected by the military conflict. In some high conflict areas schools have been destroyed, and finding qualified teachers willing to work in these areas has become increasingly difficult.739 In addition, the cost of school fees and materials are prohibitive for some families.740

Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 16 years, except in cases of light, non-hazardous work or apprenticeships, provided that the work is not dangerous to the health of the child and does not interfere with their normal childhood development or education.741 Children under the age of 18 are prohibited from working at night.742 The Labor Code amendment of 1993 calls for workplaces to protect the health and welfare of children

729 Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. Enquete Nationale d’Evaluation des Conditions de vie de l’Enfant et de la Femme au Burundi (ENECEF-Burundi 2000), 39. In 2001, the ILO estimated that 48.4 percent of children ages 10 to 14 were in the labor force. See World Bank, World Development Indicators 2003 [CD-ROM], Washington, D.C., 2003.


732 Ibid., Section 5. See also Regional Programme on the Prevention and Reintegration of Children Involved in Armed Conflicts in Central Africa (Phase I), 5. HIV/AIDS and the state of constant conflict in the country led to an increased number of street children. See U.S. Department of State, Country Reports on Human Rights Practices - 2002: Burundi, Section 5.


736 World Bank, World Development Indicators 2003.


738 Jackson, Equal Access to Education, 33.


740 U.S. Embassy-Bujumbura, unclassified telegram no. 1025.
and adolescents, and allows inspections to ensure this. Labor inspectors may also ask for working children to receive medical exams to prove that they are not working beyond their physical ability. Although there have been reports of recruitment of children by the armed forces, the Government of Burundi is a party to international accords that stipulate a minimum recruitment age of 18. Reliable information on enforcement of child labor laws is not available.


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744 U.S. Embassy-Bujumbura, unclassified telegram no. 1025.
745 Decret loi no 1/037 du 7 juillet 1993 portant revision du Code du travail, Article 128.
746 U.S. Embassy-Bujumbura, unclassified telegram no. 1025.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Cambodia has been a member of ILO-IPEC since 1997. The government has adopted national policies on the protection of vulnerable children and a plan for 2000-2004 on combating the trafficking and sexual exploitation of children. The National Institute of Statistics has conducted three surveys on child labor, including a 2001 survey exclusively on child labor with sponsorship from ILO-IPEC’s SIMPOC.

The Ministry of Social Affairs, Labor, Vocational Training and Youth Rehabilitation (MOSALVY) authorized the establishment of a Sub-Committee on Combating Trafficking and Sexual Exploitation of Children in December 2000, and the government has worked to prevent trafficking in conjunction with numerous NGOs and international organizations. The Ministry of Tourism collaborates with NGOs to combat sex tourism. The Ministry of Interior operates an anti-trafficking hotline. MOSALVY works with UNICEF and IOM to return trafficked children to their homes, and operates two temporary shelters for victims. The Ministry of Women’s and Veteran’s Affairs and MOSALVY, in conjunction with UNICEF’s Community-Based Child Protection Network, work to teach children and community members about the hazards of trafficking, and train individuals to identify potential victims and take action to protect them. Cambodia is included in a regional ILO-IPEC anti-trafficking project with funding from the Department for International Development-UK. On May 31, 2003, the Government of Cambodia signed a MOU with the Government of Thailand on Bilateral Cooperation for Eliminating Trafficking in Children and Women.

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The Government of Cambodia, with support from ILO-IPEC, conducts training on child labor for labor inspectors and awareness-raising programs through radio broadcasts.\textsuperscript{759} In 2001, USDOL funded an ILO-IPEC project in Cambodia to eliminate hazardous child labor in salt production, commercial rubber plantations, and the fish and shrimp processing sector.\textsuperscript{760}

The government published its Education Strategic Plan 2001-2005 in May 2001, establishing priorities to expand access to quality education opportunities, and to increase the institutional capacity of local schools and communities for involvement in educational decision-making.\textsuperscript{761} In 1999, the Ministry of Education, Youth, and Sport (MOEYS) set a goal for 75 percent of all primary schools to have a complete range of classes through grade 6 by 2004.\textsuperscript{762} MOEYS’ Priority Action Programs (PAP) operate nationwide and include activities such as the provision of remedial classes for grades 1 through 6, and support to monitoring activities and capacity building.\textsuperscript{763} Other PAP activities include the elimination of primary school fees in 2001, which reportedly led to a sizeable increase in enrollment, and the provision of textbooks to schools.\textsuperscript{764} A Non-Formal Education Department within MOEYS focuses on delivering tailored education services to meet the needs of people of all ages, including working children.\textsuperscript{765}

The government works with various donors and NGOs on education issues, focusing on improving the quality of education and access to primary school.\textsuperscript{766} The ADB is supporting MOEYS’ efforts to implement its Education Strategic Plan through support of nationwide policy reforms,\textsuperscript{767} and is supporting an initiative to increase equitable access to education and facilitate management and fiscal decentralization.\textsuperscript{768} Another ADB-supported project focuses on educational assistance to girls and indigenous populations by raising awareness among stakeholders and promoting the development of scholarship programs for lower secondary schooling.\textsuperscript{769} Additionally, the World Bank is facilitating MOEYS’ development of a participatory approach to improving school

\textsuperscript{759} U.S. Embassy- Phnom Penh, unclassified telegram no. 1719.

\textsuperscript{760} ILO-IPEC, Combating Child Labor in Hazardous Work in Salt Production, Rubber Plantations, and Fish/Shrimp Processing Centers in Cambodia, project document, CMB/01/PS1/USA, Geneva, 2001.


\textsuperscript{765} Director of Non-Formal Education, Ministry of Education, Youth and Sport, interview with USDOL official, October 17, 2000.

\textsuperscript{766} ILO-IPEC assisted the government to create a non-formal education program for former child workers. See U.S. Embassy- Phnom Penh, unclassified telegram no. 1719. Organizations with existing programs in Cambodia include World Education, CARE International, Kampuchean Action for Primary Education, and The Asia Foundation. See U.S. Embassy- Phnom Penh, unclassified telegram no. 1841, November 6, 2003.

\textsuperscript{767} The ADB is providing USD 20 million to the effort, which is scheduled to end in November 2007. See ADB, Education Sector Development Program, (LOAN: CAM 33396-01), [online] December 15, 2001 [cited July 25, 2003]; available from http://www.adb.org/Documents/Profiles/LOAN/333996013.ASP.

\textsuperscript{768} The ADB is providing USD 9 million, and the local cost is an additional 9 million. The project is scheduled to end in December 2006. See ADB, Cambodia: Education Sector Development Project, [online] December 5, 2001 [cited June 25, 2003]; available from http://www.adb.org/Documents/Profiles/LOAN/33396023.ASP.

\textsuperscript{769} The ADB provided a grant of USD 3 million from the Japan Fund for Poverty Relief; the project is slated to end in October 2005. See ADB, Cambodia: Targeted Assistance for Education of Poor Girls and Indigenous Children, [online] December 11, 2002 [cited June 25, 2003]; available from http://www.adb.org/Documents/Profiles/GRNT/36152012.ASP.
quality and performance, including financing quality improvement grants. With USDA funding, the WFP works with MOEYS to deliver school feeding programs in order to increase enrollment. A letter of agreement between the Government of Cambodia and USDOL was signed in June 2003 to launch a project improving access to quality education as a means to combat child labor.

Incidence and Nature of Child Labor

In 2001, the National Institute of Statistics estimated that 44.8 percent of children ages 5 to 14 years in Cambodia were working. The majority of working children in Cambodia are engaged in the agriculture sector. More children work in rural areas than in urban areas. Children also work in hazardous conditions in brick and plywood factories; on commercial rubber plantations; in salt production; and as fish processors, street vendors, scavengers and garbage pickers. Street children engage in begging, shoe polishing and other income generating activities. Children, primarily girls, also work as domestic servants.

Some children are held in debt bondage as commercial sex workers until they work off loans provided to their parents. Cambodia is reported to be a country of origin and a destination for trafficking in children for the purposes of commercial sexual exploitation and various forms of work, including forced labor and begging. Cambodian children are trafficked to Thailand for the purpose of commercial sexual exploitation or bonded labor.

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773 National Institute of Statistics, Report on Cambodia Child Labor Survey 2001, 38. The Survey defines “working children” to mean children engaged in an economic activity for at least one hour a day; or in a non-economic activity exceeding a certain number of hours. See National Institute of Statistics, Report on Cambodia Child Labor Survey 2001, 37. The percentage of child labor reported for Cambodia in this year’s report is substantially higher than that included in last year’s Trade and Development Act report because the 2001 government survey cited in this year’s report used a much larger and more comprehensive set of questions on child labor compared to the 1999 government survey cited in last year’s report, which used a more general socio-economic survey format. In addition, families with working children were specifically sought out for the 2001 survey.


775 Ibid., 40-41.


777 UNDP and Norwegian Agency for Development Cooperation, Cambodia Human Development Report, 39.


779 UNDP and NORAD, Cambodia Human Development Report, 37.
and to Vietnam to work as beggars. Vietnamese girls are trafficked into Cambodia for commercial sexual exploitation. Internal trafficking of children also occurs. Children are also used in pornography.

Article 68 of the Constitution provides for the right to 9 years of free education to all citizens. However, costs such as uniforms, books, admission fees, and teacher demands for unofficial fees to supplement incomes make schools unaffordable. In 2000, the gross primary enrollment rate was 110.2 percent. The net primary enrollment rate was 95.4 percent, with 90.3 percent of girls enrolled as opposed to 100.4 percent of boys. Primary school attendance rates are unavailable for Cambodia. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school. Education is often inaccessible to minority groups, as classes are conducted only in the Khmer language. Promotion rates to the second grade for children in minority regions are significantly lower than the national average.

Child Labor Laws and Enforcement

The Labor Law sets the minimum age for employment at 15 years, though children between the ages of 12 and 15 are permitted to do light work that is not hazardous and does not affect regular school attendance or participation in other training programs. Under Article 368, employers who violate the law may be fined 31 to 60 days of the base daily wage. The Labor Law prohibits work that is hazardous to the mental and physical development of children under the age of 18, but the law does not define what types of work are considered hazardous. Lists of working children below the age of 18 must be kept by employers and submitted to the labor inspector, and unemancipated children must have the consent of a parent or guardian in order to work. However, the...
Labor Law applies only to the formal sector.\textsuperscript{791}

Article 15 of the Labor Law prohibits all forced labor, including in agriculture and domestic work.\textsuperscript{792} The Constitution prohibits prostitution and the trafficking of women,\textsuperscript{793} and the 1996 Law on the Suppression of Kidnapping and Sale of Human Beings outlaws trafficking. Under the law, brothel owners, operators, and individuals who prostitute others are subject to prison terms of between 10 to 20 years, depending on the age of the victim.\textsuperscript{794}

MOSALVY is responsible for enforcing compliance with child labor laws.\textsuperscript{795} Since 2000, questions on child labor have been incorporated into routine labor inspections.\textsuperscript{796} In 2002, the Anti-Human Trafficking and Juvenile Protection Department was created to address trafficking and sexual exploitation of women and children, and currently has police units in seven provinces.\textsuperscript{797} Inadequate resources, insufficient staff, and lack of training hinder enforcement of child labor laws, and counter-trafficking efforts are hampered by official corruption.\textsuperscript{798}

The Government of Cambodia ratified ILO Convention 138 on August 23, 1999, but has not ratified ILO Convention 182.\textsuperscript{799}

\textsuperscript{791} U.S. Embassy- Phnom Penh, \textit{unclassified telegram no. 1973}, December 6, 2001. Article One of the Labor Law states that it applies to every enterprise or establishment of industry, mining, commerce, crafts, agriculture, services, and land or water transportation. It states that it does not apply to domestics or household servants, unless otherwise expressly specified elsewhere in the law. See \textit{Cambodian Labor Law}. In addition, the Labor Law does not cover family business, begging, scavenging, hauling, day labor, the commercial sex industry, or participation in any illegal activities. See U.S. Embassy- Phnom Penh, \textit{unclassified telegram no. 1841}.

\textsuperscript{792} Article 16 prohibits hiring people to pay debts. See \textit{Cambodian Labor Law}.

\textsuperscript{793} The Constitution refers to “the commerce of human beings, exploitation by prostitution and obscenity which affect the reputation of women.” \textit{Constitution}, Article 46.

\textsuperscript{794} The Law stipulates 10 to 15 years of imprisonment for traffickers and their accomplices. Penalties increase if the victim is under age 15; customers of child prostitutes under age 15 face penalties of 10 to 20 years of imprisonment. See \textit{Law on the Suppression of the Kidnapping, Trafficking and Exploitation of Human Beings}, as promulgated by Royal Decree No. 0296/01, Article 3. The government states that 75 convictions have been handed down under the law. U.S. Department of State, \textit{Trafficking in Persons Report: Cambodia}.

\textsuperscript{795} U.S. Embassy- Phnom Penh, \textit{unclassified telegram no. 1973}.

\textsuperscript{796} Ibid.

\textsuperscript{797} Ibid.\textsuperscript{16}

\textsuperscript{798} In 2002, a number of Vietnamese girls were rescued by the Ministry of Interior from brothels; some were found guilty of illegal immigration and served jail terms. As a result, the government came under criticism from civil society groups. See U.S. Department of State, \textit{Country Reports-2002: Cambodia}, Sections 6d and f. The lack of labor inspectors has been identified as a critical obstacle to combating child labor. See ILO Governing Body, \textit{Review of Annual Reports under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, Part II - Compilation of Annual Reports by the International Labor Office}, 283rd Session, GB.283/3/2, Geneva, March 2002.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Cameroon is an associated country of ILO-IPEC. In 2001, the Government of Cameroon began collaborating with ILO-IPEC to participate in a USDOL-funded regional project to combat the trafficking of children in West and Central Africa. The Government of Cameroon has also established inter-ministerial programs to address child labor, notably those concerning the trafficking of children. In February 2002, the government signed the “Libreville Declaration” designed to harmonize national legislation on child trafficking in West and Central Francophone Africa. In June 2002, the U.S. State Department’s Africa Bureau announced its West Africa Regional Strategy to Combat Trafficking in Persons, which includes Cameroon. As part of this strategy, U.S. missions in the region will focus U.S. Government resources to support efforts by host governments to prosecute traffickers, protect and repatriate victims, and prevent new trafficking incidents. The strategy is being implemented through improved coordination among donors, funding of regional and international organizations, and direct funding for host government or local NGOs. The Ministry of Tourism and UNICEF have collaborated on a study of child sex tourism, and in August 2002, the Ministry of Tourism trained tourism professionals on how to combat sexual tourism. In January 2003, the Minister of Social Affairs publicly condemned the exploitation of children and reiterated the government’s commitment to protect children from abuse and exploitation. In February 2003, the government, in collaboration with the African Soccer Confederation (CAF), promoted a radio and television “red card” campaign against child labor. In April 2003, the government also signed a convention with the ILO to eradicate child trafficking in the Central African sub-region and the ILO launched a sensitization campaign to eradicate child trafficking in Cameroonian airports through the distribution of anti-trafficking embarkation and disembarkation cards on all Cameroonian flights.

The government has worked with UNESCO on the development of an Education for All Plan and a number of educational reforms are envisioned for the period 2000-2009, which include increasing the supply and quality of, and access to, basic education; improving the management capacity of education administrators; improving data collection and analysis; and mobilizing resources for basic education. In August 2002, the government created a...
new ministry for technical and vocational education that is supervising the reform of this sector. In March 2003, the government began distributing school furniture and over one million books to 196 selected schools in ten provinces. In April 2003, the Government of Cameroon launched its global education week with the theme “All for the Education of Girls.”

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 58 percent of children ages 5 to 14 in Cameroon were working. Only 5 percent of these children work for wages. Domestic work is performed by seven out of 10 children, and 11 percent of them work for more than 4 hours a day on these tasks. According to a study conducted in 2000 by the ILO, the Ministry of Labor, and NGOs, children in Cameroon work in the agricultural sector, in informal activities such as street vending and car washing, as domestic servants, and in prostitution and other illicit activities. The ILO has found that 7 percent of working children in the cities of Yaounde, Douala, and Bamenda were less than 12 years of age, and 60 percent of these had dropped out of primary school. Some child sex tourism has been reported in Douala. Some street children reportedly work to earn money for school during school vacation. Certain forms of child labor, such as domestic work by girls, are reported to be culturally accepted traditions in the North and Southwest. Children are also employed in the cocoa industry and engage in certain hazardous tasks such as application of pesticides and use of dangerous tools like machetes.

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812 During this week, the government raised awareness of the importance of girls’ education. See Irene Morikang, “Education: In Search of Gender Parity,” Cameroon Tribune, April 11, 2003.

813 The UNICEF Multiple Indicator Cluster Survey (MICS) was conducted with the Government of Cameroon’s Ministry of Economics and Finance. See Ministère de l’Economie et des Finances, Rapport Principal. Enquête à indicateurs multiples (MICS) au Cameroun 2000, 14. The percentage of child labor reported for Cameroon in this year’s report is substantially higher than that included in last year’s Trade and Development Act report because this year’s percentage includes a larger age group and because it is based on information in the MICS instead of the World Bank’s World Development Indicators (WDI). Because the MICS is a stand-alone survey on children, it offers a more comprehensive look at work that children perform than the WDI, which projects numbers of working children based on existing non-child labor specific surveys.

814 Ibid., 11.

815 Ibid.

816 The study found that 19.8 percent of children are working in agriculture and the informal sector, 3.4 percent are in car wash businesses, 31 percent work as domestic servants for their relatives, and 7 percent work in prostitution or other illicit activities. See U.S. Embassy—Yaounde, unclassified telegram no. 3239, October 2001.

817 See Ibid. The 2000 joint UNICEF/government study found, however, that the rate of child labor is lowest in the metropolitan areas of Yaounde and Douala. See Ministère de l’Economie et des Finances, Rapport Principal. Enquête à indicateurs multiples (MICS) au Cameroun 2000.


819 Foyer l’Esperance staff, interviews with USDOL official, August 4, 2002. See also Catholic Relief Services staff, interviews with USDOL official, August 6, 2002.

820 Feyio, interview with USDOL official, August 4, 2002.

821 Cameroon was one of the countries studied as part of the International Protocol signed by the global chocolate industry in September 2001 to address abusive child labor practices in cocoa-growing West Africa. See International Institute of Tropical Agriculture, IITA Update on West Africa Child Labor Study, [online] 2002; available from http://www.iita.org/news/chlab3.htm.
Cameroon is a source, transit, and destination country for the trafficking of children. The 2000 ILO study conducted in Yaounde, Douala and Bamenda indicated that trafficking accounted for 84 percent of an estimated 610,000 child laborers. Children from Cameroon are trafficked internally from rural areas of the country to urban areas. Children are trafficked through Cameroon to Nigeria, Benin, Niger, Chad, Togo, the Republic of Congo, and the Central African Republic. According to the ILO, children who have been trafficked within or into Cameroon are employed most often as domestic workers, street traders, farm laborers, waiters in cafes and bars, prostitutes, manual workers, and night guards. Trafficking is a lucrative business and it is reported that one government official attempting to address the issue received threats from traffickers and required police protection. Cameroon has no place to shelter child victims of trafficking although the government is working with local and international NGOs to provide temporary shelter and assistance.

Education is free in elementary school and is compulsory through the age of 14. In February 2000, the President of Cameroon announced the elimination of school matriculation fees for public primary schools and the National Assembly passed a budget bill increasing by 49 percent the spending on national education. Nevertheless, reports indicate that some school principals have been requiring bribes to enroll children in school and the families of primary school children must pay for uniforms and book fees. Tuition and fees at the secondary school level remain unaffordable for many families and school enrollment varies widely by region with less than 50 percent of children attending school in the Far North Province.

The gross primary enrollment rate has steadily declined during the last decade, from 101.1 percent in 1990 to a low 85.4 in 1996, and rising again to reach 107.8 percent by 2000. Primary school attendance rates are unavailable for Cameroon. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. Although the Constitution of Cameroon guarantees a child’s

822 U.S. Department of State, Trafficking in Persons Report, June 11, 2003. According to this report Cameroon is a transit country for regional traffickers transporting children between Benin, Chad, Gabon, Niger, Mali and Nigeria. See also U.S. Department of State, Country Reports- 2002: Cameroon, Section 6f.


826 ILO-IPEC, Combating the Trafficking of Children.

827 Feyio, interview, August 2002.

828 Menye, interview, August 4, 2002.


830 Ibid., Section 5.


832 U.S. Embassy- Yaounde, unclassified telegram no. 3239.

833 Ibid.

834 Ibid.


836 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
right to education,838 girls suffer discrimination in their access to schooling and have lower attendance rates than boys.839 In 2001, the UN Committee on the Rights of the Child indicated a number of problems with the educational system in Cameroon, including rural/urban and regional disparities in school attendance, limited access to formal and vocational education for children with disabilities, children falling behind in their primary education, a high dropout rate, lack of primary school teachers, and a high degree of violence and sexual abuse against children in schools.840 Completion rates also vary by region, with 87 percent of children who enroll in the first year of primary school completing their fifth year in the North West and South West Regions, whereas only 39 percent of children complete their fifth year in Central, South and East Regions.841 Domestic workers are also often not permitted to attend school.842 In addition, because of the informal and disorganized nature of the training provided in apprenticeships, children often spend many hours working while acquiring very few skills.843

### Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 14 years.844 The law prohibits youths between the ages of 14 to 18 from engaging in certain work, including moving heavy weights, working in dangerous and unhealthy tasks, working in confined areas, or in prostitution.845 The Labor Code also specifies that children cannot continue working in any job that exceeds their physical capacity.846 Labor law also requires that employers train children between 14 and 18 years, and the work contracts must contain a training provision for minors.847 Under the Labor Code, the Labor Inspectorate is empowered to require children to be examined by a medical professional to make sure their work does not exceed their physical capacity. Children can also request this examination themselves.848

The Labor Code prohibits forced labor.849 The Penal Code prohibits a person from imposing a work or service obligation on another person for which that person has not freely applied and is punished by imprisonment of 5 to

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839 U.S. Department of State, Country Reports- 2002: Cameroon, Section 5. In Cameroon, “[discrimination] against girls and women in education occurs as a result of son preference: it is still common for families to send boys to school while girls stay at home. Aside from financial constraints, there is an expectation that instead of going to school, girls should help in crop farming, animal husbandry and household activities. Evidence of these expectations is reflected in the statistic that 68 percent of women over the age of 25 are illiterate compared to 43 percent of men.” See Convention Article 10, Education, in International Women’s Rights Action Watch, Cameroon Country Report, [online] 1999; available from http://iwraw.igc.org/publications/countries/cameroon.htm.


842 Catholic Relief Services staff, interviews, August 6, 2002.

843 Because informal apprenticeship training is disorganized, an apprentice may learn little and spend long periods of time working without being released from apprenticeships. See Irene Morikang, “Apprentice, But For How Long?,” Cameroon Tribune, May 22, 2003.


845 U.S. Department of State, Country Reports- 2002: Cameroon, Section 6d.

846 Cameroon Labor Code, Part V, Ch. III, Section 86.

847 U.S. Department of State, Country Reports- 2002: Cameroon, Section 6d.

848 Cameroon Labor Code, Part V, Chapter III, Section 87.

849 Ibid., Part I, Section 2.
10 years and/or a fine. The Penal Code prohibits slavery and engaging in the trafficking of human beings and punishes these acts with prison terms of 10 to 20 years. The Code also prohibits procuring, as well sharing in the profits from another person’s prostitution. The penalty includes fines and prison sentences of up to 5 years, which double if the crime involves a person less than 21 years of age.

The Ministry of Social Affairs and the Ministry of Labor enforce child labor laws through site inspections of registered businesses. However, a lack of resources hinders the effective enforcement of child labor laws. There are 58 labor inspectors in Cameroon who focus on the formal sector and also investigate child labor cases and conduct onsite visits. In July 2002 labor inspectors were trained on ILO Convention 182 and the worst forms of child labor.


852 Article 292 as cited in Ibid.
854 U.S. Department of State, Country Reports- 2002: Cameroon, Section 6d.
855 In 2002 it was reported that the number of onsite visits by labor inspectors to investigate illegal child labor had significantly increased. See U.S. Embassy-Yaoundé, unclassified telegram no. 1450.
856 Ibid.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Cape Verde has harmonized its Constitution and national legislation with international agreements on the rights of children; however, implementation of legislation regarding underage workers remains inadequate. Education is central to the government’s efforts in this area. From 1993 to 2000, the government concentrated its efforts on extending compulsory basic education, training teachers, and improving the curriculum. In July 2001, Cape Verde signed an MOU with the sponsors of Education for All. Under the MOU, the sponsors and the government prepared a National Plan of Action for Education for All, in order to coordinate efforts to ensure that access to a quality education for all is achieved between the years 2001 and 2015. The Ministry of Education and the WFP have agreed to renew collaboration through 2005 on efforts that support primary school feeding programs on the island. UNICEF and the Government of Cape Verde have also launched a variety of initiatives to improve access to schooling, particularly for girls, including programs that provide educational materials, improve the quality of education, and address gender bias. The government also supports radio and television programs to reach children of primary-school age with other educational opportunities.

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 13.4 percent of children ages 10 to 14 years in Cape Verde were working. A study of child labor in Cape Verde in 1995 found that children in urban areas are engaged in carpentry, metallurgy, in mechanic shops and on the streets. Street children in Cape Verde wash cars, haul cargo, distribute newspapers, and engage in informal trade and petty crime. There are reports that street children are also being pulled into sale and consumption of illegal drugs. The sexual exploitation of children, particularly street children, occurs in Cape Verde, especially in urban areas. In 2003, the police arrested alleged traffickers and victims, and criminal cases remains in the courts. Information on the extent of trafficking to and from the country is unavailable, and there are no reports supporting or denying that children were involved.
In 1994, the Government of Cape Verde made education compulsory until the age of 16 years. Education is free for 6 years of primary school. In 2002, the Ministry of Education reported that primary school attendance was 95.1 percent. There were no gender differences in school participation. A 1999 report by the World Bank noted that while most children have access to education, some problems remain. For example, many students and some teachers speak Creole at home and have a poor command of Portuguese, which is the language of instruction. Also, insufficient funds are spent on school materials, lunches and books, and there is a high repetition rate for certain grades.

Child Labor Laws and Enforcement

The Labor Law sets the minimum age for employment at 14 years, and prohibits children under the age of 16 from working at night or in enterprises that produce toxic products. Children between the ages of 14 and 18 may not work more than 38 hours per week or more than 7 hours per day, except where special permission is granted, and can only work with the consent of their parents. Cape Verde’s Constitution states that children of compulsory schooling age are prohibited from working, and expressly forbids the exploitation of child labor. Forced and bonded child labor are prohibited by law. The Penal Code was recently revised to prohibit certain forms of child sexual exploitation. The trafficking of children for the purposes of prostitution is punishable by 12 to 16 years imprisonment.

The Ministries of Justice and Labor enforce child labor laws, but enforcement is mostly in the urban areas rather than the rural parts of the country. The government has cooperated with European authorities and neighboring governments to address the issue of trafficking.


869 Ibid., Section 5.
870 Secondary education is free only for children whose families have an annual income below approximately 160,000 escudos (USD 1,578). See Ibid. For currency conversion see FXConverter, [online] [cited August 26, 2003]; available from http://www.oanda.com/convert/classic.
874 Gregorio Semodo, letter to USDOL official, October 26, 2001.
876 Ibid., Section 6c.
877 See Article 405 of the Civil Code, parents who incite, encourage or facilitate the prostitution of a minor can be imprisoned for 1 to 2 years. According to Article 406 of the Civil Code, another person, legally responsible for the minor, who incites, encourages or facilitates the prostitution of the minor can be imprisoned for 6 months to 2 years, while a person with no legal responsibility for the minor can be imprisoned for 3 months. See UN Committee on the Rights of the Child, Consideration of Reports: Cape Verde, 35-36.
879 U.S. Department of State, Country Reports- 2002: Cape Verde, Section 6d. See also U.S. Embassy- Praia, unclassified telegram no. 0552.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1998, the Government of the Central African Republic, local NGOs and unions established a network to eliminate the worst forms of child labor. The government launched a study in 2000 on the problem. Although no final report has been released, initial findings indicate a need for training for government employees involved in labor issues such as child labor. The government has also created a commission to study the magnitude of trafficking in persons in the country. In August 2001, the government organized a 1-week sensitization campaign on the problem of sexual exploitation in preparation for the UN World Child Summit. In July 2002, the government ratified the African Union Charter on the Rights and Welfare of the Child. The government has also initiated a campaign, with assistance from UNICEF, to set up local committees to monitor and enforce children's rights in every district of the capital of Bangui.

A community schools pilot program has been established in the country with assistance from UNICEF. In order to promote girls' education, primary schools were constructed in the southwest region of the country with assistance from UNICEF during 2003.

In March 2003, the Government of the Central African Republic was overthrown in a coup and a new government was installed. The coup, the population displacement it caused, and a teachers' strike for non-payment of wages led to the closure of schools in certain regions of the country. In May, the new government provided free transportation back to affected regions to encourage teachers and students to return to school. The government, UNICEF, UNFPA, and the French cooperation program agency also have developed a plan of action to address the need for more complete birth registration. Such efforts are intended to improve children's access to education and other social services.

883 Ibid.
891 Ibid.
Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 63.5 percent of children ages 5 to 14 years in the Central African Republic were working. Children work throughout the country, especially in rural areas. According to reports from an international agency, children also work alongside their families in the diamond fields. In some rural areas, children are required to engage in farming at schools. The proceeds from their work are used for school supplies and activities. Children are also engaged in domestic service and street vending. In 2002, there were approximately 3,000 street children in Bangui.

Children are involved in prostitution in the Central African Republic. Trafficking of children to and from the country also occurs. Children are brought from Nigeria, Sudan and Chad to work as domestic servants, shop assistants and agricultural workers. These children do not receive payment for their work and are not enrolled in school. There are some reports of children being trafficked to Nigeria and other neighboring countries for work in agriculture.

Education is compulsory from ages 6 to 14. However, students must pay for their own books, supplies, transportation, and insurance. In 2000, the gross primary enrollment rate was 75.0 percent, and the net primary enrollment rate was 54.7 percent. In 2000, the net primary attendance rate was 38.3 percent. Primary enrollment and attendance rates are higher for boys than girls, and higher for children living in urban areas than

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892 Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than 6 hours of housekeeping chores in the household, or who have performed other family work. Government of the Central African Republic, Enquête à Indicateurs Multiples en Republique Centrafricaine (MICS): Rapport Préliminaire, UNICEF, Bangui, December 2000, 31.


894 U.S. Embassy- Bangui, unclassified telegram no. 783.


896 Ibid.

897 U.S. Embassy- Bangui, unclassified telegram no. 783.


899 Ibid., Section 6f. See also UN Convention on the Rights of the Child, Summary Record of the 658th Meeting, para. 28.


901 Ibid.

902 Ibid., Section 5.

903 U.S. Embassy- Bangui, unclassified telegram no. 783.


906 In 2000, the gross primary enrollment rate was 88.9 percent for males, and 61.2 percent for females. That same year, the net primary enrollment rate was 64.3 percent for males, and 45.0 percent for females. See World Bank, World Development Indicators 2003. While boys have only slightly higher attendance rates than girls in urban areas, the net primary attendance rate in rural areas is 33.5 percent for boys and 23.8 percent for girls. See Government of the Central African Republic, Enquete a Indicateurs Multiples en Republique Centrafricaine, 11. Factors that limit girls’ access to schooling include pressure to marry and tradition. See U.S. Department of State, Country Reports- 2002: Central African Republic, Section 5. See also Integrated Regional Information Networks, “UNICEF Funding Schools Construction”.

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Many reports indicate that male teachers pressure female students into sex to receive good grades. Recurring financial problems in the education system as well as the 2003 coup have led to the closure of many of the country’s schools.

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 14 years. However, children who are at least 12 years of age may engage in light work in some traditional agricultural activities or domestic work. Children under 18 are forbidden to perform hazardous work or to work at night. The Labor Code prohibits forced labor. A lack of resources and insufficient labor inspection staff contribute to inadequate enforcement of laws relating to child labor.

Although prostitution is legal in the Central African Republic, Article 198 of the Criminal Code prohibits publicly soliciting persons to engage in debauchery. Violations are punishable by a fine or imprisonment from 5 days to 1 month. Article 199 prohibits procurement of individuals for sexual purposes, including assisting in prostitution, and designates a fine and imprisonment for 3 months to 1 year for those found guilty. Article 200 increases the penalty of imprisonment from 1 to 5 years for cases involving a minor. Minor’s brigades have been established to punish persons responsible for forcing children into prostitution. However, few cases were prosecuted due to the reluctance of victims’ families to press charges. The law does not specifically prohibit trafficking. Traffickers can be prosecuted, however, under anti-slavery laws, mandatory school age laws, prostitution laws, and the labor code. The government does not actively investigate trafficking cases.


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907 U.S. Department of State, Country Reports- 2002: Central African Republic, Section 5. The net primary attendance rate is 53.5 percent in urban areas as opposed to 28.8 percent in rural areas. See Government of the Central African Republic, Enquete a Indicateurs Multiples en Republique Centrafricaine, 11.

908 Ibid.

909 Ibid.


912 U.S. Embassy- Bangui, unclassified telegram no. 783. See also NATLEX, Central African Republic.

913 The prohibition of forced or compulsory labor applies to children, although they are not mentioned specifically. See U.S. Department of State, Country Reports- 2002: Central African Republic, Section 6c.

914 Ibid.

915 Ibid.


917 UN Convention on the Rights of the Child, Summary Record of the 658th Meeting, para. 28.

918 Ibid.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Chad and UNICEF are collaborating on a campaign against the worst forms of child labor in Chad. In 2003, the government and UNICEF continued a series of workshops, seminars, and radio broadcasts to raise awareness of child labor issues. In an effort to combat child trafficking, the government has also sponsored media campaigns designed to advise parents on how to instruct children about the danger of trusting strangers. In 1997, a mediation body was created in the office of the Prime Minister to prevent the use of child soldiers by the opposition forces. The Chadian Ministry of Justice has established programs to demobilize child soldiers and reintegrate them in civilian life.

In April 2003, UNICEF trained representatives from over 35 NGOs to work with herders, parents, and schools to ensure that these children have access to free education. UNICEF has also launched a set of programs intended to increase access to education, especially for girls. Measures taken to improve girls’ attendance rates include providing grants that reduce the domestic workload for girls, and providing grants that offset schooling costs for families. In March 2003, the World Bank also approved a loan to fund Chad’s Education Sector Reform Project. The project’s main objectives for improving basic education are to promote gender and geographic equity; empower communities to repair school infrastructure; enhance quality of teaching and the educational environment; and create programs for literacy, early childhood development, school health and nutrition, non-formal education, bilingual education, and interactive radio instruction.

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 65.5 percent of children ages 5 to 14 years in Chad were working. In southern Chad, children are contracted to nomadic herders to tend animals. These children are often abused and

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920 As part of this project, a baseline study was conducted, and various materials, including pamphlets, were produced to raise awareness of the problem of child herders. See U.S. Embassy- N’Djamena, unclassified telegram no. 1795, November 2001.
924 Coalition to Stop the Use of Child Soldiers, “Child Soldiers- Chad,” 1.
928 Ibid.
929 Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than 4 hours of housekeeping chores in the household, or who have performed other family work. See Government of the Republic of Chad, Enquête par groupes a indicateurs multiples, Rapport comptel, UNICEF, N’Djaména, 2001; available from http://www.childinfo.org/MICS2/natlMICSreport/Chad/Chad_MICS_Report.pdf. In 2001, the ILO estimated that approximately 36.3 percent of children between ages 10 and 14 in Chad were working. See World Bank, World Development Indicators 2003 [CD-ROM], Washington, D.C., 2003.
provided little monetary compensation for their work. Children also work for little compensation as domestic servants in the households of relatives. In cities, some children work in petty commerce. Some families arrange marriages for daughters as young as 12 or 13 years. Once married, many of these girls are obligated to work long hours in the fields or in the home for their husbands. There are allegations that, in isolated instances, local authorities force children to work in the rural sector. Other reports indicate that some children are trafficked for forced labor.

Despite periodic demobilizations of underage soldiers, there are reports that children continue to work in military installations in the north. Children under 13 years old from the Zaghawa ethnic group have been forcibly recruited into the army. UNICEF estimates 600 child soldiers to be in the country, despite the fact that the practice is prohibited by law. Articles 35–38 of the Constitution of March 31, 1996 declare that all citizens are entitled to free non-religious education and training. However, parents still make considerable contributions toward school costs. Education is compulsory for children starting at the age of 6 years for a period of nine years. In 2000, the gross primary enrollment rate was 73.2 percent, and the net primary enrollment rate was 58.2 percent. Educational opportunities for girls are limited, mainly because of tradition, and girls tend not to attend as many years of school as boys. In 1996–1997, the gross primary school attendance rate was 54.9 percent, and the net primary attendance rate was 30.2 percent. In 2003, 54.0 percent of the population reached grade five.
Child Labor Laws and Enforcement

The Labor Code set the minimum age for employment in Chad at 14 years.\(^\text{943}\) According to a 1969 government decree, individuals must be 18 years or older to perform hazardous work. Also, children younger than 18 years are prohibited from working at night.\(^\text{944}\) The Penal Code protects children from sexual exploitation,\(^\text{945}\) and from procurement for the purposes of prostitution.\(^\text{946}\) The trafficking and prostitution of children can result in a fine and imprisonment from 2 to 5 years.\(^\text{947}\) The Constitution and the Labor Code prohibit forced and bonded labor.\(^\text{948}\) The Labor Inspection unit of the Ministry of Labor and Public Affairs is responsible for enforcing child labor laws.\(^\text{949}\)

Chad ratified ILO Convention 182 on November 6, 2000, but has not ratified ILO Convention 138.\(^\text{950}\)

\(\footnote{943\text{ A 1996 amendment to the Labor Code changed the minimum working age from 12 to 14 years. See U.S. Embassy-N'Djamena, unclassified cable 1398. See also U.S. Department of State, Country Reports- 2002: Chad, Section 6d.}}\)

\(\footnote{944\text{ UN Committee on the Rights of the Child, Initial Reports of States Parties: Chad, para. 197. See also “Code du Travail,” Livre III, Tite I, Chapitre II, Law no 38/PR./96, (December 11, 1996); available from http://natlex.ilo.org/txt/F96TCD01.htm. The minimum age for dangerous work is set at 18 years under Decree No. 55/PR.MTJS/DTMOPS. See UN Committee on the Rights of the Child, Initial Reports of States Parties: Chad, para. 197.}}\)


\(\footnote{947\text{ Criminal Code, Articles 279-80.}}\)

\(\footnote{948\text{ U.S. Department of State, Country Reports- 2002: Chad, Section 6c.}}\)

\(\footnote{949\text{ ILO Committee of Experts on the Application of Conventions and Recommendations, CEACR: Individual Observation concerning Convention No. 81, Labour Inspection, 1947 Chad (Ratification: 1965), Geneva, August 19, 2002; available from http://www.ilo.org/ilolex/english/newcountryframeE.htm. The Labor Inspection Office claims that it investigates 10 to 15 child labor allegations per year; however, because of the complex nature of mechanisms for investigating, these statistics are not reliable. See U.S. Embassy- N’Djamena, unclassified telegram no. 1795.}}\)

\(\footnote{950\text{ ILO, Ratifications by Country, in ILOLEX, [database online] [cited August 19, 2003]; available from http://www.ilo.org/ilolex/english/newratframeE.htm.}}\)
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Chile has been a member of ILO-IPEC since 1996. That same year, the government established the National Committee for the Eradication and Prevention of Child Labor with support from ILO-IPEC. Since the late 1990s, the Government of Chile has conducted sectoral and regional child labor surveys, participated in child labor seminars, and supported a project to mobilize teachers against child labor with assistance from ILO-IPEC. In 2001, the Committee developed a National Plan to Prevent and Eradicate Child and Teenage Labor with five focus areas: awareness-raising, data collection, promotion of legislative reform in compliance with ILO conventions, development of age-specific targeted intervention programs, and ongoing monitoring and evaluation. In addition, the Government of Chile, along with ILO-IPEC and the other MERCOSUR governments, has developed a 2002-2004 regional plan to combat child labor.

In 2002, a 2-year ILO-IPEC project was initiated in Chile to combat the commercial sexual exploitation of children. The government has conducted an awareness-raising campaign as part of this project. Reportedly, Chilean police and social workers make efforts to identify and place child prostitutes in juvenile homes. Another ILO-IPEC project was started in 2002 to gather information on child labor, which consists of child labor surveys and studies and the establishment of a national register on the worst forms of child labor. Government agencies such as the National Minors Service (SENAME), the Ministry of Labor, and the police have developed a list of the worst forms of child labor and are contributing information on reports of such child labor to the shared register. SENAME is responsible for following up on these reports.

The government operates various programs to encourage school attendance. It has established a family income support program (Subsidio Unico Familiar) in which poor families receive direct money transfers if they can...
demonstrate, among other requirements, that family members ages 6 to 18 are registered in school. The government also funds scholarship and school meal programs. From 2001 to 2003, there has been an increase in the number of schools covered by the Program of 900 Schools (P-900), which provides funding for teaching assistants for a number of basic education classrooms. Approximately 55 percent of the country’s schools have implemented the Full School Day Reform, which was adopted in 1996 and extended the school day, provided a new curriculum framework, implemented incentives for teacher professionalism, and initiated a network to model and disseminate innovative teaching, learning, and managerial practices at the secondary level.

The government’s Rural Basic Education Program provides additional funding for targeted programs to enhance teacher training, promote quality curriculum, and increase family involvement in schooling in rural areas. The government also received a loan in 2001 from the IDB to fund various projects involving indigenous communities in Chile, including an effort to support bilingual intercultural education for indigenous children.

The Chilean government recently established the “Chile in Solidarity” program, in which several government agencies participate to coordinate the provision of benefits for very poor families. One of the goals is to provide income and other support for families with children at risk of dropping out of school and working.

**Incidence and Nature of Child Labor**

In 2000, the ILO estimated that less than 1 percent of children ages 10 to 14 in Chile were working. Children who work are active in the following sectors: agriculture, ranching, shepherding, meat and shellfish processing, fishing, bagging groceries in supermarkets, domestic service, and street sales. Most of these activities are carried
out by children employed in the informal economy. The Government of Chile and other sources have estimated that the number of child prostitutes under the age of 18 in 1999 ranged from 3,500 to 10,000.

In 2003, the Government of Chile changed the length of free and compulsory education from 8 to 12 years and committed funding to support the initiative and encourage school attendance among the poor. In 2000, the gross primary enrollment rate was 102.7 percent and the net primary enrollment rate was 88.8 percent. In 2000, a government household survey estimated that 1 percent of Chilean children between 7 and 13 did not attend school. The country’s rural population completes less schooling than the country’s urban population.

### Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 15 years. Children ages 15 to 18 years may work with express permission of parents or guardians and they must attend school; children age 15 may only perform light work that will not affect their health or development. Children under age 18 are prohibited from working underground, in nightclubs or similar establishments in which alcohol is consumed, or in activities that endanger their health, safety or morality. They are also not permitted to work more than 8 hours, or to work at night between the hours of 10 p.m. and 7 a.m. (outside a family business). The Constitution and the Labor Code prohibit forced labor, and the prostitution of children and corruption of minors are prohibited under the Penal Code.

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972 ILO-IPEC Regional Office for Latin America and the Caribbean, *Sistematización del Proyecto*.


974 The Government of Chile stated that 3,500 children under the age of 18 worked in prostitution and pornography in 1999. See Alejandra Muñoz, “3,500 menores ejercieron la prostitución el 99,” *La Tercera* (Santiago), June 23, 2000; available from http://www.tercera.cl/. UNICEF reported that in 1999 there were approximately 10,000 child prostitutes between the ages of 6 and 18. See U.S. Department of State, *Country Reports- 2002: Chile*, Section 6f. There is limited information on other forms of commercial sexual exploitation of children in Chile.


Code.984 Prostitution, however, is legal in Chile and the age of consent for sexual relations is 14 years. As such, Chilean law provides for no legal penalties for adults who engage in commercial or non-commercial sex with children ages 14 to 18.985 Although there is no specific prohibition of child pornography, the Penal Code contains a prohibition against the sale, distribution and exhibition of pornography.986 The trafficking of children for prostitution is also prohibited under the Penal Code.987

The Ministry of Labor’s Inspection Agency enforces child labor laws in the formal sector, while the National Service for Minors within the Ministry of Justice investigates exploitative child labor related to pornography, the sale of drugs, and other related criminal activities.988 While child labor inspections are infrequent, and usually initiated only after a specific complaint,989 overall compliance is good in the formal economy.990 In 2002, the Ministry of Labor found less than 1 percent of employers to be out of compliance with child labor laws.991 Child labor is a problem, however, in the informal economy.992 In 2002, the UN Committee on the Rights of the Child reported that cases of commercial sexual exploitation of children often are not investigated and prosecuted and victim assistance services are lacking.993

The Government of Chile ratified ILO Convention 138 on February 1, 1999 and ILO Convention 182 on July 17, 2000.994

984 Chilean Penal Code, Articles 367, as found in Interpol, Legislation of Interpol Member States on Sexual Offenses against Children: Chile, [database online] [cited June 26, 2003]; available from http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaChile.asp.
986 Chilean Penal Code Article 374, as found in Interpol, Legislation of Interpol Member States.
987 Chilean Penal Code, Article 367 BIS, as found in Ibid.
988 U.S. Embassy- Santiago, unclassified telegram no. 2756.
989 Ibid.
990 U.S. Department of State, Country Reports- 2002: Chile, Section 6d.
991 These infractions were discovered during approximately 189,000 inspections conducted by the Labor Ministry in 2002. See Chilean Ministry of Labor, Report on Labor Rights in Chile, 9-10.
992 U.S. Department of State, Country Reports- 2002: Chile, Section 6d.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Colombia became an associated member of ILO-IPEC in 1997 and has been a member since 2002. Prior to joining ILO-IPEC, the government established the National Commission for the Eradication of Child Labor in 1995, and in 1996, the government developed its first National Action Plan for the Elimination of Child Labor and Protection of Working Minors. In 2000, a second national action plan on child labor was developed, and in 2002, child labor was included in the government’s 4-year national development plan. In 2003, the government implemented a reform of its labor laws that rewards businesses who employ workers over the age of 16 years.

The government is participating in an ILO-IPEC regional project funded by USDOL to prevent and eliminate the involvement of children in domestic labor. Colombia is also participating in an USDOL-funded ILO-IPEC project to prevent and eliminate child labor in small-scale mining. Federal and state government agencies in Colombia have also worked with ILO-IPEC to implement projects for working children involved in commercial sexual exploitation, agriculture, and urban work. In early 2003, the government published data on child labor that it had collected with technical assistance from ILO-IPEC’s SIMPOC.


997 The commission is composed of members from government, employer and union organizations, and NGOs including the Ministries of Labor, Education and Health, the Department of National Planning, and the National Statistics Department. See U.S. Embassy- Bogotá, unclassified telegram no. 9111, October 2001.

998 ILO-IPEC, Ficha País: Colombia.


1002 This 3-year project was funded in 2000, and is also being implemented in Brazil, Paraguay, and Peru. See ILO-IPEC, Prevention and Elimination of Child Domestic Labor in South America, project document, RLA/00/P53/USA, Geneva, September 2000, 1. In April 2002, the project was extended until March 2004. See also ILO-IPEC, Modification Number 1: Prevention and Elimination of Child Domestic Labor in South America, Geneva, April 2002.

1003 This 2-year project was funded in 2001. See ILO-IPEC, Prevention and Elimination of Child Labor in Small-Scale Mining-Colombia, project document, COL/01/P50/USA, Geneva, September 25, 2001, 20. The government has participated in trainings on child labor in the mining sector under this project. See ILO-IPEC, Prevention and Elimination of Child Labor in Small-Scale Mining; Technical Progress Report, Section 4.


Since 1994, the Colombian Institute for Family Welfare (ICBF) has conducted programs to assist child soldiers involved in the country’s ongoing armed conflict. With support from USAID, IOM has worked with ICBF since 2001 on transition and reintegration services for demobilized children. The government provides necessary furniture and equipment to support transitional homes for such children and conducts ongoing evaluation and monitoring of the services. IOM has also worked with the government’s public defenders office to develop legal norms for treatment of child ex-combatants. The Colombian Ministry of Interior likewise operates a program that finds housing for and provides grants and training to demobilized child combatants. The Government of Colombia recently began participating in a 3-year inter-regional ILO-IPEC project funded by USDOL in 2003 that aims to prevent and reintegrate children involved in armed conflict.

The Ministry of Education has extended the school day to discourage children from working and has carried out education programs for children who have abandoned schooling. In 2002, the World Bank provided a 1-year loan to Colombia to strengthen social safety nets, which included an initiative to strengthen the capacity of ICBF’s child programs and to support the country’s Education for All efforts. In 2001, the Bank provided a 3-year loan to support government programs that provide scholarships and cash grants for education to poor families. In 2000, the World Bank awarded a 4-year loan to the government to improve the quality of and access to education in the country’s rural areas. In 1999, the IDB approved financing for the Ministry of Education to initiate education reforms, including initiatives to ensure children are offered a full cycle of basic education. In 2000, the IDB provided a 3-year loan to the Government of Colombia to strengthen social safety nets, including a component to provide assistance to families with children to increase school attendance and reduce primary and secondary dropout rates.

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1007 IOM, Programa de Atencion a Ninos, Ninas y Jovenes Desvinculados.


1010 U.S. Embassy—Bogotá, unclassified telegram no. 7759.


**Incidence and Nature of Child Labor**

In 2001, the National Administrative Department of Statistics estimated that 14.5 percent of children ages 5 to 17 were working. In the vast majority of these children were in agriculture, commerce, industry and services. In rural areas, most working children participate in uncompensated family agricultural and mining activities. Children also work in all aspects of the cut flower industry. In 2001, the National Administrative Department of Statistics estimated that there were 20,000 children working in coca picking and other aspects of the drug trade. In urban areas, children work in the retail and services sectors, and in activities such as street vending and waiting tables.

Children are involved in commercial sexual exploitation in Colombia. ICBF estimates that more than 10,000 girls and nearly 1,000 boys in the capital of Bogotá are working as prostitutes. Colombia is a major source country for girls who are trafficked abroad, primarily for sexual exploitation. Children are also trafficked internally in the country for sexual exploitation and forced conscription into armed groups. Children are forcibly recruited by guerrilla and paramilitary groups in Colombia to serve as combatants, messengers, spies, and sexual partners, and to carry out such tasks as kidnapping and guarding of hostages and transporting and placing bombs.

The Constitution requires children ages 5 to 15 to attend school, and education is free in state institutions. In 2000, the gross primary enrollment rate was 112.4 percent, and the net primary enrollment rate was 88.5 percent. That same year, the gross primary attendance rate was 139.5 percent, and the net primary attendance rate was 92.8 percent. While basic education enrollment improved over the 1990s, many children in rural and low-income populations in Colombia face obstacles to schooling access.

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1016 This figure includes children working outside the home in the productive sector of the economy. It does not measure work in activities in the household, regardless of the amount of time devoted to such activities. See National Administrative Department of Statistics, *Encuesta Nacional de Trabajo Infantil*, 30, 52-54.
1017 Ibid., 55.
1021 U.S. Embassy- Bogotá, unclassified telegram no. 9111.
1022 U.S. Department of State, *Country Reports* 2002: Colombia, Section 6f. The government estimates that 25,000 children in total in Colombia are engaged in some form of commercial sexual exploitation. See U.S. Embassy- Bogotá, unclassified telegram no. 7759.
1024 Ibid., Section 6c. The government estimated that in 2002, approximately 6,000 children served as soldiers in illegal armed groups. See U.S. Department of State, *Country Reports* 2002: Colombia, Section 5 and 6f.
1025 Ibid., Section 6c. The government estimated that in 2002, approximately 6,000 children served as soldiers in illegal armed groups. See U.S. Department of State, *Country Reports* 2002: Colombia, Section 5 and 6f.
1026 Ibid., Section 6c. The government estimated that in 2002, approximately 6,000 children served as soldiers in illegal armed groups. See U.S. Department of State, *Country Reports* 2002: Colombia, Section 5 and 6f.
Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 14 years, but also defines special conditions under which children ages 12 and 13 are authorized to perform light work with permission from parents and labor authorities.1031 Article 44 of the Constitution calls for the protection of children against all forms of economic exploitation, exploitation in employment, and hazardous work.1032 The Constitution also prohibits forced labor.1033 The Penal Code prohibits inducing or compelling children to engage in prostitution and prohibits the production and distribution of pornography.1034 In 2002, the government strengthened anti-trafficking legislation and increased penalties for violations.1035 Law 548 of 1999 establishes that persons under the age of 18 cannot perform military service.1036

The Ministry of Social Protection (formerly the Ministry of Labor and Health),1037 the ICBF, the Minors’ Police, the Prosecutor’s Office for the Protection of the Child and Family, and Family Commissioners are the entities authorized to implement and enforce the country’s child labor laws and regulations.1038 The Ministry of Social Protection is responsible for conducting child labor inspections, but the system lacks resources and is only able to cover a small percentage of the child labor force employed in the formal sector.1039 The Ministry estimates that only five percent of workplaces that employ children obtain the required work permits.1040 The Government of Colombia is a leader in international efforts to combat trafficking, police actively investigate trafficking offenses, and the crime carries significant penalties. A lack of resources for a witness protection system and intimidation by traffickers hinder prosecution efforts.1041 The lack of resources also inhibits the government’s ability to enforce the legal prohibition against forced labor by children in the country’s armed conflict.1042

The Government of Colombia ratified ILO Convention 138 on February 2, 2001, but has not ratified ILO Convention 182.1043

1031 U.S. Embassy- Bogotá, unclassified telegram no. 9111. The Minors’ Code also prohibits children under the age of 12 from working, sets limits on the number of hours children ages 12 to 17 may work, and forbids employment of children at night. See U.S. Embassy- Bogotá, unclassified telegram no. 7759.
1032 Constitución Política de Colombia, Art. 44.
1033 Article 53 prohibits depriving workers of their liberty. Ibid.
1035 U.S. Department of State, Trafficking in Persons Report: Colombia.
1036 Coalition to Stop the Use of Child Soldiers, “Global Report 2001: Colombia.”
1037 Ministerio de la Protección Social, Bienvenidos: Ministerio de la Protección Social, [online] [cited August 13, 2003]; available from http://www.mintrabajo.gov.co/NewSite/MseContent/home.asp.
1039 U.S. Department of State, Country Reports- 2002: Colombia, Section 6d.
1040 U.S. Embassy- Bogotá, unclassified telegram no. 7759.
1041 U.S. Department of State, Trafficking in Persons Report: Colombia.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In March 2002, the Government of Comoros participated in a 2-day conference on child exploitation with seven other francophone African countries. The conference participants agreed to define a “child” as a person under the age of 18, and produced a list of 21 guiding principles, which outline exploitative activities in the context of children that must be banned.\(^{1044}\) The government has also worked together with UNICEF to formulate a response to a rising number of incidences of child labor\(^{1045}\) and improve education for girls.\(^{1046}\) Since 1997, the World Bank has financed a USD 7.5 million project to improve primary and vocational education in the country.\(^{1047}\) From 2002 to 2007, the government will collaborate with the European Commission on various projects in the education sector aimed at developing elementary education infrastructure, technical and vocational training, institutional capacity, improving the quality of secondary education, and promoting higher education.\(^{1048}\)

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 36.7 percent of children ages 5 to 14 years in Comoros were working.\(^{1049}\) Children work in the informal sector, agriculture, and family enterprises, particularly in subsistence farming and fishing.\(^{1050}\) Children, some as young as 7 years old, also work as domestic servants, in exchange for food and shelter.\(^{1051}\) Migration from rural areas and poverty has led to a growing number of children working and living on the streets.\(^{1052}\)

Primary education is compulsory until the age of 10.\(^{1053}\) In 2000, the gross primary enrollment rate was 86.0 percent, and the net primary enrollment rate was 56.2 percent.\(^{1054}\) According to UNICEF, only 22.1 percent of boys and 26.9 percent of girls enrolled in primary school reach grade 5.\(^{1055}\) Attendance is not enforced by the

\(^{1044}\) The other countries participating in the meeting were: Mali, Burundi, Cameroon, Congo (Republic of), Morocco, Senegal and Tunisia. See UN Integrated Regional Information Networks, Nations Press Ahead to End Child Exploitation, IRINnews.org, [online] April 2, 2002 [cited August 28, 2003]; available from http://www.irinnews.org/report.asp?ReportID=27066&SelectRegion=Africa&SelectCountry=AFRICA.


\(^{1046}\) UNICEF has also supported the Government of Comoros to implement a 2000 study to establish baseline performance indicators for children in grade 4, the collection of data for the 2000 Education for All reports, and a reconciliation accord in February 2001 to bring about political stability to the country. See Government of Comoros, Girls’ Education in Comoros, [previously online], UNICEF, [hard copy on file]; available from http://www.unicef.org/programme/girlseducation/action/ed_profiles/Comorosfinal.PDF.


\(^{1049}\) Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. See Government of Comoros, Multiple Indicator Cluster Survey 2 (MICS2): Standard Tables for Comoros, UNICEF Statistics, 125 [cited August 28, 2003]; available from http://www.childinfo.org/MICS2/newreports/comoros/comoros.htm.


\(^{1051}\) UN Committee on the Rights of the Child, Summary Record, para. 3.

\(^{1052}\) UN Committee on the Rights of the Child, Concluding Observations, para. 39. See also UN Committee on the Rights of the Child, Summary Record, para. 3.

\(^{1053}\) U.S. Department of State, Country Reports-2002: Comoros, Section 5.


\(^{1055}\) Government of Comoros, MICS2: Standard Tables for Comoros, Table 11, 39.
government, and only 31.2 percent of all primary school children ages 6 to 12 attend school. There is a general lack of facilities, equipment, qualified teachers, textbooks and other resources. Salaries for teachers are often so far in arrears that many teachers refuse to work.

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 18 years. The Constitution prohibits forced and bonded labor, though not specifically by children. The Criminal Code makes any act of indecent assault committed against a child under the age of 15 years punishable by 2 to 5 years imprisonment. The penalty is enhanced to up to 15 years imprisonment if the act committed or attempted is rape. If a minor under 21 years is discovered engaging in prostitution, a juvenile court may impose protective measures. The Code provides for imprisonment of 2 to 5 years for anyone who is complicit in the prostitution of a minor or uses threats, coercion, violence, assault, or the abuse of authority. Article 323 of the Criminal Code also provides for the same penalties for complicity in international trafficking. Enforcement of labor laws including the minimum age provision is lax, and in practice, many children begin work at age 15. This is due in part to a lack of labor inspectors and general lack of resources.

The Government of Comoros has not ratified ILO Convention 138 or ILO Convention 182.

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1058 UN Committee on the Rights of the Child, *Concluding Observations*, para. 43. See also Government of Comoros, *Girls’ Education in Comoros*.

1059 UN Committee on the Rights of the Child, *Summary Record*, para. 23.


1063 Ibid., Article 319.

1064 Ibid., Article 327.

1065 Ibid., Article 323.

1066 Ibid.


Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Democratic Republic of the Congo is an associated country of ILO-IPEC. The government is participating in a regional ILO-IPEC project funded by USDOL to reintegrate children involved and prevent children from involvement in armed conflicts in Central Africa. The first phase of the project, which was completed in 2003, produced a qualitative study on the use of children in conflicts in the region. In 2003, the second phase of the project was launched, in which direct action programs will be undertaken to remove children involved and prevent children from becoming involved in armed conflict.

In 2001, President Joseph Kabila created the National Bureau for Demobilization and Reintegration (BUNADER) to work with UNICEF to implement a demobilization program for combatants with special needs, including children. The disarmament, demobilization, and reintegration of children involve government agencies such as the Ministries of Defense and Education, as well as international organizations and NGOs.

In 2002, government officials participated in awareness-raising activities on child labor organized by ILO-IPEC in conjunction with the African Cup of Nations. In June 2003, the government launched a nation-wide birth registration campaign to provide children with official documentation of their age, a strategy intended to prevent early recruitment into armed groups and to protect children from trafficking.

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1071 This 5-year project was initially funded in 2001. See ILO-IPEC, Regional Programme on the Prevention and Reintegration of Children Involved in Armed Conflicts in Central Africa (Phase I: Identification of a Strategy for Concerted Action), project document, Geneva, July 2001, 1, 11.


The government has worked with UNICEF on a girls’ education project aimed at increasing enrollment, reducing the drop-out rate, and encouraging transition to secondary education. The Ministry of Primary, Secondary and Professional Education, the Ministry of Social Affairs, and the Ministry of Recreation and Youth are providing qualified professionals to implement UNICEF-supported formal and non-formal education projects. In 2003, UNICEF granted the government additional funding for children’s programs, including the promotion of girls’ education. USAID has also provided financing for awareness raising activities to promote girls’ education. Furthermore, due to the critical needs in the country’s education system, the Government of the Democratic Republic of the Congo is receiving intensified support from the World Bank to address data, policy, and capacity gaps to enable the country to qualify for Education for All Fast-Track grant financing from the World Bank and other donors. The Education for All Fast Track Initiative, which is funded by the World Bank and other donors, aims to provide all children with a primary school education by the year 2015.

Incidence and Nature of Child Labor

In 2001, UNICEF estimated that 24.2 percent of children ages 5 to 14 years in the Democratic Republic of Congo were working. Children work in the informal sector and in subsistence agriculture, which constitute the largest sectors of the economy. Some children hunt or fish to support their families instead of attending school. Children work in mining, stone crushing, garbage collecting and as porters and errand boys.
Child prostitution is common. In 2002, there were reports that the military and police sexually exploited homeless girls. Children are trafficked by various armed groups in Eastern Congo’s North and South Kivu provinces and Ituri district for sexual exploitation and forced labor.

Despite efforts at demobilization, in 2003, there were reports that up to one third of all children in the Democratic Republic of the Congo were engaged in some form of soldiering. Children serve as soldiers in a number of armed groups, including the Congolese Armed Forces, the Movement for the Liberation of the Congo, and branches of the Congolese Rally for Democracy. Congolese child soldiers serve as runners, bodyguards, porters, spies, and fighters on the frontlines.

Education in the Democratic Republic of the Congo is neither compulsory nor free. In 1998, the gross primary enrollment rate was 46.8 percent, and the net primary enrollment rate was 32.6 percent. In 2001, the net primary attendance rate was 51.7 percent. Barriers to attendance include parents’ inability to pay school fees, dilapidated school facilities and population displacement. In high-conflict zones, girls drop out of school for fear of sexual violence by combatants targeting schools.

**Child Labor Laws and Enforcement**

Article 115 of the Labor Law sets the minimum age for employment in businesses, including as an apprentice, at 14 years. Children between the ages of 14 and 18 may work with the consent of a parent or guardian; those under 16 may work up to 4 hours per day. Children under the age of 18 are prohibited from working at night in

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public or private establishments. Under the Juvenile Code, children under 14 are prohibited from engaging in prostitution. There are no specific laws that prohibit trafficking.

The Ministry of Labor is responsible for enforcing child labor laws, but fails to do so effectively. In the past, there were reports that former child soldiers had been imprisoned, with some reportedly on death row.


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1105 Code du Travail, Article 106.
1106 U.S. Department of State, Country Reports- 2002: Democratic Republic of the Congo, 165-68, Section 5. Area NGOs, however, have stated that the country lacks legal protections against sexual exploitation of children. See NGO Working Group for the Rights of the Child, Rapport Alternatif et evaluatif des ONGs sur l’application de la convention relative aux droits de l’enfant, 20.
1108 Ibid., Section 6d.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of the Republic of Congo is an associated country of ILO-IPEC. The government is participating in a regional ILO-IPEC project funded by USDOL to reintegrate children involved and prevent children from involvement in armed conflicts in Central Africa. The first phase of the project, which was completed in 2003, produced a qualitative study on the use of children in conflicts in the region. In 2003, the second phase of the project was launched, in which direct action programs will be undertaken to remove children involved and prevent children from becoming involved in armed conflict. The government has also established the High Commission for Reintegration of Ex-Combatants, which has maintained some projects regarding the demobilization of child soldiers and offers them financial support and technical training. With funding from UNICEF, the Department of Social Action established the Traumatized Children Project, which provides counselling for former child soldiers.

In 2003, the government pledged to increase birth registration in the capital city of Brazzaville within the year, and to extend the campaign to the rest of the nation in 2004. Such efforts are intended to prevent early recruitment into armed groups and to protect children from trafficking.

The Ministry of Territorial and Regional Development is jointly implementing a school reintegration project, funded by the European Union through UNESCO, for children displaced by the civil war in the late 1990s and natural disasters. In 2002, the World Bank provided funding for an emergency reconstruction project that includes financing for school rehabilitation in Brazzaville. In 2003, the U.S. Department of Defense, through its Humanitarian Assistance Program, also funded the rehabilitation of schools destroyed during the country’s civil conflicts.


Incidence and Nature of Child Labor

In 2001, the ILO estimated that 25.3 percent of children ages 10 to 14 years in the Republic of the Congo were working.\footnote{1122} Children work for their families on farms or in informal business activities.\footnote{1123} Growing numbers of street children in Brazzaville engage in street vending and petty theft. Some of these children are also involved in prostitution.\footnote{1124} Children joined and were recruited by both the government and opposition forces involved in the civil conflict from 1997 to 2000,\footnote{1125} and there have been anecdotal reports that children were recruited into military service during the May 2002 violence in the country.\footnote{1126} The 2003 ILO-IPEC study showed that children have performed a variety of tasks for armed groups, including front line combat, patrolling, and spying.\footnote{1127} There have been reports of trafficking of children among the Congo and other countries in West and Central Africa, including Benin, Cameroon, Central African Republic, Chad, Niger, Nigeria, and Togo.\footnote{1128}

The Constitution establishes free and compulsory education up to the age of 16 years.\footnote{1129} In 2000, the gross primary enrollment rate was 96.9 percent.\footnote{1130} In 2001, however, UNICEF reported that approximately 40 percent of the Congo’s primary school-age children did not attend school, largely as a result of the 1997–2000 conflicts.\footnote{1131} Many classroom buildings were damaged during this period; schools have few educational materials and poor hygiene and sanitation systems;\footnote{1132} and teachers lack training.\footnote{1133} High drop-out rates in urban and rural areas are reportedly due to poverty, lack of facilities, teacher absenteeism, and poor learning conditions. The lack of resources has made it very difficult for the Ministry of Education to rehabilitate the facilities and rebuild the system.\footnote{1134}

\footnote{1126} The Government states that recruitment of children is not authorized. Unofficial sources report that the children were enticed, rather than forced, to join the military. See U.S. Department of State, \textit{Country Reports- 2002: Congo}, Section 6d.
\footnote{1127} ILO-IPEC, \textit{Wounded Childhood}, 43.
\footnote{1130} Net primary enrollment rates are unavailable for the Congo. See World Bank, \textit{World Development Indicators 2003}.
\footnote{1133} Integrated Regional Information Networks, \textit{UNICEF to Build and Rehabilitate Schools}.
\footnote{1134} UNICEF, \textit{UNICEF Humanitarian Action}.}
Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment, including apprenticeships, at 16 years, unless otherwise permitted by the Ministry of Education. The law prohibits forced or compulsory labor. Procuring any person for the purposes of prostitution is illegal, with increased punishment if the crime is committed with a minor. The law does not specifically prohibit trafficking in persons. The Ministry of Labor is responsible for enforcing child labor laws and monitors businesses in the formal sector, but most child labor occurs in the informal sector or rural areas that lack government oversight.


1139 Ibid., Section 6d.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Costa Rica has been a member of ILO-IPEC since 1996. Currently, Costa Rica is participating in several ILO-IPEC projects funded by USDOL, including a project to collect child labor statistics and a project to combat child labor in the coffee sector (in Turrialba and Guanacaste). Costa Rica is also participating in a USDOL-funded ILO-IPEC regional project aimed at combating commercial sexual exploitation. With other donor funding, in July 2002, the Government of Costa Rica and ILO-IPEC began to map and define the worst forms of child labor, in preparation for a Timebound Program. In 2003, in collaboration with the Government of Costa Rica, ILO-IPEC began implementing a Timebound Program. The Timebound Program focuses on enabling an environment at the national level to eliminate the worst forms of child labor, as well as direct action activities in the Brunca Region. ILO-IPEC is also carrying out a project aimed at raising awareness, collecting information, and providing direct attention to children involved in domestic work in the homes of third parties. In collaboration with ILO-IPEC, the labor union Central del Movimiento de Trabajadores Costarricenses (CMTC) is supporting a pre-school center for the children of street vendors in San José.

In 1996, the Government of Costa Rica established the National Directive Committee for the Progressive Eradication of Child Labor and the Protection of Adolescent Workers in Costa Rica, which provides direction on child labor issues to the Ministry of Labor’s National Directorate for Inspection. The Committee, in 1998, developed a national plan to eliminate child labor and fostered a number of institutions that address child labor, including the Executive Secretariat for the Eradication of Child Labor, the Ministry of Labor’s Office of Eradication of Child Labor and Protection of Adolescent Laborers, and the National Commission Against the Commercial Exploitation of Minors and Adolescents. The commercial sexual exploitation of children is

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1142 INEC, MTSS, and ILO-IPEC, Informe Nacional de los Resultados de la Encuesta de Trabajo Infantil y Adolescente En Costa Rica, San José, 2003. This survey was carried out with support from a USDOL funded ILO-IPEC SIMPOC project.
1144 Though the project focuses primarily on awareness raising, institutional capacity building, and international and national coordination, this project targets 150 girls in Limón, Costa Rica for direct services, such as education, social services, and health care. See ILO-IPEC, Stop the Exploitation: Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic, project document, RLA/02/P51/USA, 2002, 26-40.
1147 ILO official Rigoberto Astorga, electronic communication to USDOL official, September 16, 2002. See also Jamie Daremblum, Costa Rican Ambassador to the United States, letter to USDOL official, September 6, 2002.
1148 ILO official Maria José Chamorro, electronic communication to USDOL official, September 10, 2002.
1150 U.S. Embassy– San José, unclassified telegram no. 2206.
recognized as a problem in Costa Rica and it is on the political and public agenda through discussion in presidential discourse, political debates, newspaper reports, editorials, studies, and fora.\textsuperscript{1152}

In September 2000, the government established the “National Agenda for Children and Adolescents, 2000-2010,” where it pledged to prevent and eliminate the worst forms of child labor and achieve 100 percent retention of children in basic education by the year 2010.\textsuperscript{1153} Since implementation of the agenda, the government has created promotional materials on the problem of child labor; provided awareness training to over 5,000 government officials, college students, and private sector employees in the banana industry; and educated 7,000 youths on worker rights. All labor inspectors are reportedly trained in child labor enforcement and the prevention of child exploitation.\textsuperscript{1154} On October 8, 2002, the Ministry of Labor announced a nationwide program aimed at providing small loans and economic aid to families with at-risk children.\textsuperscript{1155} In 2003, the government launched an awareness raising campaign entitled “Mobilize Costa Rica Against Child Labor.”\textsuperscript{1156} On March 17, 2003, the Ministry of Transport and the Costa Rican Taxi Associations signed an agreement that states that if a taxi is found involved in the commercial sexual exploitation of children, its concession will be withdrawn.\textsuperscript{1157}

In the area of education, the government promotes children’s access to primary school through ongoing publicity campaigns sponsored by the Ministries of Labor and Public Education.\textsuperscript{1158}  Other educational programs have focused on the reintegration of child laborers into the education system. The Ministry of Education has been supporting ongoing efforts by providing scholarships for poor families in order for them to cover the indirect costs of attending school.\textsuperscript{1159} Costa Rica is involved in an IDB program aimed at improving pre-school and lower-secondary education.\textsuperscript{1160}

**Incidence and Nature of Child Labor**

In 2002, the National Survey on Child and Adolescent Labor reported that 11.4 percent of children ages 5 to 17 were economically active.\textsuperscript{1161}  World Bank estimated that 4 percent of children ages 10 to 14 years in Costa Rica were working.\textsuperscript{1162}  In rural areas, children work in agriculture and cattle-raising, primarily on family-owned farms.


\textsuperscript{1156} U.S. Embassy- San José, unclassified telegram no. 2206. See also Government of Costa Rica, *Avances convenio 182*.


\textsuperscript{1158} U.S. Embassy- San José, unclassified telegram no. 1586.

\textsuperscript{1159} U.S. Embassy- San José, unclassified telegram no. 2725.


\textsuperscript{1161} According to the survey, 127,077 children aged 5 to 17 work. INEC, MTSS, and ILO-IPEC, *Informe Nacional*, 33. The Government of Costa Rica completed this national child labor survey in 2003 with support from the ILO.

Costa Rican children traditionally help harvest coffee beans and sugar cane, although Nicaraguan immigrants, including children, are also found working on farms. Child labor in agriculture and the service sector continues to be prevalent in the Cartago, Limón, and Brunca regions of the country. Some children work as domestic servants, and others may be involved in construction, carpentry, furniture making, baking, sewing and the small-scale production of handicrafts. Children also bag groceries at supermarkets, sell goods on streets or highways, and watch over parked vehicles.

The prostitution of children is a continuing problem in Costa Rica and is often associated with the country’s sex tourism industry. Costa Rica is a transit and destination point for children trafficked for commercial sexual exploitation purposes, including prostitution. Most trafficking victims originate from Colombia, the Dominican Republic, Nicaragua, Panama, and to a lesser extent from Russia, the Philippines, Romania, and Bulgaria.

Education is compulsory and free for 6 years at the primary level and 3 years at the secondary level. In 2000, the gross primary enrollment rate was 106.8 percent and the net primary enrollment rate was 91.1 percent. In 1999, 80.2 percent of children enrolled in primary school reached grade 5. The proportion of dropouts is higher in rural areas (16 percent) than in urban areas (7.5 percent).

1163 U.S. Embassy- San José, unclassified telegram no. 0515, February 1998. See also U.S. Embassy- San José, unclassified telegram no. 2206.
1172 World Bank, World Development Indicators 2003.
Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 15 years. The Children and Adolescents' Code prohibits minors under the age of 18 from working in mines, bars and other businesses that sell alcohol, in unsafe and unhealthy places, in activities where they are responsible for their own safety and the safety of other minors, and where there they are required to work with dangerous equipment, contaminated substances or excessive noise. Also under the Children and Adolescent's Code, children are not allowed to work at night or more than 6 hours a day or 36 hours a week. Children under the age of 18 are not permitted to work in the banana industry.

The Children's Bill of Rights states that all children and adolescents have the right to protection from all forms of exploitation, including prostitution and pornography. The Law Against the Sexual Exploitation of Underage Persons, approved in 1999, established penalties for those engaged in the commercial sexual exploitation of children. The Penal Code provides for a prison sentence of between 4 and 10 years if the victim of prostitution is under the age of 18. The Penal Code also prohibits the entry or exit of women and minors into and out of the country for prostitution, and provides for 5 to 10 years imprisonment, if convicted.

The Ministry of Labor and Social Security is responsible for detecting and investigating labor violations, while the National Board for Children and the judiciary branch are responsible for investigating and prosecuting cases of child sexual exploitation. The Ministry of Labor houses the Office of Eradication of Child Labor and Protection of Adolescent Workers, which is responsible for coordinating all direct action programs, maintaining a database on all workers under the age of 18, coordinating the implementation of the National Plan and public policy, and training labor inspectors on child labor. All labor inspectors are reportedly trained in child labor enforcement and the prevention of child exploitation. To deal with child labor on a local level, a labor inspector is appointed in each Regional Office of the National Directorate of Labor Inspection.

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1175 In 1998, Costa Rica passed the Children and Adolescence Code, which amended Articles 88 and 89 of the Labor Code to increase the minimum age for work to 15. See Daremblum, letter to USDOL official, September 6, 2002, and Daremblum, letter to USDOL official, October 23, 2001. See also Código de la Niñez y la Adolescencia, 1997, Article 78. See also Government of Costa Rica, Código de Trabajo, Articles 88 and 89.

1176 Código de la Niñez y la Adolescencia, 1997, Article 94. See also Daremblum, letter to USDOL official, September 6, 2002.. See also Daremblum, letter to USDOL official, October 23, 2001.

1177 Código de la Niñez y la Adolescencia, 1997, Article 95. See also U.S. Department of State, Country Reports- 2002: Costa Rica, Section 6d.


1180 Ministry of Foreign Trade, Submission to the US Department of Labor of a Report and Comments on Child Labor Issues, 5.

1181 This provision is found in Article 170 of the Penal Code. See U.S. Embassy– San José, unclassified telegram no. 1977. See also U.S. Department of State, Country Reports- 2002: Costa Rica, Section 6f.


1183 The Ministry of Labor carries out these responsibilities through its Bureau for the Attention and Elimination of Child Work and Protection of Adolescents, and through the Office of Labor Inspection. See Daremblum, letter to USDOL official, October 23, 2001, 3.


1186 Ministry of Foreign Trade, Submission to the US Department of Labor of a Report and Comments on Child Labor Issues, 6.
investigations can be initiated after an inspection, or in response to complaints filed by government or NGO representatives, or members of civil society, including children and adolescents who are subject to exploitation.\textsuperscript{1187} In 2001, the Ministry of Labor received approximately 1,400 complaints of child labor, and launched a hotline for reporting such cases.\textsuperscript{1188} Due to limited resources, child labor regulations are not always enforced outside the formal economy.\textsuperscript{1189}

The government effectively enforces its law against forced labor\textsuperscript{1190} and has been enforcing its prohibitions against the sexual exploitation of minors by raiding brothels and arresting pedophiles.\textsuperscript{1191} Hundreds of investigations were launched in 2002 by the Special Prosecutor on Sex Crimes, leading to a handful of convictions.\textsuperscript{1192} In June 2003, a special legislative commission focused on children and adolescents was created by the Legislative Assembly.\textsuperscript{1193}

The Government of Costa Rica ratified ILO Convention 138 on June 11, 1976, and ILO Convention 182 on September 10, 2001.\textsuperscript{1194}

\textsuperscript{1187}Daremblum, letter to USDOL official, October 23, 2001.

\textsuperscript{1188}U.S. Embassy- San José, unclassified telegram no. 2725.

\textsuperscript{1189}U.S. Department of State, \textit{Country Reports- 2002: Costa Rica, Section 6d}. See also U.S. Embassy- San José, unclassified telegram no. 2206.

\textsuperscript{1190}U.S. Department of State, \textit{Country Reports- 2002: Costa Rica, Section 6c}.

\textsuperscript{1191}Ibid., Section 6f. See also U.S. Embassy- San José, unclassified telegram no. 2082, August 2001.

\textsuperscript{1192}U.S. Department of State, \textit{Trafficking in Persons Report: Costa Rica}.

\textsuperscript{1193}U.S. Embassy- San José, unclassified telegram no. 2206.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Côte d’Ivoire is an associated country of ILO-IPEC. Côte d’Ivoire is one of nine countries participating in the USDOL-funded ILO-IPEC project to combat the trafficking of children for exploitative labor in West and Central Africa. In September 2002, the Government of Côte d’Ivoire and NGOs held a forum in Bouaké that focused on the trafficking of Nigerian girls for the purpose of commercial sexual exploitation in urban areas of Côte d’Ivoire. In January 2002, the Government of Côte d’Ivoire, in collaboration with INTERPOL, organized a meeting that was attended by officials from Benin, Burkina Faso, Gabon, Mali, Niger, and several UN agencies and NGOs, to discuss child trafficking in West and Central Africa. Issues that were covered included prevention of trafficking, rehabilitation of victims, and the implementation of a September 2000 agreement between Côte d’Ivoire and Mali to combat child trafficking. In the resulting Yamoussoukro Declaration, the conference participants pledged to conduct coordinated information campaigns on child trafficking. The Government of Côte d’Ivoire has also worked with Burkina Faso and Togo to establish agreements similar to the one with Mali, but progress has stalled since the September 2002 rebellion.

In June 2002, the U.S. State Department’s Africa Bureau announced its West Africa Regional Strategy to Combat Trafficking in Persons, which includes Côte d’Ivoire. As part of this strategy, U.S. missions in the region will focus U.S. Government resources to support efforts by host governments to prosecute traffickers, protect and repatriate victims, and prevent new trafficking incidents. The strategy will be implemented through improved coordination among donors, funding of regional and international organizations, and direct funding for host government or local NGOs.

In July 2001, the National Committee for Combating Trafficking and Exploitation of Children was created in Côte d’Ivoire by presidential decree. The government has also undertaken several educational and training programs to discourage domestic trafficking and is utilizing the police along the country’s borders to stop international trafficking.

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1199 UN Integrated Regional Information Networks, Regional Efforts Against Child Trafficking.


1201 The strategy is intended to encourage governments in the region to develop and implement laws that allow for the prosecution of traffickers. See U.S. Embassy- Abuja, unclassified telegram no. 1809, June 2002.


The Government of Côte d'Ivoire has stated its support for efforts to combat the exploitation of children in the country’s cocoa sector. In a joint statement issued in November 2001, the government, along with industry and NGOs, committed to undertake collaborative efforts to eliminate the worst forms of child labor in the cocoa industry, and agreed to establish a joint foundation to oversee these efforts. An ILO-IPEC program funded by USDOL and the Cocoa Global Issues Group, launched in August 2003, seeks to withdraw children from hazardous work in this sector, provide income generation and economic alternatives, and promote education. In collaboration with this project, in November 2003, US NGO Winrock held a round table on alternative education opportunities for children who work. Relevant ministries from the Government of Côte d’Ivoire and the U.S. Ambassador took part. In addition, the USAID-supported Sustainable Tree Crops Program is incorporating child labor elements into its program and is coordinating with the USDOL-funded ILO-IPEC program to address child labor in the cocoa sector. In July 2002, the International Institute of Tropical Agriculture (IITA) and national research collaborators completed a study of child labor in the cocoa industry in Cameroon, Côte d’Ivoire, Ghana, and Nigeria. A national survey of child labor in Côte d’Ivoire is currently in the preparation stages with technical assistance from ILO-IPEC’s SIMPOC.

The government is also implementing a National Development Plan for Education, which calls for universal primary school education by 2010.

**Incidence and Nature of Child Labor**

In 2000, UNICEF estimated that 40.3 percent of children ages 5 to 14 years in Côte d’Ivoire were working. The disparity between rural and urban areas is significant: 56.8 percent of rural children ages 5 to 14 were working, compared to only 22.5 percent of urban children in this age group. The majority of working children

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1205 Signatories include the Association of the Chocolate, Biscuit and Confectionary Industries of the EU, the Chocolate Manufacturers Association of the USA, the World Cocoa Foundation, the Child Labor Coalition, Free the Slaves, the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers Associations, the National Consumers League and the Government of Côte d’Ivoire. See Government of Côte d’Ivoire, World Cocoa Foundation, and Child Labor Coalition, Joint Statement, November 30, 2001.


1209 The study was conducted with support from USAID, USDOL, World Cocoa Foundation, the ILO, and the participating West African governments, and was carried out under the framework of the Sustainable Tree Crops Program. Both quantitative and qualitative approaches using three different types of inter-related surveys were designed to collect data on child labor practices in the cocoa sector of West Africa. The surveys employed in the study were the Baseline Producer Survey, the Producer-Worker Survey, and the Community Survey. Producer-Worker Surveys and Community Surveys were conducted in Côte d’Ivoire. See International Institute of Tropical Agriculture, *Summary of Findings from the Child Labor Surveys in the Cocoa Sector of West Africa: Cameroon, Côte d’Ivoire, Ghana, and Nigeria*, IITA, July 2002.


1212 Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. Government of Côte d’Ivoire, *Multiple Indicator Cluster Survey 2*, Abidjan, 2000, [cited October 10, 2003]; available from http://www.ucw-project.org/resources/. See also Government of Côte d’Ivoire, *Enquête à Indicateurs Multiples - MICS2000: Rapport Final*, 48.

are found in the informal sector, including on family farms, in family-operated artisanal gold and diamond mines, in fishing, in small trading, and in domestic work. They also shine shoes, run errands, watch and wash cars, prepare and serve food in street restaurants, and work as vendors or in sweatshop conditions in small workshops. There have also been reports of children serving as soldiers in both the national armed forces and rebel groups.

Children have been trafficked into the country from Benin, Burkina Faso, Ghana, Mali, Mauritania and Togo to work as domestic servants, farm laborers, and indentured servants. Côte d’Ivoire is also a destination country for girls trafficked from Nigeria, Liberia and Asia for the purposes of commercial sexual exploitation. Children have been trafficked out of Côte d’Ivoire to Africa, Europe and the Middle East. The September 2002 rebellion has resulted in the closure of borders with neighboring countries and a change in trafficking patterns.

The IITA study on children working in the cocoa sector revealed that in Côte d’Ivoire most children work alongside their families. Approximately 200,000 children in Côte d’Ivoire are involved in hazardous tasks that include spraying pesticides without protection, using machetes to clear undergrowth and carrying heavy loads. Approximately one-third of children ages 6 to 17 years who live in cocoa producing households have never attended school. A minority of the children working in the cocoa sector in Côte d’Ivoire are engaged in full time work. Most of these children come from outside the country’s cocoa zone, either from other regions of Côte d’Ivoire or from countries such as Burkina Faso.

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1215 Ibid. See also U.S. Department of State, Country Reports - 2002: Côte d’Ivoire, Section 6d. See also U.S. Embassy- Abidjan, unclassified telegram no. 2046, August, 2003.
1216 U.S. Department of State, Country Reports - 2002: Côte d’Ivoire, Section 6d.
1219 U.S. Department of State, Trafficking in Persons Report: Côte d’Ivoire.
1221 U.S. Department of State, Trafficking in Persons Report: Côte d’Ivoire, Section 6f.
1222 The Producer-Worker Survey revealed that 604,500 (96.7 percent) of the 625,100 children working in cocoa in Cote d’Ivoire had a kinship relation to the farmer. See International Institute of Tropical Agriculture, Child Labor in the Cocoa Sector of West Africa: A synthesis of findings in Cameroon, Cote d’Ivoire, Ghana, and Nigeria, August 2002, 16.
1224 International Institute of Tropical Agriculture, Summary of Findings from the Child Labor Surveys in the Cocoa Sector of West Africa.
1225 The Producer-Worker survey found that 5,120 children were employed as full-time hired workers in cocoa in Cote d’Ivoire versus 61,600 adults. See International Institute of Tropical Agriculture, Child Labor in the Cocoa Sector of West Africa: A synthesis of findings, 12.
1226 The Community survey found that these children originated entirely from outside the Ivoirian cocoa zone: 59 percent were from Burkina Faso, while most of the remainder (24 percent of the total) were Baoule children originally from eastern Cote d’Ivoire. An intermediary was involved in the recruitment process for an estimated 41 percent of the full-time child workers. Of the children employed as full-time workers, 29 percent reported that they were not free to leave their place of employment should they wish to. See Ibid., 12-13.
Primary education in Côte d’Ivoire is not compulsory. The government abolished uniforms for primary schools, and as of the 2001-2002 school year, tuition fees for primary school students were waived. However, parents must still pay an annual fee of 2,600 FCFA (USD 4.98) for each child’s enrollment in public secondary schools and a monthly fee of 3,000 FCFA (USD 5.74) for transporting their secondary school children. Parents also are responsible for buying books and school supplies. However, in September 2002, the government undertook the responsibility of distributing free textbooks to 1.2 million students attending 4,500 primary schools in 94 sub-prefects. In 1999, and with support from UNDP and WFP, the Ministry of Education and Training launched a school lunch program in order to encourage families in rural areas to enroll their children, particularly girls. According to the program director, primary school enrollment in the implementing areas has risen by almost 40 percent as a result of the program. In response to the September 2002 rebellion, the program opened 600 new school canteens that reach over 65,000 displaced children. In rebel-occupied areas where classes had been suspended, the program, in collaboration with UNESCO, worked to reopen schools. Also, UNDP and the Belgian Chamber of Commerce have undertaken a joint initiative that includes the provision of school supplies to ensure the continued education of displaced children in Yamoussoukro.

In 2000, the gross primary enrollment rate was 81.3 percent (92.2 percent for boys and 70.3 percent for girls), and the net primary enrollment rate was 64.2 percent (73.2 percent for boys and 55.2 percent for girls). In 1999, 90.7 percent of children enrolled in primary school reached grade 5. A UNICEF study in 2000 indicated that 56.9 percent of Ivorian children ages 6 to 11 attend school. There is a disparity in primary school attendance between children in urban areas (66.5 percent) and rural areas (48.5 percent), as well as between boys (61.4 percent) and girls (51.8 percent).

1228 Ibid.
1229 U.S. Embassy- Abidjan, unclassified telegram no. 3470.
1230 Ibid. For currency conversion see FXConverter, [online] [cited December 31, 2003]; available from http://www.carosta.de/frames/convert.htm.
1231 U.S. Embassy- Abidjan, unclassified telegram no. 3470.
1232 These sub-prefectures represent approximately 50 percent of all sub-prefectures. See U.S. Department of State official, electronic communication to USDOL official, February 27, 2003.
1234 UNDP, “Lunch programme helps students”.
1235 Ibid.
1236 Ibid.
1239 Ibid.
1241 Ibid., 27.
Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 14 years, even for apprenticeships, and prohibits children under 18 years from working more than 12 consecutive hours or at night.\footnote{Code du travail, 1995, no. 95/15, Titre II, Chapter 2, Articles 22.2, 22.3 and 23.8 [cited August 28, 2003]; available from http://natlex.ilo.org/txt/F95CIV01.htm.} Decree No. 96-204 also prohibits night work by children aged 14 to 18 years, unless granted an exception by the Labor Inspectorate,\footnote{Decree No. 96-204, as cited in U.S. Embassy- Abidjan, unclassified telegram no. 3470. Employers found in violation of the night work prohibition are punishable with imprisonment from 10 days to 2 months and/or a fine ranging from 2,000 to 72,000 FCFA (USD 3.83 to 137.83). For currency conversion see FXConverter, at http://www.carosta.de/frames/convert.htm.} and Decree No. 67-265 sets the minimum age for hazardous work at 18 years.\footnote{ILO, The Effective Abolition of Child Labour, 2001, 261.} The Minority Act requires parents or legal guardians to sign employment contracts on behalf of children under 16 years of age and to serve as witnesses to the signing for children between the ages of 16 and 18.\footnote{UN Committee on the Rights of the Child, Initial Reports of States Parties Due in 1993, Addendum, CRC/C/8/Add.41, prepared by Government of Côte d’Ivoire, pursuant to Article 44 of the Convention on the Rights of the Child, 2000, para. 85.} The Labor Inspectorate can require children to take a medical exam to ensure that they can undertake the work for which they are hired. If the child cannot perform the required tasks, the employer must move him/her to a suitable job, and if that is not possible, the contract must be cancelled.\footnote{Code du travail, 1995, Titre II, Chapter 3, Article 23.9.} Decree No. 96-193 restricts children from working in bars, hotels, pawnshops, and second-hand clothing stores.\footnote{U.S. Embassy- Abidjan, unclassified telegram no. 3470.}


There is no law specifically prohibiting trafficking in persons, although one is pending in the National Assembly, but the government prosecutes traffickers using laws against child kidnapping and forced labor.\footnote{ILO, Traffic in Persons Report, Côte d’Ivoire.}


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1243 Decree No. 96-204, as cited in U.S. Embassy- Abidjan, unclassified telegram no. 3470. Employers found in violation of the night work prohibition are punishable with imprisonment from 10 days to 2 months and/or a fine ranging from 2,000 to 72,000 FCFA (USD 3.83 to 137.83). For currency conversion see FXConverter, at http://www.carosta.de/frames/convert.htm.  
1247 U.S. Embassy- Abidjan, unclassified telegram no. 3470.  
1251 U.S. Embassy- Abidjan, unclassified telegram no. 3470.  
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In October 1998, the Government of Croatia established the Council for Children as the national coordinating body of the National Program of Action for Children. The government approved a National Plan of Action on trafficking in 2002, and has a National Committee for Combating Trafficking in Persons.

The government works with international organizations to assist trafficking victims, and cooperates with governments in the region. The government also conducts police training, and assisted an NGO network in establishing a victim hotline. The Government of Croatia signed the Agreement on Cooperation to Prevent and Combat Trans-border Crime with the Southeast European Cooperative Initiative. In addition, the government cooperates with the IOM, which maintains an office in Zagreb and has received funding to conduct regional anti-trafficking programs. The specific goals of the IOM program are to conduct research into the problem of trafficking, raise public awareness of the issue, and hold capacity building programs for police and potential law enforcers. UNICEF has education programs to improve curricula, train teachers, and address ethnic intolerance in order to positively affect children's school attendance, particularly in areas where Bosnian or Serbian refugees are returning home. The Office for National Minorities has a special program for the inclusion of Roma children in the education system in Croatia.

Incidence and Nature of Child Labor

Statistics on the number of working children under age 15 in Croatia are unavailable. According to government officials, only a small number of children ages 15 to 18 years are employed, mainly in the textile and maritime industries. Reports indicate that Croatia is primarily a transit country, but to a limited extent is also a destination country for trafficking of children for commercial sexual exploitation. According to research...
conducted by IOM between March and September 2001, 8 percent of the Croatian population surveyed responded that there was a case of prostitution of a foreign minor in their community.1265

Education is free and compulsory in Croatia.1266 The Law of Primary Education (1990) requires 8 years mandatory education for children to begin at 6 years of age.1267 Children generally complete compulsory education at age 14. However, most Croatian children remain in school until age 18.1268 In 1997, the gross primary enrollment rate was 91.3 percent, and the net primary enrollment rate was 84.1 percent.1269 Primary school attendance rates are unavailable for Croatia. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.1270 In general, primary school attendance is reported to be lower among ethnic Roma, many of whom do not go to school at all, or drop out around the second or third grade.1271

Child Labor Laws and Enforcement

The Labor Law (No. 758/1995) sets the minimum age for employment at 15 years, and children ages 15 to 18 may only work with written permission from a legal guardian.1272 The minimum work age is enforced by the Ministry of Labor and Social Welfare.1273 According to stipulations in the Labor Law and the Occupational Safety and Health Act, children under age 18 are prohibited from working overtime, at night, under dangerous labor conditions, or in any other job that may be harmful to a child's health, morality, or development.1274

The Constitution prohibits forced or bonded labor.1275 There is no law specifically prohibiting trafficking in persons; however, trafficking-related offenses can be prosecuted under sections of the Criminal Code dealing with the establishment of slavery and transportation of slaves, and the illegal transfer of persons across state borders.1276

1265 The largest percent who had heard about child prostitution in their community was in Slavonia, which borders Hungary, the Former Republic of Yugoslavia, and Bosnia and Herzegovina. From 1996-1998, Slavonia also had the largest number of international peacekeepers. See Ibid., 118.


1267 U.S. Embassy Croatia official, electronic communication to USDOL official, July 17, 2002. See also UNESCO, Education for All 2000 Assessment: Country Reports-Croatia, prepared by Ministry of Education and Sport, pursuant to UN General Assembly Resolution 52/84; available from http://www2.unesco.org/wef/countryreports/croatia/contents.html.


1270 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


1272 Children under age 15 may work or participate in artistic or entertainment functions (such as making movies) with special permission from the parent or guardian and the labor inspector, assuming that the work is not harmful to the child's health, morality, education, or development. See Croatia Labor Law (No. 758/95), Articles 14 (1) (2) and 15; available from http://natlex.ilo.org/txt/E95HRV01.htm.

1273 U.S. Department of State, Country Reports- 2002: Croatia, Section 5d.

1274 Croatia Labor Law (No. 758/95), Articles 16 and 33 (4). See also Government of Croatia, Safety and Health Protection at the Workplace Act, Article 40; available from http://natlex.ilo.org/txt/E96HRV01.htm. The list of “harmful activities” is determined by the Ministry of Labor and Social Welfare with the Ministry of Health. See Davor Stier, letter to USDOL official, October 10, 2000.

1275 Constitution of the Republic of Croatia, Article 23. The penalty is imprisonment for 6 months to 3 years. See also Government of Croatia, Criminal Code, as cited in The Protection Project Legal Library; available from http://209.190.246.239/protectionproject/statutesPDF/CROATIA.pdf.

1276 Government of Croatia, Criminal Code, Articles 175 and 78. From 1998 through August 2002, the government reported that 105 persons were prosecuted using related provisions of the Criminal Code, and 8 persons were convicted. See U.S. Department of State, Country Reports- 2002: Croatia, Section 6f.
The Criminal Code also outlaws international prostitution, including solicitation of a minor, and prohibits procurement of minors for sexual purposes. The law also forbids using children for pornographic purposes.


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1277 Article 178 (1) of the Criminal Code indicates that international prostitution pertains to, “Whoever procures, entices or leads away another person to offer sexual services for profit within a state excluding the one in which such a person has residence or of which he is a citizen” and Article 178 (2) indicates, “Whoever, by force or threat to use force or deceit, coerces or induces another person to go to the state in which he has no residence or of which he is not a citizen, for the purpose of offering sexual services upon payment….” The penalty for international prostitution involving a child or minor is imprisonment for 1 to 10 years. The penalty for procuring a child is imprisonment for 1 to 8 years. See Government of Croatia, Criminal Code, Articles 178-95.

1278 The penalty for exploiting children or minors for pornographic purposes is imprisonment from 1 to 5 years. The penalty for exposing a child to pornography will be a fine or imprisonment for up to one year. Ibid., Articles 196-97 as cited in Interpol, Legislation of Interpol member states on sexual offenses against children, [online] [cited June 26, 2003]; available from http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaCroatia.asp.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of the Czech Republic adopted the National Plan Combating Commercial Sexual Abuse in July 2000 that sets measures to eliminate the worst forms of child labor such as child trafficking, child prostitution, and child pornography.\textsuperscript{1280} The plan addresses the sexual exploitation of children and the rehabilitation of victims of sexual crimes.\textsuperscript{1281} The Interior Ministry’s Crime Prevention Division launched a national media campaign on the dangers of trafficking, and a school-based awareness program for children aged 13 to 14 years.\textsuperscript{1282} The government also broadened the definition of trafficking victims under the Criminal Code and raised the penalty from 5 to 12 years for traffickers who severely harm their victims.\textsuperscript{1283} An amendment to Article 216 (b) of the Criminal Code came into force on July 1, 2002, to apply ILO Convention 182 unconditionally to all persons under 18 years old.\textsuperscript{1284}

In 2002, the government provided some funding to local NGOs that provide assistance to trafficking victims and those at risk of being trafficking.\textsuperscript{1285} With funding from the U.S. Department of State, the NGO La Strada implemented an awareness-raising program for Czech law enforcement officers on the needs of trafficking victims and to develop an information database on trafficking.\textsuperscript{1286}

Incidence and Nature of Child Labor

Statistics on the number of working children below the age of 15 years in the Czech Republic are unavailable. The popular press and government reports indicate that commercial sexual exploitation, including the involvement of children in sex tourism, is a problem.\textsuperscript{1287} There are some reports of the internal trafficking of Czech children from areas of low employment near border regions with Germany and Austria. Girls from the former Soviet Union, Africa, Asia, and the Middle East are trafficked to the Czech Republic for sexual exploitation.\textsuperscript{1288}


\textsuperscript{1283} Ibid.

\textsuperscript{1284} Ibid.

\textsuperscript{1285} U.S. Embassy- Prague, unclassified telegram no. 1548, August 14, 2003.

\textsuperscript{1286} U.S. Department of State, Country Reports- 2002: Czech Republic, Section 6f.


\textsuperscript{1288} U.S. Department of State, Country Reports- 2002: Czech Republic, Section 6f.
Education is compulsory and free for citizens. Compulsory school attendance lasts nine years in accordance with an amendment of the Education Act No. 138/1995. In 2000, the gross primary enrollment rate was 104.3 percent, and the net primary enrollment rate was 90.3 percent. Ethnic Roma children attend school less regularly, and disproportionately attend “special schools” for mentally disabled or socially maladjusted individuals; however, the government has made efforts in recent years to address this problem by employing more Roma teaching assistants, improving schools’ communication with parents and offering an additional year of pre-school instruction to children to prepare them to enter primary school.

Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 15 years and requires that youth aged 15 to 18 years receive special care and protection. Overtime and night work are prohibited for minors, except for children over 16 years of age, who may work for 1 hour past the normal daytime hours. The Criminal Code provides for an imprisonment term of up to 3 years or a fine for a person that provides a child to another person for the purpose of child labor. Forced labor or service is prohibited in the Charter of Fundamental Rights and Freedoms. In 2000, legislation was enacted that excluded minors from military services. In that same year, the Social Protection of Children law came into force that protects children in accordance with the Convention on the Rights of the Child.

The Criminal Code makes the trafficking of women and children for sexual purposes a criminal offense and prison sentences for trafficking a minor range from 3 to 8 years. The Criminal Code also prohibits procurement of a child under age 18 years for sexual relations. The imprisonment term for violators is 5 to 12 years for offenses against children under age 15. In July 2002, amendments to the Criminal Code and the

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1292 According to unofficial government estimates, 60 percent or more of pupils placed in special schools are Roma, although Roma constitute less than 3 percent of the population. Language and cultural barriers frequently impede the integration of Roma children into the education system; less than 20 percent of the Roma population complete ninth grade. See U.S. Department of State, Country Reports- 2002: Czech Republic, Section 5.
1293 The minimum age is established in Section 11 of the 1965 Labor Code. The exception to the minimum age law applies to special schools for children with disabilities, whose graduates may be employed at age 14. Additional protections for children are established under Sections 165, 166, and 167 of the Labor Code. See Government of the Czech Republic, Labor Code No. 65/1965; available from http://www.czech.cz/index.php?option=6&menu=4. The Supplementary Decree no. 261/1997 lists workplaces in which minors must not work and conditions that must be met when exceptions are permitted because such work is necessary for a minor's apprenticeship and job training. See U.S. Embassy-Bucharest, unclassified telegram no. 1548, August 14, 2003.
1294 Labor Code No. 65/1965, Section 166.
1295 Punishment is imprisonment from 3 to 10 years if the offense caused severe injury, death, or some other serious consequence. See Government of the Czech Republic, Criminal Code No. 140/1961, Article 216a.
1296 Charter of Fundamental Rights and Freedoms, Chapter 2, Division 1, Article 9.
1297 U.S. Embassy- Prague, unclassified telegram no. 1548.
1298 The law also strengthens protection for children against pornography, violence, gambling, and sexual abuse. See Ibid.
1300 If such an offense is committed against a person under the age of 18, the penalty is 2 to 8 years imprisonment. See Ibid., Articles 204 and 05.
Criminal Procedure Act came into force that harmonize Czech law with that of the European Union and incorporate into Czech law the Optional Protocol to the Convention on the Rights of the Child addressing the sale of children, child prostitution and child pornography.1301

Enforcement of child labor laws is carried out through workplace inspections and monitored jointly by the Ministry of Health and the Ministry of Labor and Social Affairs. The law requires labor offices throughout the country to carry out inspections and investigations. In 2003, an official with the Ministry of Labor and Social Affairs reported that there had been no registered violations of child labor laws or standards of working conditions for working minors in the last 13 years.1302 In 2003, an amendment of the proposed health care legislation will be submitted to clarify healthcare providers’ responsibilities about suspected cases of sexual exploitation of children.1303

The government has continued to make efforts to increase enforcement of legislation regarding child sexual exploitation. The Anti-Organized Crime Police has a unit specifically trained to address cases of human trafficking, and the Interior Ministry works with NGOs to train trafficking investigators and police. The government also cooperates with regional partners such as German and Austrian police to investigate and prosecute trafficking cases.1304 In 2002, the Czech Republic investigated 19 cases under the trafficking in persons statute and made 139 trafficking-related arrests. In June 2002, Czech authorities collaborated with their counterparts in Germany, Austria, Bulgaria and Romania to conduct a series of raids on suspected traffickers. The government’s efforts to enforce trafficking along the Polish and Slovak border are weaker, but European Union assistance to the government aims to remedy this.1305 Victims who testify against a trafficker may be offered temporary residence, a work permit, social assistance, and in extreme cases, police protection.1306

The Government of the Czech Republic has not ratified ILO Convention 138, but ratified ILO Convention 182 on June 19, 2001.1307

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1301 U.S. Embassy- Prague, unclassified telegram no. 1548.
1302 Ibid.
1303 Ibid.
1304 U.S. Department of State, Trafficking in Persons Report: Czech Republic.
1305 Ibid.
1306 Ibid.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Djibouti supports several small programs to encourage children to attend school, including the Ministry of Labor’s “War on Poverty.” The government is translating the Convention on the Rights of the Child, which includes provisions on child labor, into the national languages (Afar, Somali). With assistance from UNICEF, the government has produced a handbook on the provisions of the Convention on the Rights of the Child, including guidelines for how primary school teachers can integrate the articles of the Convention into their lessons. This collaboration has enabled the government to produce radio broadcasts in four languages for the advancement and protection of girls. November 20 is the Djiboutian Day of the Child; on this day each year children’s rights are discussed in schools, NGOs and in the media, and children participate in shows and debates.

The World Bank supports several projects in Djibouti. The School Access and Improvement Project is building new classrooms for primary and secondary schools, upgrading training materials, providing training, and improving government capacity to manage education reform. The Social Development and Public Works Project is enhancing living standards in Djibouti by construction/rehabilitation of social infrastructures such as stand pipes, health posts, and schools. On October 8, 2002, the Ministry of Justice, in collaboration with UNICEF, organized an awareness seminar on the rights of children.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Djibouti are unavailable. Information on the incidence of children’s work is limited, although reports indicate that child labor exists, primarily in informal economic activities. In rural areas, children perform unpaid labor on family farms; in urban areas, children often work in small-scale family businesses, trade, catering or craft sectors, or as domestic servants. Children displaced from Ethiopia, Eritrea and Somalia seek work in the informal sector in Djibouti’s cities as shoe polishers,

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1310 Ibid., para. 3.
1311 Ibid., para.22.
1314 U.S. Embassy- Djibouti, unclassified telegram no. 1072.
1316 UN Committee on the Rights of the Child, Initial Reports of States Parties, paras. 144-45.
street peddlers, money changers, or as beggars. Child prostitution reportedly is increasing, particularly among refugee street children in the capital city.

Education is free and compulsory for children between the ages of 6 and 16. Although education is free, there are additional expenses (e.g., transportation and books) that often prohibit poor families from sending their children to school. In 2000, the gross primary enrollment rate was 40.3 percent, and the net primary enrollment rate was 32.6 percent. Both gross and net enrollment rates are lower for girls than for boys. Primary school attendance rates are unavailable for Djibouti. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 14 years. Night work is prohibited for children under the age of 16, and the hours and conditions of work by children are regulated. Forced labor of children is also prohibited. Djiboutian law criminalizes prostitution. The authority to enforce child labor laws and regulation rests with the Police Vice Squad “Brigade Des Moeurs” and the local Gendarmerie. The government however has a shortage of labor inspectors and financial resources, which reduces the likelihood of enforcement of child labor laws. Child labor offences fall under the Criminal Code with the first offence being punishable with a fine and the second offence punishable with imprisonment.

The Government of Djibouti has not ratified ILO Convention 138 or ILO Convention 182.

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1322 In 2000, the gross primary enrollment rate was 34.7 percent for girls and 45.9 percent for boys. The net primary enrollment rate was 28.42 percent for girls and 36.76 percent for boys. Ibid. See also U.S. Embassy- Djibouti, unclassified telegram no. 1072.

1323 World Bank, World Development Indicators 2003.

1324 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

1325 See ILO, The Effective Abolition of Child Labour: Djibouti. See also U.S. Department of State, Country Reports- 2002: Djibouti, Section 6d. The government is currently drafting a new Labor Code that will raise the minimum age for employment from age 14 to 16. See U.S. Embassy- Djibouti, unclassified telegram no. 1503.

1326 UN Committee on the Rights of the Child, Initial Reports of States Parties, para. 25.


1328 ECPAT International, Djibouti. See also UN Committee on the Rights of the Child, Initial Reports of States Parties, para.148.

1329 U.S. Embassy- Djibouti, unclassified telegram no. 1072.

1330 U.S. Department of State, Country Reports- 2002: Djibouti, Section 6d. See also U.S. Embassy- Djibouti, unclassified telegram no. 1072.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

From 1996 to 2001, the Government of Dominica implemented a 5-year Basic Education Reform Project with assistance from the World Bank, which focused on strengthening management and planning at the Ministry of Education; improving the quality of basic education by upgrading teacher training, improving school supervision, curriculum reform, establishing testing mechanisms to monitor student and system performance; and identifying more cost effective methods for selecting, acquiring and distributing educational materials.

The government plans to expand and improve the quality of secondary education by 2005. In 1999, an Education Development Plan was formulated with participation from both public and private sector stakeholders. The Plan, which was revised in 2001, sets forth action plans including the development of a national curriculum and continued national assessment; increasing literacy, numeracy, and scientific skills for all learners; ensuring computer literacy in schools; and strengthening the role of civil society in planning, implementing and evaluating educational reform.

From 1999 to 2000, the Government of Dominica also participated in a project with the Canadian Teachers’ Federation to strengthen national teacher organizations, and train educators in leadership skills and new teaching methodologies. The Canadian Government’s Eastern Caribbean Education Reform Project provided assistance to the Government of Dominica to develop more effective supervision and support services at the school level.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Dominica are unavailable. However, some children help their families on a seasonal basis in agriculture, and it has been reported that Dominica is a transit and destination country for trafficking activities. Under the Education Act of 1997, schooling is compulsory from ages 5 to 16. In 2002, the gross primary enrollment rate was 92.7 percent, and the net primary...
enrollment rate was 89.9 percent. Primary school attendance rates are unavailable for Dominica. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. Poor physical conditions and overcrowded classrooms affect the quality of education, while poverty, the need for children to help with seasonal harvests, and the termination of a school lunch program have negatively affected school attendance.

**Child Labor Laws and Enforcement**

Conflicting legislation concerning the minimum age for employment defines a child as an individual under 12 and 14 years respectively. The Employment of Women, Young Persons and Children Act places restrictions on the employment of young persons at night. The Constitution prohibits slavery, servitude and forced labor, and protects the fundamental rights and freedoms of every person in Dominica, whether a national or non-national. There are no laws that specifically prohibit trafficking in persons or child pornography, but the Sexual Offenses Act of 1998 prohibits prostitution. The Sexual Offenses Act also prohibits the defilement of girls under 16 years of age, unlawful detention of a woman or girl for sexual purposes, and the procurement of any person using threats, intimidation, false pretenses or the administration of drugs.


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1341 Ibid.
1342 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
1347 Ibid., Chapter 1, Section 1. See also Edward A. Alexander, Caribbean Workers on the Move: Dominica, IOM, June 19-20, 2000, 2-4.
1349 Interpol, Legislation of Interpol Member States on Sexual Offences Against Children: Dominica, Interpol.int, [online] [cited August 28, 2003]; available from http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaDominique.asp.
1351 These provisions are found in Articles 2, 3, 4, and 7 of the Sexual Offenses Act. See Interpol, Sexual Offences Against Children: Dominica, III.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of the Dominican Republic has been a member of ILO-IPEC since 1997. In 1996, the Inter-institutional Commission to Prevent and Eliminate Commercial Sexual Exploitation in Tourist Areas was created. The National Steering Committee for the Elimination of Child Labor was formed in March 1997. In December 1998, a two-year pilot project was launched to eliminate and prevent child labor in Constanza, followed by a USDOL-funded ILO-IPEC project in September 2001 to make Constanza the first municipality free of child labor. The Dominican Republic is currently participating in two ILO-IPEC regional projects funded by USDOL to combat child labor in the coffee and tomato sectors. With funding from USDOL and technical assistance from ILO-IPEC’s SIMPOC, the Ministry of Labor conducted a national child labor survey. As part of USDOL-funded preparatory activities for the ILO-IPEC Time-Bound Program, a pilot model to combat commercial sexual exploitation is underway in Boca Chica, and several baseline studies and rapid assessments have been or are being conducted in rural and urban sectors.

In April 2002, ILO-IPEC carried out a study on child domestic work. With other donor funding, ILO-IPEC is carrying out a project in Santo Domingo and Santiago aimed at raising awareness and providing direct attention to children involved in domestic work in the homes of third parties. The Dominican Republic’s national Time-Bound Program to eliminate the worst forms of child labor within a specific timeframe began in September 2002, and targets children working under hazardous conditions in agriculture, in the informal urban sector, and engaged in commercial sexual exploitation. In August 2003, USDOL funded a Child Labor Education Initiative Program aimed at improving quality and access to basic education, in support of the Time-Bound Program’s efforts. The Government of the Dominican Republic, especially the Ministry of Labor, has been supportive of these efforts to combat child labor through political and financial commitments.

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1354 ILO-IPEC, Combating the Worst Forms of Child Labour in the Dominican Republic - Supporting the Timebound Program for the Elimination of the Worst Forms of Child Labour in the Dominican Republic, project document, DOM/02/P50/USA, Geneva, September 2002, 6, 10. See also U.S. Embassy- Santo Domingo, unclassified telegram no. 3919, September 2001.
1356 ILO-IPEC, Preparatory Activities for the Elimination of the Worst Forms of Child Labour in the Dominican Republic, project document, DOM/01/P50/USA, Geneva, September 2001, 3. See also U.S. Embassy- Santo Domingo, unclassified telegram no. 0292.
1359 ILO-IPEC, Preparatory Activities for the Elimination of the Worst Forms of Child Labour, project document, 3, 8. See also ILO-IPEC, Evaluación rápida sobre niños, niñas, y adolescentes trabajadores/as urbanos/as en República Dominicana, Santo Domingo, December 2002.
1361 Rigoberto Astorga, ILO official, electronic communication to USDOL official, September 16, 2002.
1362 ILO-IPEC, Timebound Program, project document, cover, 16.
1363 Cooperative Agreement E-9-K-3-0054, between USDOL and DevTech Systems, on the Combating Child Labor Through Education Project in the Dominican Republic, in support of the Timebound Program.
1364 ILO-IPEC, Timebound Program, project document, 2, 7. See also U.S. Embassy- Santo Domingo, unclassified telegram no. 0292.
the Ministry of Labor launched a nationwide public campaign, including television and radio spots, and the distribution of calendars and buttons, in order to raise awareness on the harmful and negative effects of child labor.  

In July 2002, an agreement was signed between the National Prosecutor's Office and the Association of Hotels to combat the commercial sexual exploitation of children in the tourism sector. In support of the anti-trafficking legislation adopted in August 2003, the USAID Mission in the Dominican Republic is providing training to victim protection agencies, as well as justice sector and other government officials. Also in August, under the auspices of the Inter-institutional Commission to Prevent and Eliminate Commercial Sexual Exploitation, the government launched a media campaign warning potential abusers of the penalties for the commercial sexual exploitation of minors.

From 1992–2002, government policy on education has been coordinated through its Ten-Year Education Plan, which had some notable achievements in improving basic education coverage, increasing enrollment in preschool and secondary education, and decreasing the dropout rate. On April 30, 2003, the new Dominican Education Strategic Development Plan (2003–2012) was officially launched, which will support ongoing efforts to improve access, retention, and the quality of education, including preschool education. With support from the Inter-American Development Bank, the IDB, and Plan International, the Ministry of Education will also be expanding the Innovative Multi-Grade Project to provide instruction to children in two or more grades in one classroom. In support of the Ministry of Education's Ten-Year Plan, in 1995, the World Bank, IDB, and local contributors funded an ongoing Basic Education Improvement Project to improve school infrastructures, expand school nutrition programs, train teachers, and improve monitoring and evaluation in the education sector. In addition, in 2002,

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1365 Government of the Dominican Republic, Informe Sobre los Esfuerzos de Nuestro País para Eliminar las Peores Formas del Trabajo Infantil, 6, 7.
1368 Funding for this campaign has been provided by the Governments of the Dominican Republic, Germany, Italy, and the United States. See U.S. Embassy– Santo Domingo official, electronic communication to USDOL official, February 17, 2004.
1369 The main goal of the Ten-Year Education Plan (PDE) was to increase access to quality education by reforming curricula, improving teaching conditions, increasing community participation in education, enacting a new education law, and increasing resources for education. See ILO– IPEC, Preparatory Activities for the Elimination of the Worst Forms of Child Labour, project document, 7.
1373 Proyecto Escuela Multigrado Innovada is aimed at rural schools where the numbers of children do not necessarily justify the construction of additional classrooms. Under this program, teachers will be able to provide instruction to children in two or more grades in one classroom. This program has allowed many schools that were only prepared for the first basic education cycle (of four years) to complete the second basic education cycle in order to offer the 8-year compulsory grades. The result has been that more children have continued their education instead of leaving school due to the distance of the assigned schools. See ILO–IPEC, Timebound Program, project document, 8. See also Secretary of Education of the Dominican Republic and Fundación Volvamos a la Gente, Síntesis de Resultados, Proyecto: Escuela Multigrado Innovada, UNICEF, 1. See also Inter-American Development Bank, Basic Education Improvement Program III.

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the World Bank approved a USD 42 million loan to increase the number of preschools and provide teacher training. In January 2002, the IDB approved an additional education program to provide USD 54 million to improve coverage of the second cycle of basic education, introduce better pedagogic methodologies in multi-grade schools, increase the internal efficiency of basic education, expand the hours of schooling, and modernize the training of basic education teachers. In November 2002, the IDB approved a project aimed at improving the educational achievement of children in rural and marginal urban areas; improving the management of schools; and promoting initiatives developed under the Educational Development Plan. Currently, the government is providing a USD 10 monthly stipend to poor mothers who keep their children in school and out of work. The government also provides free school breakfasts, nationwide, in order to promote attendance.

### Incidence and Nature of Child Labor

In 2001, the Ministry of Labor and the National Statistics Office reported that 17.7 percent of children ages 5 to 17 years in the Dominican Republic were working. Children work as agricultural workers, street vendors, shoe shiners, and domestic servants. Some Haitian and Dominican children participate in the planting and cutting of sugarcane. Children also work as domestic servants in homes of third parties. Children from poor families are sometimes “adopted” into the homes of other families, often serving under a kind of indentured servitude, while other poor and homeless Haitian and Dominican children are sometimes forced to beg and sell goods on the streets.

The commercial sexual exploitation of children is reported to be a problem in urban areas, as well as in tourist locations throughout the country. According to a study sponsored by UNICEF and the National Planning

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1374 Inter-American Development Bank, Basic Education Project III.


1378 Almost three quarters of working children are boys, and more children work in urban areas than in rural areas. See ILO-IPEC, Preparatory Activities for the Elimination of the Worst Forms of Child Labour, project document, 1, 7. See also ILO-IPEC, Evaluación rápida sobre niños, niñas, y adolescentes trabajadores/as urbanos/as.

1379 U.S. Embassy- Santo Domingo, unclassified telegram no. 4415. See also U.S. Department of State, Country Reports- 2002: Dominican Republic, Section 6d. See also U.S. Embassy- Santo Domingo, unclassified telegram no. 3869, October 2002.


1381 They work long hours under the threat of punishment, in agriculture, domestic service, or industry. Some, especially the girls, are sexually abused. See U.S. Department of State, Country Reports- 2002: Dominican Republic, Sections 5 and 6c.

Office in 1999, 75 percent of minors involved in prostitution were working in brothels, discos, restaurants, and hotels. There are reports that women and children are trafficked to, from, and within the Dominican Republic particularly for the purpose of commercial sexual exploitation, including prostitution. There are also reports that poor children are trafficked internally to work as domestics. The Directorate of Migration has estimated that approximately 400 rings of alien smugglers, traffickers, and purveyors of false documents operate within the country. Haitian children are reportedly trafficked to the Dominican Republic to work as shoe shiners, street vendors, in agriculture, and to beg in the streets.

Formal basic education is free and compulsory for eight years. In 2000, the gross primary enrollment rate was 124 percent, and the net primary enrollment rate was 92.5 percent. In 1999, the repetition rate was 5.6 percent and the dropout rate was 14.4 percent for children enrolled in grades one to eight. In 1998, 75.1 percent of children persisted to grade five. In rural areas, schools often lack basic furnishings and teaching materials, and schools are far from children’s homes. In many cases, school fees and the cost of uniforms, books, meals, and transportation make education prohibitively expensive for poor families.

Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 14 years, and places restrictions on the employment of youth between the ages of 14 and 16. Youth under 16 may not work more than 6 hours a day, and must have a medical certificate in order to work. They are restricted from performing night work and from working more than 12 hours consecutively. Youth under 16 are also prohibited from performing ambulatory work, delivery work, or work in establishments that serve alcohol. Article 254 of the Labor Code requires employers to ensure that

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1392 World Bank, *World Development Indicators* 2003. See also USAID, *Global Education Database*.


1396 Código de Trabajo de la República Dominicana 1999, Articles 245, 46, 47. See also U.S. Embassy- Santo Domingo, *unclassified telegram no. 4415*.

1397 Código de Trabajo 1999, Artículos 247, 48. Permission is needed from both the mother and father. If this is not possible, then authorization can be gained from the child's tutor. If there is no tutor, authorization can be granted by a judge from the child's area of residence. See also Secretary of State of Labor, *Preguntas y Respuestas*, [online] [cited July 10, 2003]; available from http://www.set.gov.do/preguntas/minor.htm.

1398 Código de Trabajo 1999, Articles 246, 49.
minors continue their schooling. On August 7, 2003, the Code for the Protection of Children and Adolescents was promulgated. 

Forced and bonded labor is prohibited under the law. Articles 410 and 411 of the new children's code criminalize child prostitution and child pornography. Laws prohibit procurement of prostitution. On August 7, 2003, the Government of the Dominican Republic promulgated an anti-trafficking law, which outlines measures to be taken by government institutions on protection, prosecution, and prevention efforts against trafficking. The new law prohibits all severe forms of trafficking. Other existing laws can also be applied to smuggling, kidnapping, and violence in order to prosecute traffickers. These laws impose fines and imprisonment of 2 to 10 years for traffickers involved in promoting prostitution. In April 2003, the Attorney General announced the creation of a special department against the commercial sexual exploitation of children, which will support case investigations and application of sentences.

The Ministry of Labor is responsible for enforcing child labor laws in coordination with the National Council for Children and Adolescents. In 2000, the Government of the Dominican Republic has over 200 labor inspectors charged with the enforcement of the child labor laws, health and safety legislation, and the minimum wage. Article 720 of the Labor Code imposes penalties on child labor violators, which include fines and jail sentences. The Ministry of Labor has taken employers in violation of the law to court. Also, the Ministry of Labor has held seminars for labor inspectors and municipal Ministry of Labor representatives throughout the country in order to educate them on child labor laws and enforcement.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Ecuador has been a member of ILO-IPEC since 1997. In July 2003, a new legal Code for Children and Adolescents went into force. In November 2002, the National Committee for the Progressive Eradication of Child Labor published its National Plan for the Progressive Elimination of Child Labor 2003-2006. In July 2002, the Ministry of Labor and Human Resources signed an agreement with the banana industry and various national and international organizations to eradicate child labor (for children under the age of 15) from banana plantations by August 2003. In 2001, the Government of Ecuador established a Technical Secretariat for the National Committee for the Progressive Eradication of Child Labor (CONEPTI). CONEPTI was a key participant in the development of the National Plan and has coordinated and participated in tripartite meetings to define the worst forms of child labor.

In 2002, the government created the National Council on Children and Adolescents by executive decree. The Council is responsible for creating, planning and carrying out national policy on child and adolescent issues in Ecuador. The National Child and Family Institute (INNFA) implements an education program that reintegrates working children and adolescents from the ages of 8 to 15 into the school system so that they may complete the basic education cycle. INNFA also collects data for a System of Social Indicators that is used to define public policy to benefit children and adolescents.

The Ministry of Education and Cultures (MEC) developed a USD 14 million project that includes vocational training for working children ages 12 to 15 who are enrolled in the public school system. Together with the WFP and the UNDP, the MEC also implements a School Feeding Program, which supplies breakfast and lunch to

1415 The Code, enacted in December 2002, includes stipulations that raise the legal age of employment from 14 to 15 years, increase penalties against employers of child labor, and expand the class of dangerous work prohibited for minors. See U.S. Embassy- Quito, unclassified telegram no. 2567, July 31, 2003.
1418 The Secretariat is responsible for determining CONEPTI’s structure, functions and financing. The original Committee, created in July 1997, was fraught with political instability, due in part to changes in government, and met infrequently. See ILO-IPEC, Program to Prevent and Progressively Eliminate Child Labor in Small-scale Traditional Gold Mining in South America, technical progress report, Project Number P.260.03.202.050, Geneva, September 12, 2001, 4.
1419 ILO-IPEC, Program to Prevent and Progressively Eliminate Child Labor in Small-scale Traditional Gold Mining in South America, technical progress report, LAR/00/05/050, Geneva, September 2, 2002, 2.
1420 Ibid.
1421 The cost to reintegrate one child into the school system for a year is USD 130, which includes registration, uniform, school supplies, extracurricular activities, and lesson reinforcement. See National Child and Family Institute (INNFA), Programa de Protección y Educación del Niño Trabajador: Información, [online] 2001 [cited August 25, 2003]; available from http://www.innfa.org/programas/pnt/informacion.htm. INNFA spends USD 3.5 million per year on this program. See U.S. Embassy- Quito, unclassified telegram no. 2567.
approximately 1.4 million girls and boys between the ages of 5 and 14. The Ministry of Social Welfare provides school stipends to children ages 6 to 15 to reduce poverty. The stipend, which is conditional on school attendance, is programmed to reach 400,000 children in 2003. The Central Bank of Ecuador runs the Child Worker Program (PMT), which, in part, provides working children with scholarships that pay school expenses. In turn, the children are required to participate in after school training programs.

In 2003, USDOL funded a 38-month Time Bound Program, implemented by ILO-IPEC, to complement the government’s plan to eliminate the worst forms of child labor in the country within a determined period of time. The government has also completed the collection of field data for a national child labor survey with technical assistance from ILO-IPEC’s SIMPOC, and is finalizing the report. In 2000 and again in 2002, USDOL funded an ILO-IPEC regional program in Ecuador, Bolivia and Peru, to prevent and progressively eliminate child labor in small-scale traditional gold mining.

ILO-IPEC has conducted surveys on child labor in Ecuador, including on the commercial sexual exploitation of girls and adolescents, the cut flower industry, and garbage dumps. Programs have been established to combat child labor in the brick making industries of Quito and Cuenca, the garbage dumps of Santo Domingo de los Colorados, and in the country’s cut flower industry.

In June 2003, the IDB approved a USD 200 million loan for a Social Sector Reform Program that the government will use to coordinate fragmented social spending and eliminate duplication. Under one component

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1426 Frank Hagemann, ILO-IPEC official, electronic communication to USDOL official, August 28, 2002.


1428 In addition, the PMT funds alternative educational programs for youth and promotes children’s rights. See U.S. Embassy- Quito, unclassified telegram no. 2567.


1430 The program consists of awareness-raising campaigns, baseline studies of child labor in traditional mining, training programs for governmental and nongovernmental workers and employer service providers, promulgation of national policies on child labor in traditional mining activities, development of national networks focused on child labor in mining, and local action plans to withdraw children from hazardous mining tasks. See ILO-IPEC, Program to Prevent and Progressively Eliminate Child Labor in Small-scale Traditional Gold Mining in South America, project document, LAR/00/05/050, Geneva, May 2000, 10-11. See also ILO-IPEC, Prevention and Progressive Elimination of Child Labor in Small-scale Traditional Gold Mining in South America (Phase II), project document, Geneva, September 30, 2002.


of this program, all child support programs will be reorganized and channeled through a Child Development Fund.\textsuperscript{1432} A similar fund will be created for all food, nutrition and school feeding programs.\textsuperscript{1433}

**Incidence and Nature of Child Labor**

In 2001, Ecuador’s National Institute of Statistics and Census (INEC) estimated that 24.9 percent of children 5 to 17 years were working in Ecuador.\textsuperscript{1434} The majority of working children are found in rural areas of the sierra, or highlands, with the next most problematic regions being the Amazon and urban coastal areas.\textsuperscript{1435} Many parents have emigrated abroad in search of work and have left their children behind. In addition, the migration of the rural poor to cities has increased the incidence of child labor in urban areas.\textsuperscript{1436} In rural areas, young children are often found performing unpaid agricultural labor for their families.\textsuperscript{1437} In urban areas, children work in manufacturing, commerce and services, such as automobile repair and domestic service.\textsuperscript{1438} Many urban children under 12 years of age work in family-owned businesses in the informal sector, including shining shoes, collecting and recycling garbage, selling, and begging on the streets.\textsuperscript{1439}

The commercial sexual exploitation of children occurs in Ecuador,\textsuperscript{1440} and there were reports in 2002 that it may be on the rise.\textsuperscript{1441} ILO-IPEC estimates that there are 5,200 girls and adolescents in situations of sexual exploitation.\textsuperscript{1442} There have been reports of cases in which children have been forced into prostitution.\textsuperscript{1443} Ecuador is a country of origin for the trafficking of women and children for commercial sexual exploitation.\textsuperscript{1444}

\begin{footnotesize}
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\item \textsuperscript{1432} The Inter-American Development Bank, *Ecuador Social Sector Reform*, 7, 18.
\item \textsuperscript{1433} Ibid., 17.
\item \textsuperscript{1434} This represents 775,753 children out of an estimated population of 3,166,276 children ages 5 to 17. See ILO/IPEC, *Ecuador Time-Bound Program*, 4.
\item \textsuperscript{1435} ILO-IPEC, “INDECE, Mintrabajo e INNFA presentan resultados preliminares de Encuesta Nacional: 38.6% de niños y niññas entre 5 y 17 años trabajan en el área rural de Ecuador,” *Encuentros* no. 2 (December 2001 - February 2002); available from http://www.oit.org.pe/spanish/260ameri/oitreg/activid/proyectos/ipec/boletin/numero2/Boletin5.html. The provinces with the greatest number of working children are Bolivar, Chimborazo and Cotopaxi. See National Committee for the Progressive Eradication of Child Labor, *Plan Nacional*, 11.
\item \textsuperscript{1437} Mauricio Garcia, *El trabajo y la educación de los niños y de los adolescentes en el Ecuador*, UNICEF, 1996, 38.
\item \textsuperscript{1438} Ibid.
\item \textsuperscript{1439} U.S. Embassy- Quito, unclassified telegram no. 3265, September 25, 2001.
\item \textsuperscript{1440} U.S. Department of State, *Country Reports on Human Rights Practices - 2002: Ecuador*, Sections 5 and 6f.
\item \textsuperscript{1442} Sandoval Laverde, *Magnitude, Characteristics and Environment*, 3.
\item \textsuperscript{1444} Ibid. See also Committee on the Rights of the Child, *Concluding Observations of the Committee on the Rights of the Child: Ecuador*, CRC/C/15/Add.93, Geneva, October 26, 1998, [cited December 27, 2002]; available from http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/b1a4ab3e2073a876802566e9003c7a8c?Opendocument.
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There are also reports that Ecuador is a destination country for trafficked children. Sources report that indigenous children have been trafficked to Venezuela and Uruguay to sell handicrafts or to beg on the streets.

The Constitution requires that all children attend school until they achieve a “basic level of education,” which usually encompasses nine school years. The government rarely enforced this requirement due to the lack of schools and inadequate resources in many rural communities, as well as the pervasive need for children to contribute to the family income. Child malnutrition, short school days, inadequately trained teachers, sparse teaching materials and the uneven distribution of resources are the main problems within the educational system. In 2000, the gross primary enrollment rate was 115 percent, and the net primary enrollment rate was 99.3 percent. In 1999, the persistence rate to grade five was 88.9 percent. Primary school attendance rates are unavailable for Ecuador. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. Families often face significant additional education-related expenses such as fees and transportation costs.

Child Labor Laws and Enforcement

The Childhood and Adolescence Code sets the minimum age for all employment, including domestic service, at 15 years. The minimum age does not apply to children involved in formative cultural or ancestral practices as long as the children are not exposed to physical, psychological or cultural harm. The Ministry of Labor provides work authorization for adolescents between the ages of 15 and 18 years. The Childhood and Adolescence Code prohibits adolescents from working more than 6 hours per day or 30 hours per week. The Code also prohibits adolescents from working in mines, garbage dumps, slaughterhouses, and quarries. The Labor Code, which has not been updated to reflect Ecuador’s adoption of ILO Conventions 138 and 182, provides that minors under 18 years are prohibited from engaging in night work.

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1446 United Nations Economic and Social Council, Specific Groups and Individuals: Migrant Workers, Addendum: Mission to Ecuador, 16.

1447 U.S. Embassy- Quito, unclassified telegram no. 3265.

1448 The Inter-American Development Bank, Ecuador Social Sector Reform, 8.


1450 Ibid.

1451 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

1452 U.S. Embassy- Quito, unclassified telegram no. 3265.


1454 Ibid., Article 86.

1455 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


1458 Ibid., Article 86.

1459 Ibid., Article 87.

1459 ILO-IPEC, Ecuador, Sistema Regional de Información sobre Trabajo Infantil, Instituto Nacional del Niño y la Familia [INNFA], and Cooperación Española, 1995, Articles 137-38, 47. The Childhood and Adolescence Code, which has been adapted to reflect Ecuador’s adoption of ILO Conventions 138 and 182, supercedes provisions in the Labor Code that allowed children under 15 to work aboard fishing vessels with special permission from the court, during school vacation, and as long as the work was not likely to harm their health and moral development. See U.S. Embassy Official Ecuador, electronic communication, August 5, 2003. See also ILO-IPEC, Ecuador.
The 1998 Constitution specifically calls for children in Ecuador to be protected in the workplace against economic exploitation, dangerous or unhealthy labor conditions, and conditions that hinder a minor’s personal development or education. Minors are also protected against trafficking, prostitution, and the use of illegal drugs and alcohol.\textsuperscript{1460} There are no policies to eliminate the sexual exploitation of children and adolescents and no government funding has been allocated for this purpose.\textsuperscript{1461} The Penal Code explicitly defines and prohibits exposing children to pornography, and promoting and facilitating prostitution and trafficking. Adults convicted of promoting or engaging children in such activities may be sentenced from 1 to 9 years in jail.\textsuperscript{1462} The Childhood and Adolescence Code prescribes sanctions for violations, such as monetary fines and the closing of establishments where child labor occurs.\textsuperscript{1463} In June 2000, the Criminal Code was amended to strengthen sentences for furnishing or utilizing false documents and for smuggling of non-citizens.\textsuperscript{1464}

No single government authority is responsible for the implementation of child labor laws and regulations prohibiting the worst forms of child labor. Public institutions charged with enforcing child labor laws include the Ministry of Labor, Ministry of Social Welfare, and Minors’ Tribunals. The Ministry of Labor has created a Social Service Directorate to monitor and control child labor in the formal sector; however, most child laborers are found in the informal sector, where monitoring is difficult. In some instances, the Directorate has applied sanctions, but in others, it has merely helped to provide work authorization documents to child workers.\textsuperscript{1465} In October 2002, the government created a Child Labor Inspection and Monitoring System to enforce the child labor-related legal provisions of the Labor Code and the Labor Inspection System.\textsuperscript{1466} In 2003, the Government of Ecuador hired and trained a small number of labor inspectors to begin child labor inspections in banana and flower plantations.\textsuperscript{1467}

The Government of Ecuador ratified ILO Convention 138 and ILO Convention 182 on September 19, 2000.\textsuperscript{1468}

\textsuperscript{1460} U.S. Embassy- Quito, \textit{unclassified telegram no. 3265}.
\textsuperscript{1461} Sandoval Laverde, \textit{Magnitude, Characteristics and Environment}, 3.
\textsuperscript{1463} \textit{Código de la Niñez y Adolescencia}, Chapter IV, Article 95.
\textsuperscript{1465} U.S. Embassy- Quito, \textit{unclassified telegram no. 3265}. It is reported that in the banana regions, the regional Labor Inspectorate (responsible for ensuring that employers comply with labor laws) relies heavily on complaints of child labor law violations because its resources do not allow for meaningful preventative inspections. There are only 13 labor inspectors in the entire banana producing region. See Human Rights Watch, \textit{Comments Regarding Efforts by Ecuador to Eliminate the Worst Forms of Child Labor}, 5.
\textsuperscript{1466} National Committee for the Progressive Eradication of Child Labor, \textit{Plan Nacional}, 37-38.
\textsuperscript{1467} If, on the first visit, the inspectors find employees under the age of 15 at banana plantations, children will be referred to the social programs run by the government and the employers will be informed of what they must do to comply with the law. Fines or penalties will be levied on subsequent visits if violations are observed. Fines could range between USD 200 to 1000 and penalties include the closure of the employing business of repeat offenders. U.S. Embassy- Quito, \textit{unclassified telegram no. 2567}.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Egypt has been a member of ILO-IPEC since 1996. In 2000, the National Council for Childhood and Motherhood (NCCM) launched the Second Decade of Protection and Welfare of Children action program that included a component to reintegrate working children into schools, their families, and the community. In 2002, the NCCM designed a National Program for the Progressive Elimination of Child Labor focusing on interventions to alleviate poverty, especially among female heads of households, and to provide psychosocial and educational services to children in four governorates. The NCCM further coordinates policy dialogue between key ministries and local authorities. Among other child labor initiatives, the NCCM launched a pilot program designed to protect and improve the working conditions of child workers and provide them education and health services, as well as income generation activities for their families. In 2003, the NCCM set up a hotline to receive calls from children in distress, particularly those who complain of working in unsafe or unhealthful conditions. Also in 2003 the NCCM organized workshops in four governorates with the highest rates of working children to create awareness of the social and economic problems created by child labor, especially its worst forms. It is anticipated that the reports of these and subsequent workshops on child labor will be used by policy-makers. In 2000, the government established a Child Labor Unit (CLU) within the Ministry of Manpower and Migration (MOMM) to coordinate investigations of reports of child labor violations and to ensure enforcement of the laws pertaining to child labor. In 2003 ILO Egypt worked with the NCCM, the MOMM, the Egyptian Trade Union Federation, and UNICEF to begin formulation of a comprehensive national strategy to eliminate the worst forms of child labor. In 2003, the CLU provided training to labor inspectors; worked to establish a database on working children; and organized a media campaign to increase public awareness of the issue.

ILO-IPEC and the government have collaborated on several initiatives to combat child labor, at least five of which are ongoing. Current projects include a direct action program to contribute to the progressive elimination of child labor in leather tanneries, pottery kilns, and other hazardous industries, and a collaborative project with the U.S. Customs Service and the Arab Labor Organization to provide technical assistance to the CLU. Other ILO-IPEC programs involve public awareness raising, capacity building, and interventions, including a community

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1471 Ibid. See also Embassy of the Arab Republic of Egypt, Government Initiatives and Responses to Child Labour, USDOL, August 1, 2003, 6.
1472 The National Council for Childhood and Motherhood (NCCM), NCCM Website.
1475 U.S. Embassy– Cairo, *unclassified telegram no. 6904*, 2.
1479 Ibid.
project that aims to withdraw children from hazardous work in auto repair workshops, and textile and plastics factories. In 2003, USAID funded a collaborative project with international and local trade unions to train local child labor inspectors. The training was followed by the formation of community child labor committees (CLCs) in nine villages to survey child labor in those areas.

The Government of Egypt is committed to battling illiteracy and bridging the gender gap in education. A National Taskforce for Girls’ Education, comprising members of key ministries, authorities, UN agencies, and members of civil society, was formed in October 2001. To this end, a number of measures have been taken, including the establishment of one-room schools for girls, community schools for children ages 9 to 13 years old, and mainstreaming graduates of those schools into preparatory schools.

The World Bank’s Education Enhancement Program Project was developed to enhance the Ministry of Education’s stated goals of ensuring universal access to basic education, with an emphasis on girls, and improving the quality of education. Egypt was the first country to officially join the UN Girls’ Education Initiative. Since 1992, UNICEF has supported the Girl Child Initiative with the Community Schools Programme. USAID is funding a number of education projects, including the New Schools Program, which targets over 28,000 girls from ages 6 to 14 years, who have never attended school, or have dropped out. Another USAID project supports the Center for Development and Population Activities (CEDPA). These activities are intended to expand educational opportunities for girls not enrolled in formal education through scholarships and other incentives. In 2002, an initiative for boys was also launched. By building new schools within walking distance of homes, increasing the number of female teachers, and providing grants, uniforms, and meals to children at school, enrollment and attendance have improved.

1482 The CLCs also organized village meetings to raise awareness of the nature and extent of the problem. See U.S. Embassy- Cairo, unclassified telegram no. 6904, 2.
1484 The National Council for Childhood and Motherhood (NCCM), NCCM Website.
1487 Embassy of the Arab Republic of Egypt, Government Initiatives.
1490 Ibid.
1491 The successes are a result of programs that address barriers to children’s education. See Kristin Moehlmann, Girl-friendly Schools Improve Egypt’s Report Card, UNICEF, [online] [cited June 16, 2003]; available from www.unicef.org/information/mdg/mdg07.htm.
Incidence and Nature of Child Labor

In 2001, the ILO estimated that 8.8 percent of children ages 10 to 14 years in Egypt were working. Studies have suggested that rural children and children from poor households account for the overwhelming majority of working children. Rural children are largely found working in the agricultural sector, particularly on cotton-farming cooperatives. Reports indicate a widespread practice of poor rural families making arrangements to send daughters to cities to work as domestic servants in the homes of wealthy citizens. Urban areas are also host to large numbers of street children who have left their homes in the country-side to find work, and often to flee hostile conditions at home. Street children work shining shoes, begging, cleaning and parking cars, and selling food and trinkets. Street children are particularly vulnerable to being forced into illicit activities, including stealing, smuggling, pornography, and prostitution. Children in urban areas also work in leather tanneries, pottery kilns, glassworks, blacksmith, metal and copper workshops, battery and carpentry

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1494 At the request of NCCM, the Central Agency for Public Mobilization and Statistics (CAPMAS) conducted a household survey on child labor in Egypt from 2001 to 2002. According to the survey, more than 70 percent of working children are in the agricultural sector. See Gihan Shahine, “Fighting Child Labour,” Al-Ahram Weekly (Cairo), May 9–15, 2002; available from http://weekly.ahram.org.eg/2002/585/eg5.htm. To date, the survey is being used by the NCCM for internal policy making. The survey is expected to be released following the Egyptian First Lady’s launching of the national strategy on the elimination of the worst forms of child labor, perhaps in 2004. The figure released by the NCCM for the number of working children in 2001 was 2.4 million. See U.S. Department of State official, electronic communication, February 23, 2004.

1495 As of 2001, over 1 million children ages 7 to 12 were working in cotton pest control. The work involves manually removing pests from cotton plants, extended exposure to highly hazardous pesticides, and rampant abuse by foremen. Under a 1965 decree by the Ministry of Agriculture, families were required to provide child workers to local cotton-farming cooperatives to control leafworm infestations between the months of May and July. See Human Rights Watch (HRW), Underage and Unprotected: Child Labor in Egypt’s Cotton Fields, Vol. 13 No. 1 (E), Human Rights Watch, New York, January, 2001; available from http://www.hrw.org/reports/2001/egypt/Egypt01.htm#P46_655. Responding to international pressure from organizations such as HRW and USAID, a new labor decree in June 2003 repealed the 1965 law and specifically prohibits the employment of children in cotton compressing or any work involving hazardous chemicals, including pesticides. See U.S. Embassy- Cairo, unclassified telegram no. 6904, 1.


1497 A 2002 survey of urban street children found that in almost every case, the children were living and working on the street because of severe family crises. Their experiences as street children are also plagued with trauma as Egyptian police routinely arrest and detain them, often subjecting them to extreme forms of abuse. For a more detailed discussion, see Clarisa Bencomo, Challenged with Being Children: Egyptian Police Abuse of Children in Need of Protection, Vol.15, No.1, Human Rights Watch (HRW), New York, February 2003, 9; available from http://www.hrw.org/reports/2003/egypt0203/egypt0203.pdf.

1498 Ibid.

1499 Due in part to the extremely taboo nature of discussion on any sexual issue in Egypt, particularly involving children, information on the extent of commercial sexual exploitation of children is limited. See Saber, “Commercial Sexual Exploitation of Children in Egypt”.

1500 Caglar, electronic communication, January 7, 2002.

shops,\textsuperscript{1502} auto repair workshops, and textile and plastics factories.\textsuperscript{1503} While there are no official accounts of trafficking in the country,\textsuperscript{1504} some reports indicate that Egypt is a country of transit for child trafficking.\textsuperscript{1505}

The Constitution guarantees free and compulsory basic education for children ages 6 to 15.\textsuperscript{1506} In 2000, the gross primary enrollment rate was 99.6 percent, and the net primary enrollment rate was 92.6 percent.\textsuperscript{1507} Girls' enrollment and attendance still lags behind that of boys.\textsuperscript{1508} In 2000, the gross primary enrollment rate for girls was 96.1 percent, compared to 102.9 percent for boys. The net primary enrollment rate was 90.3 percent for girls, compared to 94.9 percent for boys.\textsuperscript{1509} Primary school attendance rates are unavailable for Egypt. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.\textsuperscript{1510} A 2000 national survey of children ages 6 to 15 found that 14 percent of girls were not currently attending school, compared to 8 percent of boys.\textsuperscript{1511} Working and street children are predominantly school dropouts or have never been enrolled in school.\textsuperscript{1512} In the past a number of NGOs have worked to provide literacy programs, medical care, shelter, meals and protection to working street children.\textsuperscript{1513} However, a law was passed in June 2002 that severely restricts the capacity of NGOs to continue work on this issue.\textsuperscript{1514}

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\textsuperscript{1502} This study was based on sample of 355 male workers ages 7 to 19 years. F. Curtale and et al., “Anaemia among Young Male Workers in Alexandria, Egypt,” Eastern Mediterranean Health Journal, 6 5/6 (September–November 2000); available from http://www.oanda.com/convert/classic.

\textsuperscript{1503} U.S. Embassy– Cairo, unclassified telegram no. 4649.

\textsuperscript{1504} U.S. Department of State, \textit{Country Reports- 2002: Egypt}.


\textsuperscript{1506} Constitution of Egypt, Articles 18 and 20. See also UNESCO, \textit{Egypt National Report: Education For All 2000 Assessment}, prepared by National Centre for Educational Research and Development, pursuant to UN General Assembly Resolution 52/84, October 1999; available from http://www2.unesco.org/wef/countryreports/egypt/contents.html#cont. Despite the constitutional guarantees to universal education, in practice, education is not free, and parents are increasingly responsible for both the direct and indirect costs of education. In fact, Egyptian law allows for public schools to charge fees for services, insurance, and equipment. The 2000 Egypt Demographic Health Survey found median family expenditures per child among children ages 6 to 15 attending public schools were 133.9 LE for registration, tuition, uniforms, textbooks, supplies and other educational materials (approximately USD 36 at the time). See Bencomo, \textit{Charged with Being Children}, 11. For currency conversion, see Oanda.com, FXConverter, in FXConverter, [online] [cited October 10, 2003]; available from http://www.oanda.com/convert/classic.

\textsuperscript{1507} World Bank, \textit{World Development Indicators 2003}. For a more detailed discussion on the relationship between education statistics and work, see the preface to this report. See also Ragui Assaad, Deborah Levison, and Nadia Zibani, “The Effect of Child Work on School Enrollment in Egypt” (paper presented at the ERF Eighth Annual Conference, Cairo, January 2002); available from http://www.erf.org.eg/html/Labor_8th/Theeffectofchild-Zibani&Assaad.pdf.


\textsuperscript{1509} World Bank, \textit{World Development Indicators 2003}.

\textsuperscript{1510} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

\textsuperscript{1511} Mothers of children who had dropped out or never attended school overwhelmingly cited cost as the reason, and more than half specifically cited a need for the child's labor. See Suliman and El-Kogali, “Why Are the Children Out of School?” 16-17. See also Bencomo, \textit{Charged with Being Children}, 11-12.


\textsuperscript{1513} Khalid Abdalla, “Take a Long Look: When is a Child Not a Child?,” \textit{Al-Ahram Weekly} (Cairo), November 11-17, 1999; available from http://weekly.ahram.org.eg/1999/455/feat2.htm. See also Bencomo, \textit{Charged with Being Children}.

\textsuperscript{1514} Law 84/2002 grants the Minister of Social Affairs the authority to dissolve any NGO that the state determines to be “threatening national unity [or] violating public order or morals.” NGOs are further prohibited from receiving funds from abroad, affiliating with international organizations, or from selecting board members, without the state's approval. The law further stipulates that NGOs may be dissolved at will, and any assets and property may be confiscated without a judicial order. The law establishes criminal penalties for unauthorized NGO activities, punishable by up to one year of imprisonment and substantial fines. Since the passage of the new law, a number of human rights organizations, including some working in the area of child labor, have been dissolved and leading NGO workers have been imprisoned. See (HRW) Human Rights Watch, \textit{Egypt's New Chill on Rights Groups: NGOs Banned, Activist Harassed}, [press release] June 21 2003; available from http://www.hrw.org/press/2003/06/egypt062103.htm. See also U.S. Department of State, \textit{Country Reports- 2002: Egypt}, Section 4.
Child Labor Laws and Enforcement

The Government of Egypt ratified a new labor law in June 2003 prohibiting the employment of male and female juveniles below the age of 14. The new law also sets maximum hours for the employment of children in addition to employment conditions; the law does not apply, however, to children working in the agricultural sector. Ministerial decrees that complement the labor law compensate for this shortcoming, especially Decree No. 118 of 2003, which prohibits children below 16 from working in 44 hazardous professions, including agricultural activities. The new law also stipulates penalties pertaining to the employment of children, which include fines that range from 500 to 1,000 Egyptian pounds (about USD 81 to 163) per employee. The Children’s Code and Labor Law of 1996 permits children ages 12 and older to participate in training for seasonal employment provided the work does not interfere with their health, growth, or school attendance. The law also prohibits children from working over 6 hours per day or for more than 4 consecutive hours, at night, overtime, or during their weekly day off. The Constitution does not specifically prohibit trafficking in persons; however, it does prohibit forced labor and prostitution.

The MOMM is the government agency responsible for enforcing child labor laws. The government’s enforcement of child labor laws is inconsistent. In state-owned enterprises, enforcement is adequate while enforcement in the private and informal sectors is inadequate.


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1515 Occupations are defined as hazardous based on the definition of hazardous activities in ILO Convention 182. Decree 118 specifically prohibits employment in cotton compressing, leather tanning, and working in bars and auto repair shops or with explosives and chemicals (including pesticides). The decree identifies maximum allowable weights that male and female children are allowed to carry and stipulates that employers provide health care and meals for employed children and implement appropriate occupational health and safety measures in the workplace. See U.S. Embassy-Cairo, unclassified telegram no. 6904. 1.

1516 Fines double if the violation is repeated. Violations of articles pertaining to occupational health and safety result in imprisonment for a period of at least 3 months and/or a fine of up to 10,000 pounds (USD 1,634). See Ibid. For the currency conversions, see XE.COM, Universal Currency Converter, XE.COM, [Currency Converter] [cited August 29, 2003]; available from http://www.xe.com/ucc/convert.cgi.


1518 U.S. Department of State, Country Reports-2002: Egypt, Section 6d.

1519 Ibid., Section 6f.

1520 U.S. Embassy-Cairo, unclassified telegram no. 6904.

1521 U.S. Department of State, Country Reports-2002: Egypt, Section 6d.

The Government of El Salvador has been a member of ILO-IPEC since 1996. In June 2001, El Salvador became one of the first countries to initiate a comprehensive, national ILO-IPEC Time-Bound Program, funded by USDOL, to eliminate the worst forms of child labor and provide education and other services to vulnerable children. The Time-Bound Program focuses on eliminating exploitative child labor in fireworks production, fishing, sugar cane harvesting, commercial sexual exploitation, and garbage dumps scavenging. As part of Time-Bound Program efforts, ILO-IPEC has conducted assessments in the sectors where the worst forms of child labor are a particular problem.

The government also collaborates with ILO-IPEC on two additional projects funded by USDOL. These projects seek to withdraw child workers from coffee harvesting and the cottage production of fireworks. A child labor module, designed by ILO-IPEC’s SIMPOC and funded by USDOL, was included in the government’s Multiple Purpose Household Survey of 2001. A National Committee for the Progressive Elimination of Child Labor, under the auspices of the Ministry of Labor and Social Security, provides leadership and guidance to the ILO-IPEC program. The National Committee has approved a National Plan for the Progressive Elimination of the Worst Forms of Child Labor 2002-2005. With support from other donors, ILO-IPEC is carrying out a project aimed at raising awareness and collecting information on children involved in domestic work in third party homes; a project aimed at reducing child labor in urban market areas; and a regional project to reduce scavenging at garbage dumps. In September 2002, labor inspectors from the Ministry of Labor participated in an ILO-

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1527 ILO-IPEC, Statistical Information and Monitoring Program (SIMPOC), project document, CAM/99/05/050, Geneva, September 1999.
1530 Government of El Salvador, Plan de Acción para la erradicación de las peores formas de trabajo infantil. See also Embassy of El Salvador, written communication, October 25, 2001, 7-8.
1531 ILO-IPEC, List of all ILO-IPEC projects (active and completed) as at 30 September 2002, Geneva, 2002. See also ILO official, electronic communication, November 14, 2002. This project is in addition to the Time-Bound Program.
In November 2002, with support from ILO-IPEC, a Child Labor Unit was created within the Ministry of Labor. In addition to participating in the ILO-IPEC Time-Bound Program, the Ministry of Education has also developed an Education for All plan to increase access to primary education, improve the quality and results of learning, and expand basic education services and training in essential skills for youth. From 1994 to 2000, the Government of El Salvador increased the number of schools, classrooms, and teachers; expanded early childhood centers; and created a training program for teachers. The Ministry of Education supports a number of programs aimed at increasing the quality and coverage of education and operates a hotline for the public to report school administrators who illegally charge students school fees.

Incidence and Nature of Child Labor

According to the Multiple Purpose Household Survey conducted in 2001, 11.5 percent of children aged 5 to 17 were working. In 2001, ILO-IPEC reported that about two-thirds of working children are located in rural areas and are involved in agricultural and related activities. Children often accompany their families to work in commercial agriculture, particularly during coffee and sugar harvests. Children from poor families, as well as orphans, work as street vendors and general laborers in small businesses, primarily in the informal sector. Children also work in fishing (small-scale family or private businesses), fireworks manufacturing, shellfish harvesting, drug trafficking, and garbage scavenging. Some children also work as domestic servants in third party homes.


1535 ILO-IPEC, Time-Bound Program in El Salvador, project document, 11, 12, 46.


1538 The survey reports that 222,479 children aged 5 to 17 were working. See ILO-IPEC, Entendiendo el Trabajo Infantil en El Salvador, Geneva, 2003, 11.


1540 ILO-IPEC, Time-Bound Program in El Salvador, project document. 6-8.
There is evidence that some children, especially girls, are engaged in prostitution. El Salvador is a source, transit, and destination country for children trafficked for commercial sexual exploitation. Salvadoran girls are trafficked to Mexico, the United States, and other Central American countries. Some children are also trafficked internally. Children who live on the streets are also trafficked to border areas and other countries, and forced into prostitution. Children from Nicaragua, Honduras, and South America have been trafficked to bars in major Salvadoran cities, where they are then forced to engage in prostitution. This serious problem has not been reliably documented, except for several dozen cases per year of children returned from the Mexican or Guatemalan border regions, some of whom may have been sexually exploited. There have also been police and media reports of possibly dozens of child prostitutes in El Salvador. Due to a lack of information, however, the extent of the problem remains unclear.

Education is compulsory through the ninth grade or up to 14 years of age, and public education is free through high school. Laws prohibit impeding children's access to school for being unable to pay school fees or wear uniforms; however, in practice, some schools continue to charge school fees to cover budget shortfalls. The two earthquakes of 2001 destroyed many schools, the reconstruction of schools has experienced some delays. In 2000, the gross primary enrollment rate was 109.3 percent, and in 1999, the net primary enrollment rate was 80.9 percent. The 1999 Multiple Purpose Household Survey found that 650,000 children ages 4 to 17 were not enrolled in school. In 1998, 70.7 percent of children enrolled in primary school reached grade 5. Primary school attendance rates are unavailable for El Salvador. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school. The number of children who drop out or do not enroll in school is higher in rural areas than in urban areas. UNDP data indicates that while children attend school for an average of 5.3 years at the national level, the average drops to 3.2 years in rural areas. Many students in rural areas do not reach the ninth grade due to a lack of financial resources and because many

1552 United States General Accounting Office, *USAID's Earthquake Recovery Program in El Salvador Has Made Progress, but Key Activities Are Behind Schedule*, March 2003, 2, 16.
1553 World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003. See also USAID, *Global Education Database*, Washington, D.C., 2003; available from http://qesdb.cdie.org/ged/index.html. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.
1555 World Bank, *World Development Indicators 2003*.
1556 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
parents withdraw their children from school by the sixth grade so that they can work. Also in rural areas, many older children attend classes below their grade level.

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 14 years. Children ages 12 to 14 can be authorized to perform light work, as long as it does not harm their health and development or interfere with their education. Children who are 14 years or older must receive permission from the Ministry of Labor to work, which is granted only when it is non–hazardous and necessary for the survival of the child or the child’s family. Children under the age of 18 are prohibited from working at night or in hazardous and/or morally dangerous conditions. Forced or compulsory labor is prohibited by the Constitution. The Constitution makes military service compulsory between the ages of 18 and 30 years, but voluntary service can occur beginning at age 16.

In October 2001, Criminal Code reforms, that prohibit trafficking in persons, were approved by the Legislative Assembly. El Salvador’s Penal Code does not criminalize prostitution. However, the Penal Code provides for penalties of 2 to 4 years imprisonment for the inducement, facilitation, or promotion of prostitution, and the penalty increases if the victim is less than 18 years old.

Enforcing child labor laws is the responsibility of the Ministry of Labor. However, the difficulties of monitoring the informal sector limit the effectiveness of Ministry of Labor enforcement outside the formal sector. Limited government funds are allocated to child labor issues. Labor inspectors focus on the formal sector, where child labor appears to be less frequent, and few complaints of child labor laws are presented.


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1562 U.S. Embassy– San Salvador, unclassified telegram no. 3283.

1563 *Código de Trabajo*, Article 114.


1565 *Código de Trabajo*, Article 114.


1567 *Código de Trabajo*, Article 114.


1573 Government of El Salvador, Decree no. 1030, Article 169. See also U.S. Embassy– San Salvador, unclassified telegram no. 2731.


1575 Ibid. See also U.S. Embassy– San Salvador, unclassified telegram no. 3101.


1577 Ibid. See also U.S. Embassy– San Salvador, unclassified telegram no. 2260.


Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In May 2000, the Government of Equatorial Guinea requested assistance from the ILO and the U.S. Government to improve the country’s adherence to international labor standards, including those related to child labor. The country has government-sponsored and private programs to provide vocational education for at-risk children. In September 2002, the government ratified a National Education for All Plan 2002–2015, in which it pledged to give priority to basic and girls’ education, and will aim to ensure free education for all. The government provides assistance to child victims of trafficking and is constructing two shelters for trafficked children. In addition, the government helped sponsor a public awareness campaign aimed at reducing young girls’ vulnerability to trafficking.

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 32 percent of children ages 10 to 14 years in Equatorial Guinea were working. Children work primarily on family farms, in street vending, bars and grocery stores. There is evidence that children engage in prostitution, particularly in the capital city of Malabo. Children are trafficked within the country and from neighboring countries in West and Central Africa for commercial sexual exploitation and bonded labor as domestic servants, farmhands and street hawkers.

Education is compulsory through primary school, but the law is not enforced. In 2000, the gross primary enrollment rate was 120.4 percent, and the net primary enrollment rate was 71.7 percent. Attendance rates are not available for Equatorial Guinea. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. Late entry into the school system and high dropout
rates are common, and girls are more likely than boys to drop out of school. Pregnancy and the expectation that girls will assist with agricultural work result in lower education attainment levels for girls, with only 12 percent of girls reaching the secondary level compared with more than 24 percent of boys in 1999.

**Child Labor Laws and Enforcement**

Labor laws set the minimum age for employment at 14 years, but the law is not enforced. Children as young as 13 years of age can work in light jobs on the condition that the work does not affect their health, growth, or school attendance. Children who are 12 years old may work in agriculture or craft making. Children under 16 years are prohibited from work that might harm their health, safety, or morals. In 2001, the government passed a measure banning all children under the age of 17 years from being on the streets and from working after 11 p.m. This measure was undertaken by the Ministry of the Interior to curb growing levels of prostitution, delinquency, and alcoholism among young people employed in bars, grocery stores, and as street hawkers. The measure calls for the arrest of violators and fining of parents as punishment for violations. Forced or bonded labor by children is prohibited. Although prostitution is illegal, the country does not have an anti-trafficking law but is in the process of drafting legislation.

The Ministry of Labor corps of 50 national labor inspectors enforces labor laws. However, the government devotes little attention to the rights of children, and fails to enforce minimum age laws for work or laws mandating education through primary school.


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1591 Ibid., Section 6d.

1592 For a 12-year-old to work, professional organizations of workers and authorities within the Ministry of Labor must be consulted in advance. See U.S. Embassy- Yaoundé, *unclassified telegram no. 3123*.

1593 Ibid.

1594 Integrated Regional Information Networks, *Equatorial Guinea; Minors Grounded*.


1598 U.S. Embassy- Yaoundé, *unclassified telegram no. 3123*.


Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of the State of Eritrea, through its Ministry of Labor and Human Welfare (MLHW), has been carrying out community awareness raising activities in the area of children’s rights as well as implementing educational access and vocational training programs. The 2000 National Plan of Action for the Prevention, Rehabilitation, and Reintegration of Commercial Sex Workers in Eritrea outlines awareness raising, teacher training, vocational education, counseling, and inspection strategies that the government is pursuing to prevent child prostitution. The Ministry of Education works in partnership with Mercy Corps on a USDA-funded school feeding program aimed at improving school enrollment, attendance, and performance and has hired and trained two field monitors to assist in program monitoring and evaluation.

The government has initiated programs to construct new schools in remote villages, increase the number of teachers, and raise the enrollment and retention level of girls. In 2003, under a USAID-funded girls’ scholarship pilot project, 80 middle school girls in two regions of Eritrea received financial support, materials, and tutoring services. In addition, a community awareness campaign was undertaken in several communities to promote the importance of girls’ education. The Convention on the Rights of the Child has been translated into several local languages and has been circulated widely. The government has provided training to social workers working with vulnerable children, provided rehabilitation and counseling programs for children affected by war, and initiated a program to reintegrate vulnerable children and orphans into their extended families.

The government is implementing the “Integrated Early Childhood Development Project” with USD 4 million of its own money, a USD 40 million loan from the World Bank, and a USD 5 million grant from the Government of Italy. The project is designed to improve childcare and education, address child health issues, and provide support for children in need of special care and protection. UNICEF is promoting access to education in war-affected areas by rehabilitating schools, providing learning materials to displaced children, establishing makeshift classrooms, facilitating school feeding programs, and training teachers. UNICEF also promotes girls education through awareness-raising activities, gender-sensitive curriculum development, capacity building, improving school infrastructure, and training for female teachers.

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1602 Ibid.
1606 Statement at the United Nations Special Session on Children. See also ECPAT International, Eritrea.
Incidence and Nature of Child Labor

In 2001, the ILO estimated that 38.2 percent of children ages 10 to 14 years in Eritrea were working. Children work as street vendors, traders, in domestic services, in small-scale manufacturing, and on family farms. Some children have been reported to be involved in small-scale gold mining.

Children as young as 12 years of age are reportedly involved in prostitution on the streets of Massawa and Asmara, as well as in hotels and bars. A 1999 MLHW survey on commercial sex workers revealed that 5 percent of prostitutes surveyed in Eritrea were between the ages of 14 and 17 years old. The presence of troops and peacekeepers associated with the UN Mission in Eritrea and Ethiopia (UNMEE) has reportedly increased children’s participation in commercial sexual exploitation in Eritrea. In addition, due to insufficient birth registrations, children reportedly fought as soldiers with the Eritrean People's Liberation Front during the war for independence and the recent conflict from 1998 to 2000. However, there were no reports in 2002 that the government had recruited children under the age of 18 as soldiers.

Education is free and compulsory through grade seven. In 2000, the gross primary enrollment rate was 59.5 percent; 65.3 percent for boys and 53.6 percent for girls. The net primary enrollment rate was 41.0 percent. The Ministry of Education estimated that only 38 percent of children attend school.

Child Labor Laws and Enforcement

The Transitional Labor Law No. 8/91 sets the minimum age for employment at 18 years, and allows for the employment of apprentices starting at the age of 14 years. The Labor Proclamation of Eritrea (Proclamation No. 118) provides that no person under the age of 14 may be employed, that young employees may not work

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1615 ECPAT International, Eritrea.
1617 U.S. Department of State, Country Reports 2002: Eritrea, Section 6d. This is the most recent year for which such information is available.
1619 World Bank, World Development Indicators 2003.
between 6 p.m. and 6 a.m., and that young employees may not work more than 7 hours per day.\textsuperscript{1622} Apprentices under 18 years of age are prohibited from performing dangerous and abusive labor.\textsuperscript{1623} Proclamation No. 118 bars children, young workers and apprentices from working in transport industries, including warehouses or docks where heavy lifting, pushing or pulling is required; in jobs involving toxic chemicals, dangerous machines or power generation and transmission; or in underground work, including mines, sewers and tunnels.\textsuperscript{1624} The 1996 Constitution prohibits forced labor. Articles 8 and 9 in the National Service Proclamation (No.83/95, 23 October 1995) sets the minimum age for military service at 18 years and requires 18 months of duty.\textsuperscript{1625} The Penal Code prohibits the procurement, seduction, or trafficking of children under the age of 18, and also bans sexual relations with children under 18 years.\textsuperscript{1626} Labor inspectors in the MLHW are charged with enforcing the child labor laws, but inspections are infrequent due to the small number of inspectors.\textsuperscript{1627} The Government of Eritrea ratified ILO Convention 138 on February 22, 2000, but has not ratified ILO Convention 182.\textsuperscript{1628}

\begin{footnotesize}

\textsuperscript{1623} U.S. Department of State, Country Reports 2002: Eritrea, Section 6d.

\textsuperscript{1624} U.S. Embassy- Asmara, unclassified telegram no. 1447.

\textsuperscript{1625} Coalition to Stop the Use of Child Soldiers, “Eritrea.”

\textsuperscript{1626} Committing indecent acts with a child under age 15 is a criminal offense punishable by five years of imprisonment. Sexual acts with children between ages 15 and 18 are also prohibited, although the penalty is less severe. See ECPAT International, Eritrea. See also The Protection Project, Human Rights Report: Eritrea, [online] 2003 [cited June 6, 2003], Law and Law Enforcement; available from http://www.protectionproject.org/main1.htm.

\textsuperscript{1627} U.S. Embassy- Asmara, unclassified telegram no. 1447. See also U.S. Department of State, Country Reports 2002: Eritrea, Section 6d. Laws on commercial sexual exploitation are also reported to be inadequate and poorly enforced. See ECPAT International, Eritrea.

\textsuperscript{1628} ILOLEX, Ratifications of the Fundamental human rights Conventions by country in Africa, in ILOLEX, [database online] [cited April 29, 2003]; available from http://www.ilo.org/ilolex/english/docs/declAFhtm.
\end{footnotesize}
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

From 1998 to 2000, the Government of Estonia participated in a European Commission anti-trafficking initiative called the STOP Project. The second phase of the project, “Minors in the Sex Trade,” promoted networking among law enforcement officials in Estonia and other countries in the region. From 2001 to 2002, Estonian government ministries, migration authorities, and police participated in a regional IOM project to gather information and raise awareness about the problem of trafficking, and strengthen the capacity of the Baltic governments to prevent trafficking. In early 2002, with funding from USDOL, ILO-IPEC conducted a study on children involved in drug trafficking in Estonia. In cooperation with the Baltic governments, the Nordic Council of Ministers initiated an anti-trafficking campaign in the region, including Estonia, for the period of 2002 to 2003. The government has developed a National Strategy for Child Protection through the year 2008 that includes a national social welfare program for children and their families who need social care and educational support for at-risk children. Children considered most at-risk are street children.

The Government of Estonia has a system of benefits that provides support to vulnerable families, and it operates a school meal program. The Ministry of Education and Research supports a variety of youth vocational training projects under the country’s “Youth Work” program.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Estonia are unavailable. A 1999 labor survey indicated that youths aged 16 to 17 made up 0.2 percent of the total labor force, and no exploitation of children

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1630 The project facilitated the investigation of criminal cases, one of which occurred in Estonia, by the Government of Finland against Finnish nationals accused of buying sex from minors abroad. See Ibid. To date, however, the framework has not been used specifically for anti-trafficking cooperation. See U.S. Department of State, Trafficking in Persons Report- 2003: Estonia, Washington, D.C., June 2003; available from http://www.state.gov/g/tip/rls/tiprpt/2003/21275.htm#estonia.
1633 The study questioned 40 children and 19 young adults (i.e., 18 years and older) who were either currently involved in or had previously been involved in worst forms of child labor. See Nelli Kalikove, Aljona Kurbatova, and Ave Talu, Estonia Children and Adolescents Involved in Drug Use and Trafficking: A Rapid Assessment, ILO-IPEC, Geneva, June 2002; available from http://www.ilo.org/public/english/standards/ipec/simpoc/estonia/ra/drugs.pdf.
was noted. Children are engaged in prostitution in Estonia. Estonia is a source country for women and girls trafficked internally and abroad for the purpose of commercial sexual exploitation. There is also evidence that children are involved in drug trafficking, and there is a connection between drug use and children engaged in prostitution. In 1999, an estimated 100 to 200 children were homeless and living on the streets in Estonia.

The Constitution states that education is compulsory and free for children, and the Education Act of 1992 and the Basic Schools and Upper Secondary Schools Act of 1993 establish that children must attend school for a period of nine years. In 2000, the gross primary enrollment rate was 103 percent, and the net primary enrollment rate was 97.6 percent. Primary school attendance rates are not available for Estonia. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. In 1999, 99.2 percent of children enrolled in primary school reached grade 5.

### Child Labor Laws and Enforcement

The Employment Contract Act sets the minimum age for employment at 18 years, although children 15 to 17 years may work with the consent of a parent or guardian, and children 13 to 15 years may work with the consent of a parent or guardian and a labor inspector. These allowances are made only if the work will not endanger the health, morality, or education of the minor. The Employment Contracts Act does not extend to work on a family farm, family enterprise and household work. Compliance and enforcement of this Act is the responsibility of the Labour Inspectorate. See Republic of Estonia Employment Contract Act of 1992, Article 2, 7 and 145; available from http://www.legaltext.ee/en/andmebaas/ava.asp?m=025. See also Embassy of Estonia II Secretary Miko Haljas, letter to USDOL official, November 26, 2001.

Children under 18 years may not perform hazardous or

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1640 Victims are trafficked internally from the northeast region of the country to the capital of Tallinn. Victims are trafficked abroad to Finland, Sweden, the other Nordic countries, Germany and Italy. See U.S. Department of State, Trafficking in Persons Report: Estonia.

1641 Nelli Kalikove, Kurbatova, and Talu, Estonia Children and Adolescents Involved in Drug Use and Trafficking: A Rapid Assessment, 57.

1642 The same report stated that an estimated 4,000 to 5,000 children were evading school and lacked parental care, and were “on the streets.” Child homelessness is more problematic in the cities of Tallinn, Tartu, and Narva. See Government of Estonia, Estonian National Report, Section: “A child deprived of the family”. According to a 2000 report of the European Commission, 170 street children were registered in shelters in Estonia and the number of neglected children in the country is 500-600; more than half of these children reside in Tallinn. See U.S. Department of State official, electronic communication to USDOL official, January 2003. In October 2003, the Director of Tallinn’s Child Support Center said there was sufficient room in municipally-supported “safe houses” for at-risk youth to meet demand. See Postimees Daily article, October 13, 2003, as cited in U.S. Embassy- Tallinn, electronic communication to USDOL official, February 20, 2004.


1648 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

1649 World Bank, World Development Indicators 2003.

1650 These allowances are made only if the work will not endanger the health, morality, or education of the minor. The Employment Contracts Act does not extend to work on a family farm, family enterprise and household work. Compliance and enforcement of this Act is the responsibility of the Labour Inspectorate. See Republic of Estonia Employment Contract Act of 1992, Article 2, 7 and 145; available from http://www.legaltext.ee/en/andmebaas/ava.asp?m=025. See also Embassy of Estonia II Secretary Miko Haljas, letter to USDOL official, November 26, 2001.
dangerous work. The Working and Rest Time Act limits the hours that children under 18 years old can work and prohibits overtime or night work. The Constitution prohibits forced or bonded labor. Articles 133 and 134 of the Penal Code, which took effect on September 1, 2002, criminalize enslavement and abduction, and provide for penalties from 2 to 12 years imprisonment if the crime is committed against a person less than 18 years of age. The Code provides for fines or imprisonment of up to three years for persons found guilty of disposing or aiding minors to engage in prostitution. The Code also provides for fines or imprisonment of up to one year for persons found guilty of using minors in the production, manufacture or distribution of child pornography.

The Legal Chancellor supervises guaranteeing the rights of the child in Estonia. Under the Child Protection Act of 1992, the Ministry of Social Affairs coordinates the protection of children in cooperation with the Ministry of Education, the National Police Board and other state agencies. The Ministry of Social Affairs and the Ministry of Internal Affairs are responsible for matters relating to trafficking. The Occupational Health and Safety Act gives enforcement responsibilities for labor laws to the Labor Inspector Service. In 2002, the Government of Estonia adopted Regulation 253, delegating investigation of the worst forms of child labor as defined by ILO Convention 182 to the National Police Board. The government effectively enforces minimum age laws through inspections and has investigated trafficking crimes under the 2002 Penal Code. As of December 2003, however, one trafficking case has been turned over by police to the courts.


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1651 Hazardous or dangerous work includes heavy work, work which poses a health hazard or has dangerous working conditions, underground work, or work which endangers the morality of minors. A complete list of work that is prohibited for minors was determined by the government in regulation no. 214 of July 22, 1992. The following work is prohibited: work involving slaughter or destruction and processing of live animals and birds; work related to exploiting and promoting sex, violence, and gambling; and work where a minor is in contact with alcohol, narcotic, toxic, and psychotropic substances. See Embassy of Estonia II Secretary Miko Haljas, letter, November 26, 2001.


1655 Ibid., Articles 175-79.

1656 Elmar Nurmela, Trafficking in Women in the Baltic States: Legal Aspects, IOM Regional Office for the Baltic and Nordic Countries, Helsinki, 2001, Annex II.


1658 U.S. Embassy- Tallinn, unclassified telegram no. 1295. The Legal Chancellor is an independent official appointed by the parliament for a term of seven years, who serves as ombudsman and judicial reviewer to ensure the protection of constitutional rights and freedoms of individuals in Estonia. See Estonia Legal Chancellor, What is the Legal Chancellor?, [online] 2003 [cited September 1, 2003]; available from http://www.oiguskantsler.ee/index.php?lang=en&main_id=462&PHPSESSID=dc78f6ea4e8925b792904b3b305efcd.


1660 Another five cases involving 15 individuals were under investigation. See U.S. Embassy- Tallinn, electronic communication.

The Government of Ethiopia is an associated country of ILO-IPEC.1664 The government participated in a Child Labor Forum in 1999 initiated by the ILO regional office in Addis Ababa. The object of the forum was to combat the worst forms of child labor through the creation of an umbrella organization comprised of government ministries, UN agencies, trade unions and employer organizations, embassies, and NGOs.1665 A SIMPOC study on child domestic workers in Addis Ababa was published in 2002.1666 The Ministry of Labor and Social Affairs (MOLSA), along with the Ethiopian Central Statistical Authority and ILO-IPEC’s SIMPOC, conducted a national household survey on child labor in 2001.1667 In March 2003, UNICEF hosted a 2-day workshop in Addis Ababa aimed at informing stakeholders from the international community, the Ethiopian Government, law enforcement officials, and welfare advocates about the issue of sexual abuse of women and children.1668 UNICEF also released a book detailing the rights of children in May 2003. Some 5,000 copies of the book - translated in 5 languages - will be distributed to schools and clinics around the country.1669

With funding from the African Development Bank Group, the Government of Ethiopia is carrying out the Education III project, which consists of developing primary education, institutional development, and program management.1670 The government plays a coordinating role with the WFP on a USDA funded school feeding program aimed at improving school children’s nutrition, attendance and participation in school, and parental involvement in school activities. The Ministry of Education covers all import duties and taxes relating to any imported ingredients needed for school snacks.1671 The Ethiopian Ministry of Education is collaborating with UNICEF to implement the government’s Education Sector Plan and is supporting programs designed to promote girls’ education.1672 Another UNICEF campaign is devising strategies to get more girls in school in the regions of Gambella, Benishangul-Gomuz, Oromiya, the Southern Nations Nationalities and Peoples Region and Amhara.1673

1673 A workshop is being organized for educators that will address barriers for girls in school. See UN Integrated Regional Information Networks, “Focus on Primary Education”. 
In June 2002, Ethiopia was given “fast track” status in the World Bank’s Education for All Fast Track Initiative. USAID is funding a 6-year educational program that focuses on training new teachers, providing in-service training for existing teachers, providing radio instruction opportunities, strengthening community-government partnerships, and improving education management systems.

**Incidence and Nature of Child Labor**

The Ethiopia Child Labor Survey Report reported that approximately 85 percent of children aged 5 to 17 were engaged in some form of productive or housekeeping activities in 2001. About 34 percent of children who attend school engage in productive and housekeeping activities. In urban areas, children work in domestic work, street peddling, construction, manufacturing, shop and market sales work, and as employees in private enterprises. According to a child labor study in rural Ethiopia in 1999, 30 percent of the workers surveyed on state-owned farms are children ages 7 to 14 years. Children work on commercial cotton, sugarcane, coffee, and tea farms. In rural areas, children also work on family farms. Household chores may require long hours and excessive physical exertion, and can interfere with school, particularly in the case of girls.

The commercial sexual exploitation of children is reported to be increasing in Ethiopia. Girls as young as 11 years old have been reportedly recruited to work in brothels. Girls also work as hotel workers, barmaids, and prostitutes in resort towns and rural truck stops. Children are trafficked internally in Ethiopia for forced labor

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1676 This high percentage of working children is largely due to the fact of high levels of poverty. Productive activities refer to work that involves the production of goods and/or services for sale or exchange and production of certain products for own consumption. Household activities refer to personal services of a domestic nature provided by unpaid household child members in their own parents’, grandparents’, guardian’s or spouse’s household, and as such, are considered non-economic. See Central Statistical Authority, Ministry of Labor and Social Affairs, and International Labor Organization, *Ethiopia Child Labour Survey Report 2001*, xiii.

1677 Ibid., 42.


1680 Children working on commercial farms are often exposed to environmental toxins that can be detrimental to their health, especially on cotton farms. The cotton farms are located in the kolla zone, where children tend to be at a higher risk for malaria, yellow fever and snakebites. See ILO/EAMAT, *Child Labour in Rural Ethiopia: working paper no. 1*, 3-10. See also U.S. Embassy- Addis Ababa, unclassified telegram no. 1965, June, 2000.


and displaced persons are vulnerable and sometimes must exchange sexual services for food.\textsuperscript{1684} There are reports that networks of persons working in tourism and trade recruit young Ethiopian girls for overseas work and provide them with counterfeit work permits.\textsuperscript{1685} There are also reports that Ethiopian girls travel to the Middle East for work as domestic servants, where they are sometimes beaten and sexually exploited.\textsuperscript{1686} Due to the lack of birth registrations, recruitment of children into the armed forces occurred, sometimes forcibly, during the 1998–2000 border conflict with Eritrea. There is no evidence that underage recruitment by the government is continuing.\textsuperscript{1687} Children as young as 14 years old were reportedly allowed to join local militias.\textsuperscript{1688}

Primary education is compulsory and free, but there are not enough schools to accommodate all students.\textsuperscript{1689} Students in rural areas often have little access to education\textsuperscript{1690} and girls’ enrollment in school remains lower than that of boys.\textsuperscript{1691} In 2000, the gross primary enrollment rate was 64.4 percent, and the net primary enrollment rate was 46.7 percent.\textsuperscript{1692} In 2001, 38 percent of children were attending school.\textsuperscript{1693} In 1999, 63.8 percent of children enrolled in primary school reached grade five.\textsuperscript{1694} During the drought of 2003, large numbers of students dropped out of school, but returned when school lunches were instituted by USAID.\textsuperscript{1695}

**Child Labor Laws and Enforcement**

Article 36 of the Constitution also stipulates that children are not to be subjected to hazardous work or exploitative practices that may be hazardous to their health.\textsuperscript{1696} Ethiopia’s Labor Proclamation sets the minimum age for employment at 14 years.\textsuperscript{1697} Under the Proclamation, employers are forbidden to employ “young workers” when the nature of the job or the conditions under which it is carried out may endanger the life or health of the children. Some activities that are prohibited are transporting goods by air, land, or sea; working with electric power generation plants; and performing underground work (e.g., quarrying in mines).\textsuperscript{1698} Young workers are

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\textsuperscript{1685} Reports of this type of abuse have decreased since the Ministry of Labor and Social Affairs began reviewing work contracts of prospective domestic workers. See U.S. Department of State, *Country Reports on Human Rights Practices - 2002: Ethiopia*, Section 6f.


\textsuperscript{1689} Ibid., Section 5.

\textsuperscript{1690} ILO/EAMAT, *Child Labour in Rural Ethiopia: working paper no. 1*, 1. See also UN Integrated Regional Information Networks, “Focus on Primary Education”.

\textsuperscript{1691} The net primary enrollment rate in 2000 for boys was 40.8 percent, and 29.8 percent for girls. See World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003.

\textsuperscript{1692} Ibid.


\textsuperscript{1694} World Bank, *World Development Indicators 2003*.


\textsuperscript{1696} Embassy of Ethiopia, *Efforts Made by Ethiopia to Eliminate the Worst Forms of Child Labour*, 3.

\textsuperscript{1697} Proclamation No. 42/1993, Negarit Gazeta of the Transitional Government of Ethiopia, Part Six, Chapter 2, Article 89, 295.

\textsuperscript{1698} A “young worker” refers to those aged 14 to 18. Ibid., Part Six, Chapter Two, Articles 2, 3, 4, at 295.
prohibited from working over 7 hours per day; overtime; between the hours of 10 p.m. and 6 a.m.; during weekly rest days; and on public holidays. Ethiopia’s Penal Code specifically prohibits child trafficking which is punishable by imprisonment of up to 5 years and a fine of up to USD 10,000. The law also prohibits forced or bonded labor of children.

The Ministry of Labor and Social Affairs is responsible for enforcement of child labor laws however, resources for law enforcement and the judicial system are small. Ten police stations in and around Addis Ababa, in coordination with the Forum On Street Children – Ethiopia, a domestic NGO working with disadvantaged children in Ethiopia, have implemented Child Protection Units staffed by two officers who are trained in children’s rights and one social worker.


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1699 Ibid., Part Six, Chapter 2, Articles 90, 91, at 295.
1700 Penal Code of the Empire of Ethiopia, (1957), 183, Article 605 a, b. See also Tilahun Teshome, Dean of the Faculty of Law, Addis Ababa University, interview with USDOL official, August 10, 2000.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Fiji signed an MOU with the Australian Government for joint action to combat child sexual abuse, including cooperative law enforcement mechanisms, as part of Australia’s plan of action against the Sexual Exploitation of Children. Early in 2003, the Labor Ministry permanent secretary announced that a new bill will be introduced in Parliament to strengthen legal efforts to eliminate child labor. This includes the application of international child labor conventions. There has not been a substantive response on the part of the government to address the reported increase in child labor.

The Ministry of Education has stated its commitments to three main goals through the Education for All initiative: improvement of educational facilities and resources in rural areas; increase in the school participation rate and reduce dropout in basic education; and improvement of the quality and relevance of education to all. Action towards achieving these goals has been the duty of the Ministry of Education, which has received financial or human resource assistance from UN agencies, foreign embassies, and NGOs. While this initiative does not target child workers specifically, disadvantaged youth are targeted for training in employable skills. The Ministry of Education is also working with Save the Children Fund to compile data on school enrollment, attendance, completion and dropout rates.

Save the Children Fiji has several programs, one which aims to increase the universality of basic education and the other to improve the quality of the school structures. The former provides money to needy schools for textbooks, and the textbooks are then hired out to children. The most disadvantaged children have their book fees subsidized by the school. The latter project ensures that needy schools also have water storage tanks and toilets that are in compliance with the Public Health Act. The community is involved in both the construction and maintenance of these facilities. Save the Children Fiji also worked to ensure that school attendance would not suffer following the political coup in 2000 by canvassing for funds for school lunches and bus fares. Most recently, the Government of New Zealand has pledged several hundred thousand dollars to help rebuild schools destroyed by Cyclone Ami in January 2003.

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1709 UNESCO, Education For All 2000 Assessment: Country Report—Fiji, prepared by Mr. Isireli Senibulu Ministry of Education, pursuant to UN General Assembly Resolution 52.84, May 12, 1999; available from http://www2.unesco.org/wef/countryreports/fiji/contents.html#cont.
1710 Ibid.
1714 Ibid.
1715 Ibid.
Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Fiji are unavailable. Children work on family farms or businesses,1718 in homes as domestic workers, as shoe shiners, or in car repair shops.1719 Homeless children also work in the informal sector,1720 and the number of street children in Suva is reported to be growing.1721 Children are also lured into the commercial sex industry by both local and foreign adults wishing to profit from the pornography trade.1722

Primary school education is compulsory for eight years.1723 In 1998, the gross primary enrollment rate was 110.4 percent, and the net primary enrollment rate in 2000 was 99.3 percent.1724 Primary school attendance rates are unavailable for Fiji. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.1725 In general terms, school attendance is reported to be limited for some children due to security concerns, the burden of school fees, and the cost of transportation.1726

Child Labor Laws and Enforcement

The Employment Act sets the minimum age for employment at 12 years, and establishes that working children between the ages of 12 and 15 years of age are prohibited from harsh conditions, long hours, and night work.1727 The Constitution prohibits forced labor.1728 The Penal Code prohibits the sale or hiring of minors under 16 years of age for prostitution.1729 The laws regulating child labor and their enforcement are both considered insufficient.1730


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1720 International Confederation of Free Trade Unions, Internationally-Recognized Core Labour Standards in Fiji.
1725 For a more detailed description on the relationship between education statistics and work, see the preface to this report.
1730 There are only two inspectors at the Ministry of Labor and no investigators to follow up on claims or reports. Inspections are scheduled once a year, although these inspections are not always carried out. The police department has no mandate to stop child labor practices. See U.S. Department of State, Country Reports- 2002: Fiji, Section 6d.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Gabon is an associated country of ILO-IPEC. Gabon is one of nine countries working with ILO-IPEC on the first of a two-phase USDOL-funded regional project to combat the trafficking of children in West and Central Africa. In May 2002, ILO-IPEC launched the second phase of the project to improve institutional capabilities, promote prevention, and develop strategies to fight child trafficking in Gabon. In 2000, the Government of Gabon co-hosted a regional conference on trafficking as part of a collaborative effort with UNICEF and the ILO. The government also created an inter-ministerial committee comprised of representatives from the Ministries of Labor, Justice, Foreign Affairs, and Family to address the issue. Throughout 2002, the Government of Gabon carried out an anti-trafficking information campaign that included billboards, radio announcements, television coverage, school curricula and child rights pamphlets. Representatives from the Government of Gabon also attended a January 2002 seminar along with officials from Benin, Burkina Faso, Côte d’Ivoire, Mali, Niger, and several UN agencies and NGOs, to discuss child trafficking and exploitation in West and Central Africa. In the resulting Yamoussoukro Declaration, the conference participants pledged to conduct coordinated information campaigns on child trafficking. In September 2002, Gabon hosted a seminar on child trafficking during which government officials and representatives from NGOs and the European Union agreed to coordinate efforts in the fight against child trafficking.

In November 2001, Gabon, UNICEF and several NGOs announced a campaign to increase awareness about child trafficking and inform victims about rehabilitative services. ILO, UNICEF, and the Government of Gabon organized an anti-child trafficking workshop in March 2002. Attendees discussed information exchange, regional cooperation, building stronger institutions, and the repatriation and reintegration of trafficked children. The Government of Gabon also opened a center in March 2002 that provides shelter along with legal, medical and psychological assistance to trafficking victims. In June 2002, the U.S. State Department's Africa Bureau

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1733 The other countries working on the project include Benin, Burkina Faso, Cameroon, Ghana, Ivory Coast, Mali, Nigeria, and Togo. See ILO-IPEC, Phase I: Combating the Trafficking of Children for Labour Exploitation in West and Central Africa, executive summary, RAF/01/P53/USA, Geneva, July 1999.
1742 U.S. Department of State, Trafficking in Persons Report: Gabon.
announced its West Africa Regional Strategy to Combat Trafficking in Persons, which includes Gabon. As part of this strategy, U.S. missions in the region will focus U.S. Government resources to support efforts by host governments to prosecute traffickers, protect and repatriate victims, and prevent new trafficking incidents.\textsuperscript{1743} The U.S. Mission also received funding in 2003 to provide training and equipment for a special Gabonese police unit to control child trafficking.\textsuperscript{1744}

Between 1998 and 1999, the government implemented initiatives to reinforce basic education and popularize preschool education. As a result of these initiatives, the government increased the number of primary schools.\textsuperscript{1745} The government has also adopted a plan to reduce repetition rates, particularly among girls.\textsuperscript{1746}

**Incidence and Nature of Child Labor**

In 2001, the ILO estimated that 13.2 percent of children ages 10 to 14 years in Gabon were working.\textsuperscript{1747} Children are found working primarily as domestic servants and in the informal sector. Children are trafficked into the country from Benin, Togo, Nigeria, Burkina Faso, and Mali for the purposes of labor and sexual abuse.\textsuperscript{1748} Children who are purchased in Benin, Togo and Mali for as little as USD 14 may be sold to commercial farms in Gabon and Côte d’Ivoire for up to USD 340.\textsuperscript{1749}

Education is compulsory for children between 6 to 16 years old under the Education Act.\textsuperscript{1750} Schooling is free, but parents must pay for expenses such as books and school supplies.\textsuperscript{1751} In 2000, the gross primary enrollment rate was 143.8 percent,\textsuperscript{1752} and the net primary enrollment rate was 87.6 percent.\textsuperscript{1753} Primary school attendance rates are unavailable for Gabon. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{1754} According to the government, over 40 percent of students drop

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\textsuperscript{1743} The strategy will be implemented through improved coordination among USG donors, greater coordination with international donors, engagement with and funding of regional and international organizations, and direct funding for host government or local NGOs. See U.S. Embassy- Abuja, \textit{unclassified telegram no. 1809}, June 18, 2002.

\textsuperscript{1744} U.S. Embassy- Libreville, \textit{unclassified telegram no. 0137}.


\textsuperscript{1750} United Nations, \textit{Gabon Presents Initial Report to Committee on Rights of Child}, press release, January 17, 2002; available from http://www.unhchr.ch/huricane/huricane.nsf/view01/537A47397C7C5527C1256B4500378EC9...


\textsuperscript{1752} World Bank, \textit{World Development Indicators 2003}.

\textsuperscript{1753} Ibid.

\textsuperscript{1754} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
out before they complete the last year of primary school.\(^{1755}\) Problems in the education system include poor management and planning, lapse oversight, a shortage of teaching material, poorly qualified teachers, overcrowded classes, and a curriculum that is not always relevant to students’ needs.\(^{1756}\)

**Child Labor Laws and Enforcement**

The Labor Code prohibits children below the age of 16 from working without the consent of the Ministries of Labor, Education, and Public Health.\(^{1757}\) Section 6 of the Labor Code prohibits employing children in jobs that are unsuitable for them due to their age, state, or condition, or that prevent them from receiving compulsory education.\(^{1758}\) Children between 16 and 18 years of age are prohibited from working in industries that necessitate continuous work hours, such as iron, sugar, and paper factories. Children under 18 years are prohibited from working at night in industrial establishments, except in family enterprises.\(^{1759}\) The Labor Code prohibits procurement of a minor for the purpose of prostitution, which is punishable by imprisonment for 2 to 5 years and a fine of CFA 100,000 to 2,000,000 (USD 187 to 3,741).\(^{1760}\) A January 2002 Executive Order authorizes law enforcement to prosecute individuals illegally employing minors.\(^{1761}\)

No laws specifically prohibit trafficking in persons.\(^{1762}\) Pursuant to the Criminal Code, accomplices and instigators are subject to the same penalties as the prime offenders.\(^{1763}\)

While the Labor Code is intended to cover all children, in practice it is enforced only in situations involving Gabonese children, and not those who are foreign-born, many of whom work.\(^{1764}\) The Ministry of Justice is responsible for the enforcement of child labor laws, while the Ministry of Labor is charged with receiving,
investigating, and addressing child labor complaints. In 2000, Gabon was reported to have 35 labor investigators, none of whom were explicitly tasked with investigating violations of child labor laws.


1765 Ibid.
1766 The U.S. Department of State found that child labor complaints were not routinely investigated and violations were inadequately addressed. U.S. Embassy- Libreville, unclassified telegram no. 1365, July 2000. See also U.S. Department of State, Country Reports-2002: Gabon, Section 6d.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of the Gambia began implementing an education initiative in 1998, with USD 15 million in loan support from the World Bank. The project will last until 2005 and is intended to increase the gross enrollment rate to 90 percent, improve educational opportunities for girls, strengthen basic education curricula, and improve teacher training. The government’s education efforts are also supported through a joint project with UNICEF, which began in February 1999 and will end in 2003. In 2002 the government initiated a program that paid the school fees for girls enrolled in grades 7 through 12 in public schools, and it now covers girls around the country as well as girls in private schools. The government also implements the President’s Empowerment of Girls Education project in the Banjul, Western and North Bank. In June 2002, the Government of the Gambia became eligible to receive funding from the World Bank and other donors under the Education For All Fast Track Initiative, which aims to provide all children with a primary school education by the year 2015.

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 26.9 percent of children ages 5 to 14 years in the Gambia were working. Children in rural areas mainly work on family farms and assist with housework; many children in urban areas work as street vendors or taxi and bus assistants. Other sectors where children ages 14 to 17 years are known to work

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1764 One method of improving access to education for girls is the Scholarship Trust Fund, which covers the costs of tuition, textbooks, and examination fees for girls at all levels of education. For more information see Initiatives in Girls Education: The Scholarship Trust Fund, Secretary of State for Education, [online] [cited June 27, 2003]; available from http://www.edugambia.gm/Directorates/Current_Projects/Girls_Education/body_girls_education.html.


1767 The Department of State for Education cannot fund the entire program, but works with different partners to ensure financial support. U.S. Embassy- Banjul, unclassified telegram no. 0642, August, 2003.

1768 The U.S. Embassy in Banjul contributes funds to this project through the Education for Development and Democracy Initiative Ambassador's Girls Scholarship Fund. Ibid.


are carpentry, sewing, masonry, plumbing, tailoring, and mechanics. Some children work in commercial sexual exploitation. Sex tourism is a problem in the Gambia and involves both boys and girls. Many girls in rural areas leave school to work, and some migrate to urban areas seeking domestic or other employment.

The Constitution mandates free and compulsory primary education for 9 years, but a lack of resources and educational infrastructure has made implementation difficult. In 2000, the gross primary enrollment rate was 82.3 percent and the net primary enrollment rate was 68.7 percent. Enrollment of girls is low in rural areas where cultural factors and poverty dissuade parents from sending girls to school. Primary school attendance rates are unavailable for the Gambia. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. In 1998, 69.2 percent of children enrolled in primary school reached grade 5. Approximately 20 percent of school-age children attend Koranic schools, which usually have a restricted curriculum.

Child Labor Laws and Enforcement

The Gambia’s statutory minimum age for employment is 14 years. The legal framework governing child labor in the Gambia is limited, and there are no laws that restrict the sectors in which children can work. There is no formal mechanism that specifically ensures compliance with child labor standards. Employee labor cards list employee ages with the Labor Commissioner, but enforcement inspections rarely take place. The Criminal Code prohibits procuring a girl under 21 years of age for the purposes of prostitution, either in the Gambia or

1780 UNICEF, Country Profile.
1782 The gross primary enrollment rate increased from 63.9 percent in 1990 to 81.4 percent in 1998. World Bank, World Development Indicators 2003.
1784 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
1785 World Bank, World Development Indicators 2003.
1786 UNICEF, Country Profile.
1787 U.S. Embassy- Banjul, unclassified telegram no. 1032.
1788 Ibid.
1789 Ibid.
1790 Ibid.
outside of the country. Reports indicate that the police deported five foreigners in 2001 for trafficking young girls into the Gambia and employing them as commercial sex workers.


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Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Georgia is an associated country of ILO-IPEC. With technical assistance from ILO-IPEC’s SIMPOC, the Government of Georgia has conducted a child labor survey and is in the final stages of releasing national estimates on child labor. The UNDP is also working to strengthen the capacity of the State Department of Statistics so that it can collect reliable statistical data that can support the development of effective interventions to address child labor. In 2003, the President of Georgia issued a National Action Plan that envisions a number of activities aimed at preventing trafficking. The Ombudsperson’s Office has also created a working group on trafficking in persons that involves NGOs.

As part of Georgia’s State Program of Reforms, the Ministry of Education is working to improve the country’s educational institutions during the transition to a market economy, including support for teacher training, and development of new curricula. In support of these objectives, the World Bank is funding a 12-year, USD 25.9 million program that will develop a national curriculum for primary and secondary education, train teachers and principals, and provide basic learning materials. UNICEF is assisting the Government of Georgia to address children’s rights issues through a national plan of action for children based on the UN Convention on the Rights of the Child. UNICEF is also supporting the use of child-oriented teaching and learning, life skills education, and inclusive education practices.

Incidence and Nature of Child Labor

In 1999, UNICEF estimated that 30 percent of children ages 5 to 14 years in Georgia were working. There are reports of significant numbers of children, some as young as 5 years old, engaged in begging or working on the streets. Children as young as 9 years old are found working in markets, sometimes at night, and involved in carrying or loading wares. Children also work in cafes, bistros, gas stations, and for street photographers.
Incidents of the commercial sexual exploitation of children, particularly for prostitution and pornography, are reported to be increasing, especially among girls.1803

Primary education is mandatory and free1804 from the age of 6 or 7 until 16 years.1805 According to Georgia’s Constitution, secondary education is also free at state institutions within the framework and rules established by the country’s laws.1806 In 2000, the net attendance rate for children ages 6 to 15 in Georgia was 96 percent.1807 Although the Constitution mandates that primary education is free,1808 many parents have difficulty affording the costs of related expenses such as books and school supplies. Moreover, many parents are forced to pay some form of tuition or teacher's salaries, all of which prevent some children from attending school.1809

**Child Labor Laws and Enforcement**

The minimum age for employment in Georgia is 16 years. However, children who are 15 years old, may work in jobs that are not dangerous to their health or development, in some jobs in the performing arts, or with special permission from the local trade union.1810 In general, children under 18 years of age may not be hired for unhealthy or underground work, and children ages 16 to 18 years have reduced working hours.1811

The Criminal Code includes penalties for encouraging minors to engage in prostitution and prohibits sexual abuse of a person under 16.1812 The Criminal Code also provides for penalties for trafficking of minors, particularly for the purpose of prostitution.1813 Prostitution of children and involving children in pornography are offenses punishable by a prison sentence of up to 3 years.1814 Within the Ministry of Internal Affairs, a division is charged with handling crimes against minors, including sexual exploitation of children.1815


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1803 UN Committee on the Rights of the Child, *Concluding Reports — Georgia.* para 66.


1806 Constitution of Georgia, Article 35, [cited November 5, 2002].

1807 Government of Georgia, *MICS2: Georgia.*

1808 Constitution of Georgia, Article 35.


1811 Ibid., para. 220.


1813 Ibid., para. 287.


Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Ghana has been a member of ILO-IPEC since 2000. To oversee Ghana’s participation in IPEC, the government created a National Steering Committee to address child labor in 2000. The Steering Committee is comprised of members representing the government, the Trade Union’s Congress, the Ghana Employer’s Association, the media, NGOs, and international organizations. The committee’s work resulted in the publication of the “National Plan of Action for the Elimination of Child Labor in Ghana 2001-2002.” USDOL has funded several projects that were implemented by ILO-IPEC, including a national project to eliminate child labor in 1999, and a national child labor survey in 1999-2000, which was conducted by the Ghana Statistical Service with technical assistance from IPEC’s SIMPOC. The Government of Ghana is also one of nine countries participating in a ILO-IPEC regional project in West and Central Africa to prevent trafficking in children and rehabilitate trafficking victims. It is also participating in an ILO-IPEC regional project to combat child labor in commercial agriculture, especially cocoa, and in an ILO-IPEC regional project to build capacity of governmental and nongovernmental organizations to combat child labor. With funding from the World Bank, the government is setting up projects to raise awareness on child labor, withdraw children from work, and assist street children. The Government of Ghana established a National Commission to Combat Trafficking in March 2002, and the latest national budget includes provisions for a police-led program to combat child trafficking.

The Government of Ghana partnered with the IOM in a project to return and reintegrate children trafficked to the fishing sector in Yeji. USAID is also supporting projects in Ghana to improve the working conditions of children working in the cocoa industry, as well as raise public awareness about the dangers of hazardous work for children.

1819 Ibid.
1820 Ibid.
1822 ILO-IPEC, Statistical Information and Monitoring Programme on Child Labour (SIMPOC), project document.
1823 ILO-IPEC, Combating the Trafficking of Children for Labor Exploitation in West and Central Africa (phase 1), project document, RAF/01/P53/USA, 5. See also ILO-IPEC, SIMPOC, project document, 3.
1825 ILO-IPEC, IPEC National Programme, Ghana, 4.
1828 ILO-IPEC, IPEC National Programme, Ghana, 2.
1829 IOM, Assisted Voluntary Return and Reintegration of Ghanaian Children Victims of Trafficking for Labour Exploitation in Yeji Fishing Communities (LEYE), [online] [cited June 20, 2003]; available from http://www.iom.int/iomwebsite/Project/ServletSearchProject?event=detail&id=GH1Z005.
In 1997, the government initiated a program to improve basic education, which will run through 2005. In 2002, the Government of Ghana expended approximately 5 percent of GNP on education, with roughly 64 percent of that amount put toward basic education. UNICEF works with the government to improve the Ministry of Education’s capacity, as well as provide incentives for girls to complete their schooling. In June 2002, the Government of Ghana became eligible to receive funding from the World Bank and other donors under the Education for All Fast Track Initiative, which aims to provide all children with a primary school education by the year 2015.

**Incidence and Nature of Child Labor**

In 2001, the Ghana Statistical Service estimated that approximately 27.7 percent of children ages 5 to 14 years in Ghana were working. Rural-urban migration, caused by economic hardship, has led to significant increases in the school dropout rate and the numbers of working children. The majority of working children are unpaid workers on family farms and in family enterprises. Street children in urban centers work as cleaners, waste disposal workers, vendors, beggars, and shoe shiners. Children as young as 7 years old work as porters, domestic servants, hawkers, farmers, miners, quarry workers, and fare collectors. Girl children migrate from rural areas to urban centers to serve as kayayei, porters who trade goods carried on head loads. The fishing industry in Lake Volta has a high number of child laborers who work casting and drawing nets in deep waters.

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1832 U.S. Embassy– Accra, unclassified telegram no. 2657.


1835 The survey found that 16.7 percent of children ages 5 to 9 and 38.7 percent of children ages 10 to 14 were engaged in economic activity at the time of the survey. See Ghana Statistical Service, *Ghana Child Labor Survey*, March, 2003, xiii.


1840 Seema Agarwal et al., *Bearing the Weight*, Centre for Social Policy Studies, University of Ghana, Legon, May 1997, 1-3. UNICEF administers *Operation End Kayaye* in Ghana. The goal of the project is to remove 2000 kayayei girls from cities and return them to their villages, where they will participate in skills training.

The Government of Ghana has outlawed the practice of trokosi, and reports indicate that the number of girls sent by their families to serve in religious shrines has significantly decreased. Trokosi has its origins in indigenous religion in the southern part of the Volta region. The custom involves the pledging of young girls for training and service to priests by their families who either seek atonement for sins committed by family members, or who fear retribution if they fail to surrender a daughter to priestly service. Young girls typically perform domestic work for the priest for a period ranging from three months, or, in some cases, for three years. In the vast majority of cases, after the service is completed, the girls return to their families with no particular stigma attached to their prior service. While instances of sexual or physical abuse have occured, there is no evidence of sexual or physical abuse as an engrained or systematic part of the practice.

Ghana is also a source, transit, and destination country for trafficked children. The most common forms of internal trafficking involve boys from rural areas who are taken to work in fishing communities in the Volta region or in small mines, and girls trafficked to Accra and Kumasi to work as domestics, porters and assistants to traders. Children are also trafficked to neighboring countries to work as laborers, domestics or on farms.

Education is compulsory for children of primary and junior secondary age, which is the equivalent of grades one to nine. The authorities do not enforce school attendance, however, and parents rarely face penalties if their children do not attend school. Education can also be costly for poor families who must pay school fees each term, as well as buy textbooks and uniforms. In 2000, the gross primary enrollment rate was 80.2 percent, and the net primary enrollment rate was 58.3 percent. Primary school attendance rates are unavailable for Ghana. In 1999, 66 percent of children enrolled in primary school reached grade 5. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

1842 Reports on the number of women and girls in the shrines vary. According to other international observers, there are no more than 100 girls serving in the Trokosi shrines in the Volta region. See U.S. Department of State, Country Reports- 2002: Ghana, Section 5. See also Rachel Levine, Free the Trokosi!, Fresh Angles, [previously online] [cited August 26, 2002]; available from http://www.freshangles.com/realtime/international/articles/20.html [hard copy on file].
1848 Ibid., Section 5. See also Education Act, 1961.
1852 Ibid.
1853 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
Child Labor Laws and Enforcement

The Children’s Act sets the minimum age for general employment at 15 years, and sets 13 years as the minimum age for light work.1854 The Children’s Act prohibits children under 18 from engaging in hazardous labor, including work in mines, quarries, manufacturing that involves chemicals, with machinery, at sea, in bars, or in any job that involves carrying heavy loads.1855 The legislation allows children aged 15 years and above to work in an apprenticeship if the employer provides a safe and healthy work environment, and training.1856 Employers who operate in the formal sector must keep a register with the ages of the young people they employ, and failing to keep this register can result in a fine of 10 million cedis (USD 1,214.61) or 2 years in jail.1857

The Ministry of Manpower Development and Employment has more than 100 labor inspectors responsible for monitoring employers’ labor practices, but the inspectors do not monitor the informal sector and do not specifically investigate child labor.1858 Law enforcement authorities, including judges, labor officers and police officers, lack adequate resources or training.1859


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1854 Light work is defined as work that is not harmful to the health or development of a child and that does not affect the child’s attendance at school. See The Children’s Act, Act 560, 1998, Section 90; available from http://natlex.ilo.org/txt/E98GHA01.htm.
1855 Ibid., Section 91.
1856 Ibid., Articles 98 and 100.
1858 There are no recorded cases of prosecutions as a result of these inspections. See U.S. Department of State, Country Reports- 2002: Ghana, Section 6d.
1859 U.S. Embassy- Accra, unclassified telegram no. 2657. See also U.S. Department of State, Country Reports- 2002: Ghana, Section 6d.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

From 1999 to 2000, the Government of Grenada collaborated with the Canadian International Development Agency on the Eastern Caribbean Education Reform Project to produce a film about education reform and a brochure that helps parents assist their children with their school work and literacy skills.1861 The Education Act of 2002 imposes a 2,000 East Caribbean Dollar (USD 749) fine on any person who employs a child of school age during school hours.1862 The government has also prepared its first comprehensive educational development plan, entitled “Strategic Plan for Educational Enhancement and Development,” to be implemented from 2002-2010. The Plan includes providing universal access to education; improving the quality of education; providing learners with relevant knowledge, attitudes and skills; establishing and strengthening relationships with partners in education; improving the effectiveness of management and administration of education at Ministry and school levels; and ensuring consistent Government financing of education, diversifying the funding sources and making certain that resources are used efficiently.1863

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Grenada are unavailable. It has been reported that some children work informally in the agricultural sector.1864

Education is compulsory in Grenada until the age of 16.1865 In 2000, the gross primary enrollment rate was 94.6 percent, and the net primary enrollment rate was 84.2 percent.1866 Primary school attendance rates are unavailable for Grenada. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.1867 Despite high enrollment rates, factors such as poverty, poor school facilities, and the periodic need to help with family farm harvests have resulted in a 7 percent absenteeism rate among primary school children.1868

Child Labor Laws and Enforcement

The Employment of Women, Young Persons and Children Act of 1999 sets the minimum age for employment in Grenada at 16 years, with the exception of holiday employment.1869 A person convicted of violating the Act can be subject to a fine of up to USD 10,000, up to 3 years imprisonment, or both.1870 The Constitution prohibits

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1865 Ibid.
1866 Ibid.
1868 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
forced labor and slavery.\footnote{Grenada Constitution Order 1973, No. 2155, (February 7, 1974), Chapter 1, Section 4(1-2) [cited September 15, 2003]; available from http://www.georgetown.edu/pdba/Constitutions/Grenada/gren73eng.html.} No laws specifically address trafficking in persons, and there were no reports that children were trafficked to, from, within, or through the country.\footnote{U.S. Department of State, \textit{Country Reports- 2002: Grenada}, Section 6f.} The Ministry of Labor enforces child labor laws in the formal sector through periodic checks; however, enforcement in the informal sector is not stringent.\footnote{Ibid., Section 6d.}

The Government of Guatemala has been a member of ILO-IPEC since 1996. In 2001, the government implemented the National Plan for the Prevention and Eradication of Child Labor and the Protection of the Adolescent Worker. In 2002, President Portillo announced the creation of the National Commission for the Elimination of Child Labor to coordinate ministries involved in the implementation of the National Plan. The government has included in its 2000-2004 agenda for social programs the goal of decreasing the number of child workers by 10 percent.

The Government of Guatemala has collaborated with ILO-IPEC on nine projects aimed at eliminating child labor in various sectors and geographical areas. ILO-IPEC has also assisted the government to include child labor in curriculum review and teaching exercises at the national level, as well as in proposed reforms to the Labor Code. Guatemala is currently participating in a USDOL-funded ILO-IPEC regional project aimed at combating commercial sexual exploitation of children. The government is also collaborating with ILO-IPEC on several USDOL-funded projects aimed at combating child labor in the fireworks, stone quarrying, coffee, and broccoli sectors, and has completed work with ILO-IPEC’s SIMPOC to collect data on child labor. In addition, ILO-IPEC is carrying out a project aimed at raising awareness, collecting information, and
providing direct attention to children involved in domestic work in the homes of third parties. Studies of working children in the Chiantla municipality, Huehuetenango\textsuperscript{1889} and in Guatemala City,\textsuperscript{1890} have been carried out. The Ministry of Labor, the Unit of the Protection of Minors at Work, UNICEF, and ILO-IPEC have joined efforts to empower local leaders to monitor and run child labor action programs.\textsuperscript{1891}

In the Peace Accords signed in December 1996 and in its Poverty Reduction Strategy, the Government of Guatemala has committed to supporting education.\textsuperscript{1892} The Ministry of Education (MINEDUC) addresses child labor by providing scholarships to children in need, administering extracurricular programs,\textsuperscript{1893} and implementing school feeding programs in rural areas.\textsuperscript{1894} The General Office for Out-of-School Education has approved two proposals for alternative educational programs for working children and youth.\textsuperscript{1895} The MINEDUC’s National Self-Management Program for Educational Development (PRONADE) provides legally organized communities, particularly in rural, indigenous and hard to reach areas, with funding to increase access to and improve the quality of primary education.\textsuperscript{1896} MINEDUC has also implemented a bilingual education project since the 1980s,\textsuperscript{1897} and


\textsuperscript{1889} This study was conducted in 2000-2001. See Graciela Dominguez Luna, \textit{Si son la esperanza del mañana . . . Transformemos su presente}, Programa de Apoyo para la Salud Materno Infantil y para la Salud de Otros Grupos de Riesgo (PAMI), Guatemala City, 2001, 5.


\textsuperscript{1891} UN Economic and Social Council, \textit{Contemporary Forms of Slavery}, 6.


\textsuperscript{1893} Ministry of Labor and Social Security, \textit{Plan Nacional para la Prevención y Erradicación del Trabajo Infantil}, 19. See also U.S. Embassy- San José, \textit{unclassified telegram no. 1977}, August 2000, Article 74. Extra-curricular programs use modified school hours, flexible course offerings and correspondence courses to provide children with access to basic education outside formal education classrooms. See Nery Macz and Demetrio Cojti, interview with USDOL official, August 16, 2000.


\textsuperscript{1895} The Education Program for Working Children and Adolescents assists children working in markets, parks, and streets in both rural and urban areas and a program implemented by Grupo Ceiba assists working children and adolescents over 15 years. See CIPRODENI, \textit{Analysis on Progress and Limitations}, 28.


\textsuperscript{1897} The Intercultural Bilingual Program, established in 1984, became the General Directorate of Intercultural Bilingual Education (DIGEBI) in 1995, giving it stronger administrative status and authority in the Ministry’s budget structure. As of 2000, DIGEBI was assisting 1,476 schools in 14 linguistic communities. See CIPRODENI, \textit{Analysis on Progress and Limitations}, 9-10.
has tried to reduce the indirect costs of education by providing school supplies to all children in primary school and eliminating their matriculation fees. \(^{1898}\) USAID, \(^{1899}\) the World Bank, \(^{1900}\) CARE, \(^{1901}\) UNICEF, \(^{1902}\) and Plan International \(^{1903}\) also support primary education in Guatemala. With support from USAID, WorldShare also provides assistance for basic education. \(^{1904}\)

**Incidence and Nature of Child Labor**

In 2000, a national living conditions survey reported that 23 percent of children ages 5 to 17 years in Guatemala were working. \(^{1905}\) A 2001 government report found that three of four working children in Guatemala are employed in rural areas, and labor force participation rates of children are highest in areas with a large indigenous population. \(^{1906}\) On average, child laborers work 47 hours per week. \(^{1907}\) Children work on family farms \(^{1908}\) and help harvest commercial crops such as coffee \(^{1909}\) and broccoli. \(^{1910}\) Children are also employed in the fireworks \(^{1911}\)

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1898 Macz and Cojti, interview, August 16, 2000. Guatemalan teachers consider the government’s efforts to reform the education system to be unsatisfactory. Beginning January 20, teachers held a 50-day strike protesting the lack of progress in the reform process and inadequate funding, effectively delaying the start of the school year by nearly two months. See Resource Center for the Americas, “Teachers' Strike,” 2003; available from http://www.americas.org/news/nir/20030402_teachers_strike.asp.


1904 Ibid.

1905 The study, which was conducted by the National Institute of Statistics in Guatemala and entitled Encuesta de Condiciones de Vida, also found that 20 percent of children between the ages of 6 and 14 in Guatemala were working. See ILO, UNICEF, and World Bank, Understanding Children’s Work, 6, 18.

1906 Ministry of Labor and Social Security, Plan Nacional para la Prevención y Erradicación del Trabajo Infantil, 5–6. According to the National Institute of Statistics, 62.8 percent of children between the ages of 7 and 14 work in agriculture. Other sectors employing large numbers of children in this age group include commerce (16 percent), manufacturing (10.7 percent), health and personal services (6.1 percent), and construction (3.1 percent). See ILO, UNICEF, and World Bank, Understanding Children’s Work, 21.


1911 The Labor Ministry estimates that roughly 10 percent of children working in the fireworks industry are illegally employed in factories. Injuries are common among minors in fireworks production. See U.S. Department of State, Country Reports- 2002: Guatemala, Section 6d. A baseline survey conducted by ILO-IPEC in 2000 for a project on children working in the fireworks industry reported that 95.6 percent of the children interviewed worked in home factories. See ILO-IPEC, Linea Basal de comunidades de San Juan Sacatepéquez y San Raymundo, ILO, 2000.
and stone quarries sectors, in mines, as domestic servants, garbage pickers, shoe shine boys, beggars, street performers, construction workers, cattle ranchers, in family businesses, in fishing, and reportedly in the trafficking and production of drugs.

Street children tend to be especially vulnerable to sexual exploitation and other forms of violence, constituting a serious problem in Guatemala. In general, child prostitution is on the rise. Guatemala is considered a source, transit and destination country for trafficked children. There is also evidence of internal trafficking.

Children from poor families in Guatemala tend to be drawn into trafficking for purposes of prostitution through advertisements for lucrative foreign jobs or through personal recruitment.

Education is free and compulsory in Guatemala up to grade 6, or from ages 7 to 14. In 2000, the gross primary enrollment rate was 102.2 percent and the net primary enrollment rate was 84.3 percent, an increase from 35 percent in 1990. While enrollment rates indicate a level of commitment to education, they do not always

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1914 More than half of the children under 13 who were interviewed as part of ILO’s rapid evaluation were not currently attending school. This percentage was higher for children between the ages of 14 to 18 years. The youngest children interviewed were between the ages of seven and nine. See Duque and Garcia, *Child Labour in Garbage Dumps*, v.

1915 U.S. Department of State, *Country Reports- 2002: Guatemala*, Section 6d. It has been reported that children also work as black market traders for U.S. dollars. See CIPRODENI, *Analysis on Progress and Limitations*, 27.


1918 Child prostitution is especially common in the capital and other major cities as well as towns along the borders with El Salvador and Mexico. An NGO has noted an increase in sex tourism. See U.S. Department of State, *Country Reports- 2002: Guatemala*, Section 6f.

reflect children’s participation in school. Primary school attendance rates are unavailable for Guatemala. The school desertion rate continues to be high. Only 3 of 10 students who begin primary school in Guatemala complete grade 6. Isolation of the rural population, lack of flexible, practical education, insufficient academic coverage, and low quality of services have been cited as some of the reasons children leave the Guatemalan education system. Children who do not attend school are concentrated in rural areas, and a disproportionate number of them are girls in indigenous communities. Sixty-two percent of working children attend school as compared to 78 percent of non-working children. Working children tend to complete only 1.8 years of schooling, roughly half the average years completed by non-working children.

Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 14 years. In some exceptional cases, the Labor Inspection Agency can provide work permits to children under the age of 14, provided that the work is related to an apprenticeship, is light work of short duration and intensity, is necessary due to conditions of extreme poverty within the child’s family, and enables the child to meet compulsory education requirements in some way. Children are prohibited from working at night, overtime, and in places that are unsafe and dangerous. Children may not work in bars or in other establishments where alcoholic beverages are served. The workday for minors under the age of 14 years is limited to 6 hours; minors ages 14 to 17 may work 7 hours. In July 2003, the Law for Integrated Protection of Children and Adolescents entered into force, which established a National Commission on Children and Adolescents and outlined child rights to protection from trafficking and economic and sexual exploitation.

1924 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
1925 The Center for National Economic Investigation report on the progress of education reform recognized the Ministry of Education’s efforts to increase enrollment but noted that drop out rates had increased, the high rate of illiteracy among women was unchanged, the government continued to assign a relatively low percentage of resources to post-primary levels. See U.S. Department of State, Country Reports- 2002: Guatemala, Section 5. On average, only one of eight girls who begin primary school completes sixth grade. See Duque and Garcia, Child Labour in Garbage Dumps, iv. See also MINUGUA, Informe de Verificacion. Situacion de la Ninez y Adolescencia en el marco del proceso de paz de Guatemala, MINUGUA, Guatemala City, Guatemala, 2002; available from http://www.asylumlaw.org/docs/guatemala/GUA_5/Sec%20IV/Situacion%20de%20la%20Ninez.pdf.
1927 According to the UN Verification Mission in Guatemala, Guatemalan children receive, on average, 2.2 years of education. Indigenous children receive an average of 1.3 years. Sixty-three percent of out of school youth are indigenous girls. See U.S. Department of State, Country Reports- 2002: Guatemala, Section 5.
1928 ILO, UNICEF, and World Bank, Understanding Children’s Work, 29. Of working children, 50.4 percent only work while 49.6 percent attend school, and the majority of working children (53.5 percent) have not completed primary school. See ILO-IPEC, Estudio Cualitativo Sobre el Trabajo Infantil en Guatemala, 34.
1929 Código de Trabajo de la República de Guatemala, 1996, Articles 21, 148.
1931 Eighty percent of work accidents involve 15 to 18 year old workers who were not properly trained in safety procedures. See U.S. Department of State, Country Reports- 2002: Guatemala, Section 6d. See also Código de Trabajo, 1996, 148.
1933 U.S. Department of State, Country Reports- 2002: Guatemala, Section 6d.
Article 188 of the Penal Code prohibits child pornography and prostitution. Procuring and inducing a person into prostitution are crimes that can result in either fines or imprisonment, with heavier penalties if victims under 12 years old are involved. Trafficking is punishable by imprisonment of 1 to 3 years and a fine, again, with enhanced penalties if the victims are under 12 years. Although no laws specifically prohibit bonded labor by children, the Constitution prohibits forced or compulsory labor.

The Child Workers Protection Unit within the Ministry of Labor holds responsibility for enforcing restrictions on child labor as well as educating children, parents, and employers on the rights of minors in the labor market. Due to the ineffectiveness of labor inspection and labor court systems, labor laws governing the employment of minors are not well enforced. Insufficient resources and corruption have left borders inadequately monitored. The Defense of Children’s Rights unit in the Human Rights Ombudsman’s Office and the Women’s Section of the Attorney General’s Office investigate trafficking cases. Trafficking laws, however, are rarely enforced.


1936 Article 191 of the Criminal Code as cited by Interpol, Legislation of Interpol Member States.

1937 Penalties for trafficking in Guatemala are considered to be the lightest in the region. Although minors are not specifically mentioned, the general language of the Code can be understood to apply to minors as well as adults. See also U.S. Embassy- Guatemala City, unclassified telegram no. 2507. See also The Protection Project, “Guatemala,” in Human Rights Report on Trafficking of Persons, Especially Women and Children: A Country-by-Country Report on a Contemporary Form of Slavery, March 2002; available from http://209.190.246.239/ver2/cr/Guatemala.pdf.

1938 U.S. Department of State, Country Reports- 2002: Guatemala, Sections 6c and d.

1939 Ibid., Section 6d.

1940 Ibid.

1941 Few cases are prosecuted due to victims’ reluctance to press charges. See Ibid., Section 6f.

1942 However, authorities did succeed in intercepting a bus of 53 children from El Salvador en route to the United States. See Ibid., Sections 6d and f. See also U.S. Department of State, Trafficking in Persons Report: Guatemala.

GUINEA

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Guinea is participating in an ILO-IPEC program funded by USDOL and the Cocoa Global Issues Group that seeks to withdraw children from hazardous work in the cocoa sector, provide income generation and economic alternatives, and promote education. In addition, the USAID-supported Sustainable Tree Crops Program is also working in Guinea to incorporate elements into its program to address child labor in the cocoa sector, and is coordinating with the USDOL-funded ILO-IPEC program.

In 1997, the Government of Guinea held a workshop to raise awareness about child labor. With the help of the ILO and UNICEF, the government established a Child Labor Steering Committee chaired by the Ministry of Social Affairs and the Promotion of Women and Children (MSAPWC). Following the workshop, UNICEF financed an information consolidation project to collect all existing information on child labor, and produced a synthesis document detailing the existing information. Since the border conflicts in 2000, the steering committee’s regular meetings have come to a halt, and the government’s budget priorities have shifted more heavily toward national defense. With the exception of a few government-supported awareness raising programs, such as the MSAPWC children’s rights campaign with UNICEF, most current child labor initiatives are implemented by NGOs independent of government support. The government admittedly lacks the capacity to take progressive steps to combat child labor, which led to the 2002 request by the Ministry of Social Affairs for technical assistance from ILO-IPEC to address the problem.

In 1990, the Government of Guinea initiated the Education Sector Adjustment Program (PASE) to improve the quality of the education system. The reform program is on-going, and the government is continuing to commit funds for teacher training, school construction, and the provision of books and materials. In June 2002, the Government of Guinea became eligible to receive funding from the World Bank and other donors under the Education for All Fast Track Initiative, which aims to provide all children with a primary school education by the year 2015. In 2001, the World Bank began implementing a USD 70 million loan program to assist the government’s education reform efforts. USAID is assisting the Ministry of Education and promoting access to

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1944 ILO-IPEC, West Africa Cocoa/Commercial Agriculture Program to Combat Hazardous and Exploitative Child Labor (WACAP), project document, RAF/02/PS 0/USA, Geneva, September 26, 2002.
1945 Ibid.
1951 U.S. Embassy- Conakry, unclassified telegram no. 2368. See also Mohamed Fofana, interview with USDOL official, August 12, 2002.
quality basic education by focusing on teacher training, and community participation in education and girls’ schooling. UNICEF is promoting youth participation in regional education conferences, as well as working to provide refugee children and other war-affected youth with access to education and supplies. In addition, WFP is providing food aid in rural areas in order to increase enrollment and attendance, particularly among girls.

## Incidence and Nature of Child Labor

In 2001, the ILO estimated that 30.5 percent of children ages 10 to 14 years in Guinea were working. Children begin working beside their parents at a young age, often at 5 years in rural areas. The majority of working children are found in the domestic or informal sectors, carrying out activities such as subsistence farming, petty commerce, fishing, and small-scale mining. Children also work in gold and diamond mines, granite and sand quarries, and as apprentices to mechanics, electricians, and plumbers, among others professions. Children are also found working on the streets selling cheap goods for traders, carrying baggage, or shining shoes.

Children are reported to work in the commercial sex industry. While there have been scattered reports of trafficking in children, there is no available information on the extent of the problem. As in 2000, in 2001, UNICEF reported incidents of trafficking among refugee populations in four prefectures in Guinea’s forest region. Furthermore, internal trafficking occurs from rural to urban areas. Children may also have worked as volunteer soldiers during border attacks in recent years, but the reports cannot be fully corroborated.

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1958 World Bank, World Development Indicators 2003 [CD-ROM], Washington, D.C., 2003. In 1997, the Ministry of Planning estimated that about 48 percent of children under the age of 15 were working. These children account for nearly 20 percent of the total working population and 26 percent of all agricultural workers. The Ministry of Planning estimates also suggested that child labor is much more prevalent in rural than urban areas. The Ministry estimated that in rural areas, approximately 66 percent of children between ages 7 and 14 and 91 percent between ages 15 and 19 were working. In urban areas, the numbers were approximately 19 percent and 50 percent, respectively. See U.S. Department of State, Country Reports on Human Rights Practices- 2001: Guinea, Washington, D.C., March 4, 2002, Section 6d, [cited September 3, 2002]; available from http://www.state.gov/g/drl/rls/hrrpt/2001/af/8383.htm.


1965 U.S. Embassy- Conakry, unclassified telegram no. 2368.

1966 The volunteers were self-organized groups formed by villagers to combat border insurgencies. Although the groups were not officially part of the Guinean military, the army provided guns. Multiple sources stated that children were most likely involved. See UNICEF officials, Ibrahime Yansane, and Silvia Pasti, interview, August 13, 2002. See also Guinean Human Rights Organization, interview with USDOL official, August 12, 2002. See also U.S. Embassy- Conakry, unclassified telegram no. 2704, 2001.
Public education is free\textsuperscript{1967} and compulsory for 6 years, between the ages of 7 and 13 years.\textsuperscript{1968} In 2001, the gross primary enrollment rate was 61.4 percent, and in 2000 the net primary enrollment rate was 47.0 percent.\textsuperscript{1969} Enrollment remains substantially lower among girls than boys. In 2001, the gross primary enrollment rate was 49.2 percent for girls, compared to 74.3 percent for boys.\textsuperscript{1970} In 1999, the gross primary school attendance rate was 61.0 percent and the net primary attendance rate was 40.0 percent.\textsuperscript{1971} Children, particularly girls, may not attend school or may choose to dropout in order to assist their parents with domestic work or agriculture.\textsuperscript{1972} In general, enrollment rates are substantially lower in rural areas.\textsuperscript{1973} Government resources for education are limited, there are not enough school facilities to adequately serve the population of school-age children, and the availability of school supplies and equipment is poor.\textsuperscript{1974}

### Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 16 years, although children under the age of 16 can work with official consent.\textsuperscript{1975} Based on the Labor Code, apprentices may begin to work at 14 years of age. Workers under the age of 18 are not permitted to work at night or work more than 10 consecutive hours.\textsuperscript{1976} The Labor Code also prohibits forced or bonded labor and hazardous work by children under 18 years.\textsuperscript{1977} Guinea’s Penal Code prohibits trafficking of persons, the exploitation of vulnerable persons for unpaid or underpaid labor,\textsuperscript{1978} and procurement or solicitation for the purposes of prostitution.\textsuperscript{1979} The official age for voluntary recruitment or conscription into the armed forces is 18 years,\textsuperscript{1980} and the regulation is reported to be strictly enforced within the government army.\textsuperscript{1981}

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\textsuperscript{1969} World Bank, World Development Indicators 2003.

\textsuperscript{1970} Ibid.


\textsuperscript{1972} U.S. Department of Agriculture, Guinea: World Food Program. See also UNICEF, Situation Des Enfants et Des Femmes, 70.

\textsuperscript{1973} According to USAID, sample enrollment rates in two rural areas were 16 percent and 27 percent, as opposed to 84 percent in Conakry. See USAID, USAID Education. See also Fofana, USAID interview, August 12, 2002.

\textsuperscript{1974} UNICEF, Situation Des Enfants et Des Femmes, 68. According to Teacher's Union representatives, it is common for classes to run as large as 100 students, with only one teacher. See Guinean Teacher's Union (SLECG/FSPE), interview with USDOL official, August 12, 2002.

\textsuperscript{1975} Code du Travail de la Republique de Guinee, 1988, Article 5.

\textsuperscript{1976} The penalty for an infraction of the law is a fine of 30,000 to 600,000 GFN (USD 16 to 310). See Ibid., Articles 31, 145, 48, and 67. For currency conversion see FX Converter, [online] [cited June 18, 2003]; available from http://www.carosta.de/frames/convert.htm.

\textsuperscript{1977} Section 187 of the Labor Code prohibits hazardous work, defined as any work likely to endanger the health, safety, or morals of children. The Ministry of Labor determines the exact jobs that are considered hazardous. See Code du Travail, 1988, Articles 2, 186 and 87, 205.

\textsuperscript{1978} U.S. Embassy- Conakry, unclassified telegram no. 2368.

\textsuperscript{1979} The fine for violations of the procurement or solicitation law ranges from 100,000 to 1,000,000 GFN (USD 52 to 515) and imprisonment for 2 to 5 years when the crime involves a minor under 18 years. See Government of the Republic of Guinea, Penal Code, as cited in The Protection Project Legal Library, [database online], Article 289, as cited in Protection Project [cited August 25, 2003]; available from http://www.protectionproject.org. For currency conversion see FX Converter, at http://www.carosta.de/frames/convert.htm.


\textsuperscript{1981} U.S. Embassy- Conakry, unclassified telegram no. 1239, August 2003.
The government has acknowledged that the implementation and enforcement of labor legislation remains weak.\textsuperscript{1982} The Labor Inspectorate within the Ministry of Labor has one inspector and several assistants in each prefecture to enforce relevant legislation.\textsuperscript{1983} Under the Labor Code, punishment for infractions of child labor laws range from a fine of up to 800,000 GNF (USD 414) to imprisonment for no more than two months.\textsuperscript{1984} The penalty for trafficking is 5 to 10 years of imprisonment.\textsuperscript{1985}

The Government of Guinea ratified ILO Convention 138 and ILO Convention 182 on June 6, 2003.\textsuperscript{1986}

\textsuperscript{1982} UN Committee on the Rights of the Child, \textit{Initial Reports of States Parties: Guinea}, para. 119.

\textsuperscript{1983} Bengaly Camara, interview with USDOL official, August 12, 2002.


\textsuperscript{1985} U.S. Embassy- Conakry, unclassified telegram no. 2368.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Guinea-Bissau has noted that child labor is harmful to the development of those involved, but states that it suffers from ineffective policies and lacks the resources or mechanisms to adequately address the problem. The government is receiving support from the ILO to incorporate child labor indicators into its poverty reduction strategy, and to revise the national labor code in order to strengthen laws protecting children. Small-scale child labor initiatives that focus on literacy, education alternatives, and technical training are being implemented by NGOs.

The government is implementing a basic education project called “FIRKIDJA,” which is designed to improve both access to schools and the quality of education, promote girls’ schooling, and strengthen educational management. The World Bank is one of the organizations assisting the Ministry of Education to achieve these goals through a USD 14.3 million Basic Education Support loan project. In addition, UNICEF is supporting the government with a program to promote female literacy and girls’ access to education in one targeted region of the country.

According to 1998 estimates, over half of the country’s displaced population consisted of children under 18 years of age. The government is assisting these children with humanitarian services and World Food Program aid aimed at increasing school attendance, particularly among girls.

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 65.4 percent of children ages 5 to 14 years in Guinea-Bissau were working. Children work in street trading, farming, and domestic labor. During the annual cashew harvest, children are withdrawn in part or completely from school in order to work in the fields. According to the government, the

1990 Ibid., para. 29-31.
1995 In the 2000 study, children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. It was estimated that 5.1 percent of children between ages 5 and 14 engage in paid work; 9.7 percent participate in unpaid work for someone other than a household member; and, overall, 65.4 percent of children are working in some capacity. See Government of Guinea-Bissau, Multiple Indicator Cluster Survey (MICS): Guinea-Bissau, UNICEF; December 2000; available from www.childinfo.org/MICS2/newreports/guineabissau/guineabissau.PDF. See also Government of Guinea-Bissau, Multiple Indicator Cluster Survey (MICS) 2: Guinea Bissau, UNICEF, 2000; available from http://www.ucw-project.org/resources/index.html.
1997 U.S. Embassy- Dakar, unclassified telegram no. 2129.
number of children working in the informal sector, often in difficult or dangerous conditions, is increasing considerably. In addition, commercial sexual exploitation of children occurs, but the extent of the problem is unknown. Children were reported to be involved in the recent civil war in Guinea-Bissau.2000

Education is compulsory from the age of 7 to 13 years.2001 In 1999, the gross primary enrollment rate was 82.7 percent, with a higher enrollment rate for males (99.1 percent) compared to females (66.3 percent). In 1999, the net primary enrollment rate was 53.6 percent. Males had a higher net rate (62.6 percent) compared with females (44.5 percent).2002 In 2003, the majority of school-age children were unable to receive schooling due to prolonged strikes in state-run schools.2003 The number of classrooms and schools is insufficient, particularly in rural areas where the majority of the population resides. According to UNICEF, 26 percent of rural schools offer only 2 grades, and 50 percent offer only 4 grades.2004 Girls face additional challenges to receiving an education, as they are often kept home to assist with domestic work, encouraged to marry at an early age, and banned from schools when pregnant.2006

Guinea-Bissau is continuing to recover from the civil conflict in 1998 and 1999, which displaced one-third of the population, destroyed many schools, and prevented most young children from attending school for at least half a year.2007

Child Labor Laws and Enforcement

The General Labor Law sets the minimum age for employment at 14 years for factory work and 18 years for heavy or dangerous labor, including work in mines.2008 The law prohibits forced or bonded labor.2009 The practice of prostitution for lucrative purposes is illegal in Guinea-Bissau, as is the use of violence, threats, or other coercive actions to transport individuals to foreign countries.2010 In order to prevent trafficking, the law requires that individuals responsible for a child during travel submit identification documents (birth certificates) to relevant
According to Decree 20/83, boys under 16 years may volunteer for the armed forces, and all citizens between the ages of 18 and 25 are subject to compulsory military service.

The Ministry of Justice and Labor is responsible for enforcing labor laws in the formal sector, but due to economic conditions, formal private sector employment of any kind is virtually nonexistent. There is no information available on the enforcement of laws pertaining to trafficking or commercial sexual exploitation of children.

The Government of Guinea-Bissau has not ratified ILO Convention 138 or ILO Convention 182.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1998 and 1999, officials of the Government of Guyana attended training workshops aimed at building the capacity of the national statistics agency and the Ministry of Labor to collect and disseminate data on child labor. In 1999, the government established a drop-in center for street children, and is also building a home for street children.

In 2002, the government implemented a five-year Basic Education Access and Management Systems Project to address teacher training, education management, and educational development. As part of the plan, the government received a loan from the IDB to modernize and strengthen the country’s basic education system. In November 2002, the Government of Guyana became eligible to receive funding from the World Bank and other donors under the Education for All Fast Track Initiative, which aims to provide all children with a primary school education by the year 2015. Countries are eligible to receive this financing if they are willing to prioritize primary education and enact policies that improve their primary education systems. In 2000, a draft National Education Plan was prepared with basic education, efficient and optimal use of resources, and increased accountability at all levels identified as key priorities. In January 1998, the government began the Escuela Nueva project, which aims to improve learning and the quality of education in schools with limited resources. During the 1990s, the Government of Guyana implemented a Primary Education Improvement Project that enhanced teacher training, produced new primary school textbooks, and constructed 35 new schools, rehabilitating 64 more.

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 27.0 percent of children ages 5 to 14 in Guyana were working. UNICEF reports that child labor is a problem in the informal sector, and it is common to see children engaged in street trading. There are reports that children are involved in prostitution in ports, gold mining areas, and the capital city of Georgetown. In the Hinterland areas, girls are recruited to work as domestic servants and waitresses in

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2023 Ibid.


The Guyana Human Rights Association reported that there were cases where female adolescents, aged 14 to 16 years, traveled from the capital city of Georgetown to the Suriname border for the purpose of prostitution.2029

Primary education in Guyana is free and compulsory for children ages 5 years and 9 months to 12 years.2030 In 1999, the gross primary enrollment rate was 119.7 percent, and the net primary enrollment rate was 97.9 percent.2031 In 2000, 87.3 percent of children of primary school age were attending primary school.2032 In 2002, 97.0 percent of children enrolled in primary school reached grade 5.2033

Child Labor Laws and Enforcement

The Factories Act and Employment of Young Persons and Children Act of 1999 sets the minimum age for employment at 14 years,2034 but children under that age may be employed in enterprises in which members of their family are employed.2035 Forced labor is prohibited by the Constitution.2036 Prostitution of a child under 13 years is illegal according to the Criminal Law Offenses Act, but it is a defense for the accused to claim that he/she believed the child to be at least 13 years.2037 Sections 83-86 of the Act prohibit the abduction of unmarried girls, and although there is no particular offense of child pornography in Guyana, Section 350 of the Act regulates selling, publishing, or exhibiting an obscene matter.2038 The Ministry of Labor lacks sufficient inspectors to enforce child labor laws effectively.2039


2032 Government of Guyana, MICS 2000 - Guyana, 17. For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
2033 Ibid., 16.
2034 U.S. Department of State, Country Reports- 2002: Guyana, Section 6d. See also Employment of Women, Young Persons and Children Act (Chapter 99:01) [consolidated up to 1973], No. 14 of 1933; available from http://natlex.ilo.org.
2035 U.S. Department of State, Country Reports- 2002: Guyana, Section 6d.
2038 Ibid.
2039 Ibid.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Haiti became a member of ILO-IPEC in 1999. ILO-IPEC is providing assistance to the government to address the problem of child domestic workers (known as restaveks, in Haitian Creole). In 2003, the Government of Haiti passed legislation prohibiting trafficking and repealing the provisions of the Labor Code that permitted child domestic work. The Ministry of Labor and Social Affairs planned a series of public seminars to raise awareness on child domestic labor, in coordination with the Institute for Welfare and Research (IBESR), the Ministry of Women’s Affairs, and the Ministry of Education. Government officials, including the First Lady, have also spoken out condemning the use of child domestic workers.

In 2003, ILO-IPEC completed a USDOL-funded country program intended to strengthen the capacity of government ministries and institutions responsible for restaveks, raise public awareness about the issue, and remove children from exploitative work. As a component of this project, the government co-sponsored a qualitative study on child domestic work.

In order to combat international trafficking, in 2003 the Haitian Ministry of Interior announced new requirements for the movement of children across national borders by persons other than parents. The number of immigration officials at Haiti’s three international airports and along the border between Haiti and the Dominican Republic have increased. Border and officials involved in preventing child trafficking will receive U.S. Government-funded training in order to better identify potential victims of trafficking.

Government programs reach only a fraction of the children exploited through internal trafficking and domestic labor. The Ministry of Social Affairs implements a program called SOS Timoun, under which reports of child abuse may be reported through a hotline number, but the service is open only during business hours and provides limited access to shelters. In addition, child domestic service is deeply ingrained in Haitian tradition and culture, which presents an impediment to government efforts and social change.
In 1997 the Government of Haiti announced a 10-year National Education and Training Plan intended to promote enrollment and retention through improved access to schools, teacher training and a revised national curriculum. The Ministry of Education is receiving loans from the IDB for a Basic Education Project aimed at supporting the objectives of the National Plan. USAID is also supporting the National Plan through a project to increase the quality of primary education, increase access to information technology, and provide services to at-risk children. In addition, the Ministry of Education is working with NGOs and international organizations, including UNICEF, to build new schools and implement alternative education initiatives.

**Incidence and Nature of Child Labor**

In 2001, the ILO estimated that 22.3 percent of children ages 10 to 14 years in Haiti were working. Due to high unemployment and job competition, there is very little formal sector child labor; children are known to work on family farms and in the informal sector in order to supplement their parents’ income.

The most common worst form of child labor in Haiti is the traditional practice of trafficking children from poor, rural areas to cities for work as domestic servants of wealthy families. A 2002 survey by the FAFO Institute for Applied Social Sciences estimated that 173,000, or 8.2 percent of children aged 5 to 17 years, were child domestic workers. A survey by the National Coalition for Haitian Rights estimated that 1 in 10 children in Haiti is a domestic worker. Many restaveks work without compensation, reach the age of 15, 16, or 17 years without ever having attended school, are forced to work long hours under harsh conditions, and are subject to mistreatment, including sexual abuse.
 Estimates on the number of street children in Haiti vary from 5,000 to 10,000, according to recent studies by UNICEF and Save the Children/Canada, respectively. In 2003, ILO-IPEC published a rapid assessment on the commercial sexual exploitation of children in Haiti, which documented that this practice occurs in various locations throughout the country. The majority of the commercial sex workers surveyed were street children and were in the 13 to 17 age range, although some were found to be under 10 years old. Other reports indicate that commercial sexual exploitation of children occurs in the capital and other major towns, in connection with the tourist industry. In 2002, a joint IOM/UNICEF study found that between 2,000 and 3,000 Haitian children are trafficked each year to the Dominican Republic for work as beggars or in the agriculture and construction sectors.

According to the Constitution, primary schooling is free and compulsory. Education is required from the age of 6 to 15 years. In 1997, the gross primary enrollment rate was 110.4 percent, and in 1996, the net primary enrollment rate was 56.1 percent. However, according to UNICEF, almost two-thirds of Haitian children drop out of school before completing the full six years of compulsory education, and over one million primary school children lack access to schooling. Recent primary school attendance rates are unavailable for Haiti. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. Despite national plans to address educational deficiencies, almost 90 percent of Haitian schools are run by private or religious organizations with reportedly limited government supervision. School facilities are in disrepair, and overcrowding leaves 75 percent of students without a seat in the classroom. In addition, costs associated with school, including uniforms and books, are reported to prevent many children areas from attending.

**Child Labor Laws and Enforcement**

The Labor Code of 1984 prohibits children under 15 years of age from working in industrial, agricultural, or commercial enterprises and 14 years as the minimum age for apprenticeships. The Labor Code also bans

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2061 UNICEF estimates that there are approximately 5,000 street children in Haiti, including those who escaped from domestic servitude. See UNICEF, *Haiti Faces Major Education Challenge*. According to Save the Children Canada, there are approximately 10,000 street children, including between 6,000 and 8,000 in the capital city, Port-au-Prince. See Save the Children/Canada, *Haiti*, [cited June 10, 2003]; available from http://www.savethechildren.ca/en/whatwedo/haiti.html.


2064 ILO-IPEC official, electronic communication to USDOL official, August 16, 2002.


2068 UNICEF, *Haiti Faces Major Education Challenge*.

2069 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


hazardous work for minors and night work in industrial jobs for children under 18 years, and additional provisions regulate the employment of children between 15 and 18 years of age, and prohibits forced labor.\footnote{2074}{Children under age 18 are required to undergo a medical examination before working in an enterprise. Also, children between the ages of 15 and 18 are required to obtain a work permit for agricultural, industrial, or commercial labor, and employers must retain a copy of the permit, along with additional personal information on the employee, in an official register. 
\textit{Code du Travail}, Articles 333, 35-39.}

The Ministry of Labor and Social Affairs is responsible for enforcing all child labor legislation, and the IBESR is charged with coordinating the implementation of child labor laws with other government agencies.\footnote{2076}{Ibid., Article 4.} In June 2003, the government passed a law prohibiting all forms of violence and inhumane treatment against children.\footnote{2077}{U.S. Embassy-Port Au Prince, unclassified telegram no. 2570, October 2001.} Child labor laws, however, particularly child domestic labor regulations, are not enforced.\footnote{2078}{U.S. Department of State, electronic communication, February 19, 2004.} According to the government, the IBESR lacks the resources to adequately monitor the living conditions of child domestic workers, or to enforce protective measures on their behalf.\footnote{2079}{UN Committee on the Rights of the Child, Initial Reports of States parties due in 1997: Haiti, United Nations, Geneva, 2002, para. 259.} The IBESR conducted just over 120 child labor inspections a year between 1996 and 2000, all for cases involving child domestic workers who were subsequently removed from abusive households and placed in shelters or in the care of NGOs. However, none of the inspections resulted in fines, penalties, or convictions against the households employing these children, but did result in the rescuing of approximately 100 child domestic servants.\footnote{2080}{UN Committee on the Rights of the Child, Initial Reports of States parties due in 1997: Haiti, United Nations, Geneva, 2002, para. 259.} In May 2003, the government formed a 30-person police unit to monitor cases of suspected trafficking along the border and to rescue trafficking victims. The unit is reported to be poorly equipped, but will receive U.S. Government-funded training along with the Ministry of Interior border officials.\footnote{2081}{U.S. Department of State, Trafficking in Persons Report- 2003: Haiti.}

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Honduras has been a member of ILO-IPEC since 1997. In 1998, the government established the National Commission for the Gradual and Progressive Eradication of Child Labor. The National Commission coordinates all activities to combat child labor and to mainstream working minors into educational programs. The Commission is currently participating in ILO-IPEC projects, with funding from USDOL, to prevent and remove children from full-time work in the melon sector of Choluteca and in commercial coffee farms in Santa Barbara. With technical assistance from ILO-IPEC and funding from USDOL, the Honduras National Institute of Statistics is working in consultation with the Ministry of Labor and Social Security (MOLSS) to conduct a national child labor survey. Honduras is also participating in a USDOL-funded ILO-IPEC regional project aimed at combating commercial sexual exploitation. With other donor funding, ILO-IPEC is carrying out projects aimed at raising awareness, collecting information, and providing direct services to children involved in domestic work in the homes of third parties, the lobster industry, and garbage dump scavenging. The government collaborates with the NGO Compartir on a child labor project in the garbage dump of Tegucigalpa. The Government of Honduras also published its National Plan of Action for the Gradual and Progressive Eradication of Child Labor in 2001.

In June 2001, the Honduran Private Business Council promoted a Declaration signed by the MOLSS, the First Lady of Honduras, and the ILO to immediately eradicate the worst forms of child labor. In September 2001, in collaboration with the Honduran Private Business Council, the MOLSS implemented a campaign to increase

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2084 Decreto Ejecutivo Número PCM-017-98, Presidencia de la República (Honduras: 1998), 2 and 4, decreed the creation of the National Commission. In June 2000, the Ministry of Labor and Social Security published a report on its efforts to eliminate child labor and develop government capacity in the areas of inspection, surveys, awareness-raising, and coordination between agencies. See German Leitzelar Vidaurreta, Minister of Labor, official submission to US Embassy Tegucigalpa Labor Attaché, September 19, 2003, pages 9-11, and Secretary of Labor and Social Security, Informe Trabajo Infantil en Honduras, 2000.
2087 In Honduras, this project will focus primarily on regional collaboration, awareness raising, institutional capacity building, and coordination. See ILO-IPEC, Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic, project document, RLA/02/P51/USA, Geneva, 2002, pages 26-28.
2090 Government of Honduras, Esfuerzos en la Eliminación de las Peores Formas de Trabajo Infantil, September 2002. In addition, with funding from ILO-IPEC, Compartir carried out a study on the conditions of work at the Tegucigalpa garbage dump. See Compartir, Niñas Trabajadoras en el Depósito de Basura de Tegucigalpa, Estudio de Focalización y Condiciones de Trabajo, ILO-IPEC, Tegucigalpa, December 2001.
industry awareness on the worst forms of child labor.\textsuperscript{2093} Within the same year, the Legislative Assembly published specific regulations on child labor, which outline activities prohibited for children and adolescents and sanctions for employers who violate these rules and regulations.\textsuperscript{2094}

With funding from the Spanish Agency for International Cooperation, the government of Honduras has carried out public awareness and information collection on child labor. The government has also collaborated with UNICEF on capacity building and public awareness activities, and with Save the Children—UK on activities related to its national plan of action and child labor in the lobster diving sector.\textsuperscript{2095} USAID’s Basic Education and Policy Support Activity (BEPS) child labor team has conducted child labor studies in the Southern cone of Choluteca, Valle, and in Mosquitia.\textsuperscript{2096} During 2003, the Government of Honduras and NGOs held seminars on the prevention and eradication of the trafficking and commercial sexual exploitation of children in Tegucigalpa, La Ceiba, and Valle.\textsuperscript{2097}

The government has initiated several programs in order to improve children’s access to quality basic education. The Ministry of Education makes available radio and long distance learning for children in rural areas with few schools and provides disadvantaged families with stipends for school supplies.\textsuperscript{2098} Regional committees of child defense volunteers also try to encourage parents to send their children to school.\textsuperscript{2099} The Ministry of Education has developed an Education for All plan to increase access to primary education; improve the quality of pre-school and primary education by encouraging new teaching methods, improving curriculum, and reducing dropout rates, repetition, and desertion; reduce illiteracy; and expand basic education services and training in essential skills for youth.\textsuperscript{2100} In October 2003, the Government of Honduras signed a Memorandum of Understanding with representatives of the World Bank and other donor agencies that coordinates the support of various partners to help Honduras reach its Education for All goals.\textsuperscript{2101}


\textsuperscript{2094} Government of Honduras, Poder Legislativo Decreto No. 199-2001, (December 11, 2001), as cited in La Gaceta, Diario Oficial de la República de Honduras. See also U.S. Embassy- Tegucigalpa, unclassified telegram no. 0944.

\textsuperscript{2095} Secretary of Labor and Social Security, Informe Trabajo Infantil en Honduras. The government is collaborating with UNICEF on a public information campaign against trafficking and commercial sexual exploitation, and it has tried to raise awareness of children and women’s rights and risks associated with illegal migration. See U.S. Embassy- Tegucigalpa Labor Attaché, electronic communication to USDOL official, February 19, 2004.


\textsuperscript{2097} U.S. Embassy- Tegucigalpa Labor Attaché, electronic communication to USDOL official, February 19, 2004.


\textsuperscript{2099} Ibid.


Incidence and Nature of Child Labor

In 2002, the Multiple-Purpose Household Survey reported that 15.4 percent of children ages 5 to 17 years in Honduras were working. According to this survey, 56.2 percent of all working children are employed in agriculture, forestry, hunting, or fishing. Working children are also employed in cattle farming, manufacturing, mining, electricity, gas, construction, commerce, transportation, finance, or service industries (including domestic service). To supplement family incomes derived from family farms or from small businesses, two-thirds of working children work without compensation.

According to the Government of Honduras, the worst forms of child labor in Honduras include: commercial sexual exploitation (particularly in major cities and the tourist sector along the North Coast); fireworks manufacturing (in Copán); marine diving (on lobster boats in the Mosquitia coast); work in limestone quarries and garbage dumps (in the two large cities of Tegucigalpa and San Pedro Sula); mining and dirt extraction (South and East regions); the sale and handling of pesticides (Copán, La Ceiba, and Choluteca); construction; and agricultural work (in the coffee and melon industries). The harvesting of sugar cane is another dangerous area of child labor. Children have also been used to sell drugs in Olancho and Comayagua.

Casa Alianza estimated in December 2003 that there are approximately 8,335 child victims of commercial sexual exploitation. There is evidence of child prostitution in tourist and border areas. Honduras is primarily a source country for girls trafficked for commercial sexual exploitation. Honduran girls are trafficked by criminal groups to Mexico, other Central American countries, and the United States for the purpose of prostitution. Children have also been reportedly trafficked to Canada for prostitution and the sale of drugs.

Education is free and compulsory in Honduras until the age of 13. In 2002, the Government of Honduras increased its national school capacity by 50,000 children and allocated 23.7 percent of its total yearly expenditure.

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2102 This percentage represents 356,241 children in this age group. ILO-IPEC, Informe Nacional sobre los Resultados de la Encuesta del Trabajo Infantil en Honduras, San Jose, September 2003, x, 24 [final draft, publication pending in November 2003].
2103 Ibid., 26.
2105 U.S. Embassy- Tegucigalpa, unclassified telegram no. 2159. See also ILO-IPEC, Informe Nacional sobre los Resultados de la Encuesta del Trabajo Infantil, 26.
2106 National Commission for the Eradication of Child Labor, Plan de Acción Nacional, 97–98. See also U.S. Embassy- Tegucigalpa, unclassified telegram no. 3211.
2114 U.S. Department of State, Country Reports- 2002: Honduras, Section 5. See also Government of Honduras, Temas e Indicadores Sobre Trabajo Infantil en Honduras, September 2001, 8. Which states that 14 is the average age for finishing primary school.
to basic education through the ninth grade, including the salaries of teachers and administrators.\textsuperscript{2115} In 2000, the gross primary enrollment rate was 106.0 percent, and the net primary enrollment rate was 87.6 percent.\textsuperscript{2116} Attendance rates are not available for Honduras. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{2117} Among working children, an estimated 34 percent complete primary school.\textsuperscript{2118} The average number of years of schooling in Honduras is 4.8 years (6.7 in urban areas and almost 3 in rural areas).\textsuperscript{2119} A lack of schools prevents many children in Honduras from receiving an education; as do costs such as enrollment fees, school uniforms, and transportation costs.\textsuperscript{2120} The government estimates that 65,000 children between the ages of 6 to 12 fail to receive an education.\textsuperscript{2121} The poor quality of education and the lack of vocational education are other areas of concern.\textsuperscript{2122}

**Child Labor Laws and Enforcement**

The Constitution and the Labor Code set the minimum age for employment at 16 years, with the exception that children 14 to 15 years of age are permitted to work with parental consent and Ministry of Labor permission.\textsuperscript{2123} If a child 14 to 15 years is hired, an employer must certify that such children have finished, or are finishing, compulsory schooling.\textsuperscript{2124} Children under the age of 16 are prohibited from night work and from working in clubs, theaters, circuses, cafes, bars, in establishments that serve alcoholic beverages, or in jobs that have been determined to be unhealthy or dangerous.\textsuperscript{2125} Children under age 16 are limited to working 6 hours a day and 30 hours a week.\textsuperscript{2126} The Children’s Code prohibits a child younger than 14 years of age from working, even with parental permission,\textsuperscript{2127} and establishes fines,\textsuperscript{2128} as well as prison sentences of three to five years for individuals who allow or oblige children to work illegally.\textsuperscript{2129}


\textsuperscript{2117} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


\textsuperscript{2119} FUNPADEM, *Pobreza y Subsistencia*, 63.


\textsuperscript{2124} *Código de Trabajo de la República de Honduras*, Titulo III, Capítulo 1, Artículo 128 y 29.

\textsuperscript{2125} *Constitución de la República de Honduras*, 1982.

\textsuperscript{2126} Government of Honduras, *Código de la Niñez y de la Adolescencia*, 1998, Articles 120 and 34. See also U.S. Department of State, *Country Reports- 2002: Honduras*, Section 6d.

\textsuperscript{2127} Fines between USD 281 and USD 1,404 may be imposed on firms that violate the Children’s Code. These fines double if the firm is a repeat offender. See U.S. Embassy- Tegucigalpa, *unclassified telegram no. 2025*.

\textsuperscript{2128} *Código de la Niñez y de la Adolescencia*, 1998, Articles 120 and 34. See also U.S. Department of State, *Country Reports- 2002: Honduras*, Section 6d.
The Minor’s Code criminalizes child prostitution and child pornography.\textsuperscript{2130} Violation of these laws can carry 5 to 8 years of imprisonment.\textsuperscript{2131} Honduran law also includes provisions that prohibit trafficking in persons, which can carry 6 to 18 years of imprisonment, as well as fines.\textsuperscript{2132} However, prosecution and law enforcement efforts are weak due to weak police and court systems, corruption, and lack of resources.\textsuperscript{2133}

The MOLSS is responsible for conducting child labor inspections.\textsuperscript{2134} The Ministry has an insufficient number of inspectors for the entire country,\textsuperscript{2135} and is not able to effectively enforce laws in rural areas or at small companies.\textsuperscript{2136} Despite these problems the ministry opened a regional office and reinitiated inspections on lobster boats in the Mosquitia area in 2001, where boat captains illegally employ boy divers. Early in 2001, the MOLSS conducted a special inspection of the melon industry and has since conducted additional inspections of both the melon and sugar cane industries, in order to reduce the incidence of child labor in these sectors.\textsuperscript{2137}

The Government of Honduras ratified ILO Convention 138 on June 9, 1980 and ILO Convention 182 on October 25, 2001.\textsuperscript{2138}

\textsuperscript{2130} Article 148 criminalizes child prostitution, while Article 143 criminalizes pornography. See U.S. Embassy- Tegucigalpa, unclassified telegram no. 2902, August 2000.

\textsuperscript{2131} Government of Honduras, Temas e Indicadores Sobre Trabajo Infantil en Honduras, 7.

\textsuperscript{2132} U.S. Department of State, Country Reports- 2002: Honduras, Section 6f. See also U.S. Embassy- Tegucigalpa, unclassified telegram no. 2025.

\textsuperscript{2133} U.S. Department of State, Country Reports- 2002: Honduras. See also U.S. Department of State, Trafficking in Persons Report: Honduras. See also U.S. Embassy- Tegucigalpa, unclassified telegram no. 2025.

\textsuperscript{2134} Secretary of Labor and Social Security, Informe Trabajo Infantil en Honduras.

\textsuperscript{2135} U.S. Embassy- Tegucigalpa, unclassified telegram no. 2025. See also U.S. Embassy- Tegucigalpa, unclassified telegram no. 3211.

\textsuperscript{2136} U.S. Department of State, Country Reports- 2002: Honduras, Section 6d.

\textsuperscript{2137} U.S. Embassy- Tegucigalpa, unclassified telegram no. 2025. See also U.S. Embassy- Tegucigalpa, unclassified telegram no. 3211.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Hungary is working with IOM and partner agencies to implement a trafficking prevention program in schools. Through consultations with NGOs, the government has also provided anti-trafficking sensitization training to police, border guards, and consular officials. In 2003, the UN High Commissioner for Refugees, in conjunction with the Government of Hungary, established a shelter for unaccompanied minors in order to prevent them from being recruited by traffickers. In December 2002, the government signed a joint declaration with other Southeastern European nations to better assist trafficking victims. In 2000, the government approved a National Plan of Action against the commercial sexual abuse of children.

According to the Ministry of Education, current education reform objectives include the provision of aid to underprivileged students or school districts through textbook subsidies, transportation aid, and increased access to vocational training. In 1999, an Office of the Ministerial Ombudsman for Education Affairs was established to respond to problems related to accessing education, and to address concerns submitted by parents, administrators, teachers, or students. The Government of Hungary provides subsidies to local school districts to support education for Roma children through remedial classes and courses on Roma culture. In practice, however, this effort is hampered by a lack of adequate financial monitoring, and the fact that the separated, remedial classes have reportedly resulted in institutional segregation of the Roma population.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Hungary are unavailable. There is little evidence of child labor in the formal sector, although occasional violations of child labor regulations, such as utilizing overtime or in-kind payment schemes, have been reported. Children work as beggars in urban areas, and also as prostitutes, according to Budapest Police, although the scope of the problem is unknown.
Hungary is primarily a transit country, but also a source and destination country, for trafficking in persons, including children. Trafficking in persons occurs from Romania, Ukraine, Moldova, Bulgaria, Russia, and the Balkans to and through Hungary to Western Europe and the United States for the purposes of commercial sexual exploitation.2151

The Education Act establishes 10 years of compulsory education, ending at the age of 16.2152 Primary education is free, according to the Constitution.2153 In 2000, the gross primary enrollment rate was 102.0 percent and the net primary enrollment rate was 90.2 percent.2154 Attendance rates are not available for Hungary. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.2155 Schools in ethnic Roma communities are in markedly poorer condition,2156 and according to UNICEF, less than 2 percent of Roma children graduate from secondary school.2157

Child Labor Laws and Enforcement

The Labor Code of 1992 states that children may only be employed when they have finished their compulsory education, which effectively sets the minimum age for work at 16 years.2158 However, children who are at least 14 years old are permitted to work if the work does not interfere with schooling or if they are exempt from attending school.2159 All children under age 16 must obtain the consent of a legal guardian before entering into an employment contract.2160 The Labor Code specifically prohibits children under the age of 18 from working in jobs that may be detrimental to their physical well-being or development, in night work, or in overtime work.2161 Forced labor is prohibited by law.2162 The 1999 Act of Offenses prohibits persuading or soliciting another to engage in prostitution is illegal, and working in a brothel under the age of 18. The punishment is two to eight years imprisonment.2163 The Criminal Code prohibits trafficking, as well as preparation for trafficking of persons, and has provisions against kidnapping and violations of personal freedom and smuggling of persons.2165

2154 World Bank, World Development Indicators 2003 [CD-ROM], Washington, D.C., 2003. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.
2155 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
2159 Ibid., Section 72(4).
2160 Ibid., Section 72(2).
2161 Ibid., Sections 75 and 121.
The National Work Safety and Labor Affairs Supervision Office (OMMF) has 20 county and local offices to enforce the labor code, including provisions related to child labor. OMMF inspectors respond to complaints and conduct random spot checks to ensure that employers adhere to labor regulations. Complex labor violations may be presented to the labor courts. Violations of labor regulations are misdemeanors punishable by a fine ranging from approximately USD 160 to 9,000. Child labor laws are reported to be enforced.2166 The Criminal Code establishes a punishment for trafficking violations of up to 10 years imprisonment when minors are involved.2167 In 2002, the Hungarian Ministry of Interior and Office of Interpol reported 34 arrests in trafficking cases, and prosecutors brought legal proceedings in 30 cases. However, there continue to be reported incidents of border guards taking bribes to allow unregulated entries into the country.2168


2166 U.S. Embassy- Budapest, unclassified telegram no. 3455.
2168 U.S. Department of State, Trafficking in Persons Report: Hungary, 59. The Police Organized Crime Task Force investigated trafficking cases that involved organized crime. In 2002, the Ministry of Interior conducted two investigations that included 65 border guards who received bribes to allow foreigners to enter the country without inspecting their travel documents. Twelve were charged with corruption. See U.S. Department of State, Country Reports- 2002: Hungary, Section 6f.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of India has been a member of ILO-IPEC since 1992, when it became the first country to sign an MOU with the organization. In 1987, the Government of India adopted a National Policy on Child Labor. As part of this policy, approximately 100 National Child Labor Projects (NCLP) operate in 13 states. A major activity of the NCLPs has been the establishment of special schools that provide rehabilitation, non-formal education and vocational training, health care, stipends, and nutrition supplements for children withdrawn from hazardous work.

In 2001, the Government of India and USDOL initiated a USD 40 million ILO-IPEC project aimed at eliminating child labor in 10 hazardous sectors in the states of Madhya Pradesh, Maharastra, Tamil Nadu, and Uttar Pradesh. The project will support and strengthen the government’s existing national child labor and basic education policies and programs with the aim of withdrawing and preventing thousands of children from engaging in hazardous work. The Government of India will contribute a total of USD 20 million toward the project. The government’s annual budget in 2002 and 2003 for child labor was Rs. 730 million rupees (approximately USD $16 million). Under the Grants in Aid Scheme program, the Ministry of Labor provides funding for 54 NGOs to implement projects aimed at providing working children with education and vocational training opportunities. The government has supported the M. Venkatarangaiya Foundation, an established NGO working on child labor issues in rural India.


2174 In August 2000, the Indian Ministry of Labor and USDOL signed a Joint Statement agreeing to collaborate on an ILO-IPEC project to prevent and eliminate child labor in 10 hazardous sectors: bidis (a type of small, hand-rolled cigarette), brassware, bricks, fireworks, footwear, glass bangles, locks, matches, quarrying, and silk. The project is working with the Ministry of Labor’s NCLPs and the Ministry of Education’s Education for All (SSA) program. See *Joint Statement on Enhanced Indo-U.S. Cooperation on Eliminating Child Labor*, August 31, 2000. See also ILO-IPEC, *Preventing and Eliminating Child Labor: Project Document*, cover, 3, 6–7, and 43.


2177 The strategy of the MV Foundation is to work within the government systems and structures to ensure that working children are provided with access to schooling. The Government of India, UNICEF and ILO-IPEC have provided support to the organization. See *M. Venkatarangaiya Foundation, Asha for Education*, [online] [cited October 16, 2003]; available from http://www.indianngos.com/mvf/main.html.
The Government of India has taken a number of steps to improve education and achieve universal enrollment in line with the goals of its National Policy on Education (NPE). The Ministry of Education’s Sarva Shiksha Abhiyan (Education for All) Program aims to achieve universal elementary education for all children in India ages 6 to 14 by 2010. To achieve this, the Ministry is implementing a number of programs including the Education Guarantee Scheme to provide alternative and innovative education for the country’s out of school children, including child laborers. In addition, the government is implementing the District Primary Education Program in 273 districts in 18 states with a focus on classroom construction, non-formal education, teacher hiring and training, and services for girls and vulnerable children. Through its National Program of Nutritional Support to Primary Education, the government provides mid-day lunches, including cooked meals to children to increase enrollment and help improve the nutritional status of children. The World Bank has supported the government’s efforts on improving basic education in particular for girls, working children, and children from disadvantaged backgrounds. Projects have focused on expanding access, improving classroom instruction, increasing community participation and strengthening local and state capacity. Due to critical needs in its education system, the Government of India is receiving intensified support from the World Bank in order to expedite its eligibility for fast track financing for the international Education for All program. The Education for All Fast Track Initiative, which is funded by the World Bank and other donors, aims to provide all children throughout the world with a primary school education by the year 2015.

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 11.6 percent of children ages 10 to 14 years in India were working. Most of the child labor that exists in India is found in agriculture and the informal sector. Bonded or forced child labor

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2181 World Bank, World Bank Support for Education in India, [online] [cited October 6, 2003]; available from http://wbln1018.worldbank.org/sar/sa.nsf/a2204ad0c4877a3e852567de0052e0f8a/3436a2c8a70b8463852567e0f0666a42e?OpenDocument.


2183 World Bank, World Development Indicators 2003 [CD-ROM], Washington, D.C., 2003. Estimates of the number of working children in India vary greatly, and as a result there is debate over the accuracy of figures. The Government of India maintains that the only reliable statistics on child labor are those of the national censuses. India’s 1991 national census found that 11.28 million of the country’s children were working. The 2001 statistics on child labor have not yet been released, but the 55th National Sample Survey conducted in 1999-2000 estimated that the number had declined to 10.4 million. See Embassy of India, letter, September 5, 2002. Approximately 100-150 million children are estimated to be out of school. Due to the high correlation that out of school children have with child labor, many NGOs believe that 44-55 million working children is a more accurate figure. See U.S. Embassy- New Delhi, unclassified telegram no. 4431. See also USAID India, USAID Fact Sheet, March 20, 2000 [cited November 2, 2003]; available from www.usaid.gov/in/whatsnew/pressreleases/potus_child.htm. In 2000, the Chamber of Commerce and Industry estimated child labor in the organized, unorganized and household sectors to be over 100 million. See S. Mahendra Dev, “Eradicating Child Labor,” The Hindu, August 15, 2000.

2184 U.S. Embassy- New Delhi, unclassified telegram no. 4431.
is considered widespread and exists in a number of industries, including the carpet manufacturing industry and the silk industry. Children work under hazardous conditions in a number of sectors, such as fireworks, stone quarrying, match, making, silk weaving, lock making, brick manufacturing, and footwear and brassware production. Children are also found working as domestic servants and living on the streets.

India is a source, destination, and transit country for trafficking of children for the purposes of commercial sexual exploitation and other forms of labor. Children are reported to be trafficked from India to the Middle East and the West, into India from Bangladesh and Nepal, and through the country on the way to Pakistan and the Middle East. Children are also trafficked within India for sexual exploitation and forced and bonded labor. There are reports of the use of child soldiers by armed groups in different regions in India.

The Constitution established a goal of providing compulsory and free education for all children until they reach 14 years of age. The NPE of 1986 and the Program of Action of 1992 reemphasized that goal. As a result of legislation that was passed in December 2002, education for all children ages 6 to 14 is now a constitutionally guaranteed fundamental right. Legislation at the state and/or provincial level established compulsory primary education in 14 of the 24 states and 4 Union territories. In 1999, the gross primary enrollment rate was 101.6 percent. In 1999, 67.9 percent of children who were enrolled in primary school reached grade 5.

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2191 Ibid.


2195 U.S. Embassy- New Delhi, unclassified telegram no. 4431, 201.

2196 These states and union territories are Assam, Andhra Pradesh, Bihar, Gujarat, Haryana, Jammu and Kashmir, Karnataka, Madhya Pradesh, Maharashtra, Punjab, Rajasthan, Tamil Nadu, Kerala, West Bengal, Chandigarh, Pondicherry, and the Andaman and Nicobar Islands. See Embassy of India, written submission to USDOL official for the Fifth International Child Labor Study of the Bureau of International Affairs, U.S. Department of Labor, February 25, 1998, 11.

2197 World Bank, World Development Indicators 2003. The government estimates that approximately 20 percent of children ages 6 to 14 do not attend school. See U.S. Embassy- New Delhi, unclassified telegram no. 4431.

2198 World Bank, World Development Indicators 2003. The most current government figures for drop-out rate are from 1998 when a 54 percent drop-out rate was reported for grades one to eight. See U.S. Embassy- New Delhi, unclassified telegram no. 4431.
Child Labor Laws and Enforcement

India does not have a national minimum age for employment. However, the Child Labor-Prohibition and Regulation Act of 1986 prohibits the employment of children under the age of 14 in 13 occupations and 57 processes and places restrictions on children’s work hours in all other sectors. In 1996, India’s Supreme Court established a penalty for persons employing children in hazardous industries and directed national and state governments to identify and withdraw children from hazardous work and provide them with education. The Penal Code and the Immoral Traffic (Prevention) Act of 1956 prohibit the trafficking and commercial exploitation of children, including sexual exploitation. The penalty for the commercial sexual exploitation of a child is imprisonment for 7 years to life. As a member state of the South Asian Association for Regional Cooperation, India signed the Convention on Preventing and Combating Trafficking in Women and Children for Prostitution in January 2002. Bonded child labor is prohibited under the Bonded Labor System (Abolition) Act of 1976. Under the Act, allegations of bonded labor and child bonded labor are investigated by Vigilance Committees. In addition, the National Human Rights Commission has the authority to investigate complaints on child labor and bonded labor. In 2000, the Government of India issued a notification banning government employees from using child domestic workers.

There were no new national or judicial efforts in 2003 to strengthen or enforce existing child labor laws and regulations. The enforcement of child labor laws, which falls under the jurisdiction of state governments, is inadequate for a number of reasons, including a lack of sufficient government resources, traditional attitudes toward child labor, and the government’s inability to provide universal primary education.

The Government of India has not ratified ILO Convention 138 or ILO Convention 182.

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2199 U.S. Embassy- New Delhi, unclassified telegram no. 4431.
2200 The Act restricts employment by establishing a limit of a six-hour workday for children, including a one-hour mandatory rest interval after three hours of labor; prohibits overtime and work between the hours of 7 p.m. and 8 a.m.; and requires that children be given one full day off per week. Government of India, Child Labor- Prohibition and Regulation Act 1986, Part II, Part III, 7 and 8 and The Schedule, Parts A and B; available from http://natlex.ilo.org/scripts/natlexcgi.exe?lang=E. See also Embassy of India, letter to USDOL official in response to USG Federal Register Notice: Volume 68 No. 125, September 24, 2003. See also Embassy of India, Child Labor and India, [online] [cited June 19, 2003]; available from http://www.indianembassy.org/policy/child_labor/childlabor.htm.
2201 Ibid., 6-7.
2203 See South Asian Association for Regional Cooperation Secretariat, Eleventh SAARC Summit held in Kathmandu, press release, January 9, 2002, [hard copy on file].
2204 Embassy of India, Child Labor and India.
2206 U.S. Embassy- New Delhi, unclassified telegram no. 4431.
2207 U.S. Department of State, Country Reports- 2002: India, Section 6d.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1992, the Government of Indonesia became one of the six original countries to participate in ILO-IPEC. A National Action Committee to Eliminate the Worst Forms of Child Labor was established in 2001, and the president signed the National Program of Action on the Elimination of the Worst Forms of Child Labor in August 2002. The committee is tasked with creating national child labor policies, establishing priorities, and coordinating programs. The National Program of Action lists the worst forms of child labor in Indonesia and outlines a process to eradicate them. The Ministry of Manpower established a Directorate for Women and Child Workers in November 2002 that has oversight of all child labor issues. In December 2002 President Megawati signed two additional national action plans related to children, one on the trafficking of women and children, and another focusing on the commercial sexual exploitation of children. In July 2003 the government initiated a national campaign against commercial sexual exploitation of children, focusing on the link to tourism.

In 2002, The Government of Indonesia committed to participate in a USDOL supported ILO-IPEC Timebound Program to progressively eliminate the worst forms of child labor. USDOL continues to support two additional ILO-IPEC projects in Indonesia to combat child labor in the fishing and footwear industries. USAID provides support for capacity building to strengthen the efforts of the Ministry of Women’s Empowerment to combat trafficking and to advocate for anti-trafficking laws and policies.

The World Bank has six active education projects in Indonesia that aim to improve the quality of basic education and junior secondary education. The World Bank also funds the Urban Poverty Project in selected areas of

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2210 Ambassador Soemadi D.M. Brotodiningrat, letter to USDOL official, September 6, 2002, 1.
2211 The committee was established by Presidential Decree No. 12, 2001, and the action plan established under Presidential Decree No. 59, 2002. See Ibid. Committees are also being set up at the provincial level. By August 2003, committees had been established in N. Sumatra, E. Java, W. Jaya and W. Kalimantan. All 30 provinces have established non-governmental local Child Protection Agencies at the district level. See U.S. Embassy- Jakarta, unclassified telegram no. 9517, August 19, 2003.
2212 Thirteen worst forms of child labor are listed, including commercial sexual exploitation, mining, work on jernals (offshore fishing platforms), scavenging, domestic work, and the use of children in work involving hazardous chemicals. See Government of Indonesia, The National Plan of Action for the Elimination of the Worst Forms of Child Labor, August 13, 2002, 4 and 5.
2213 U.S. Embassy- Jakarta, unclassified telegram no. 9517.
2215 U.S. Embassy- Jakarta, unclassified telegram no. 9517.
2216 Embassy of the Republic of Indonesia Deputy Chief of Mission, Indonesian Efforts to Eliminate the Worst Forms of Child Labor, letter to USDOL official, August 1, 2003.
2217 Initial phases of each project were funded in 1999. See ILO-IPEC, Programme to Combat Child Labor in the Footwear Sector in Southeast Asia (Phase 1), RAS/99/05/060, Geneva, 1999. See also ILO-IPEC, Programme to Combat Child Labor in the Footwear Industry (Phase 1), cover. A second phase of both Indonesia projects was funded by USDOL in September 2002. See ILO-IPEC, Fishing and Footwear Sectors Program to Combat Hazardous Child Labor in Indonesia (Phase II), INS/02/Pxx/USA, Geneva, 2002, cover.
2219 Three junior secondary education projects focus on Central Indonesia (no. P003987), East Java/East Nusa Tenggara (no. P037097), and Sumatra (no. P041894). Three basic education projects focus on Sulawesi/Eastern Islands (no. P041895), Sumatera (no. P040196), and West Java (no. P039644). See World Bank, Spreadsheet on Active Education Projects in Indonesia, [online] [cited July 2, 2003]; available from http://www.worldbank.org.
Indonesia, which includes the provision of grants to communities or local governments for projects to improve education, among other goals.\textsuperscript{2220} AusAID supports government efforts to improve school quality, promote universal access to schooling, and strengthen the links between schooling and employment.\textsuperscript{2221} The ADB supports two projects undertaking decentralization of education, one focusing on basic education in 21 districts in three provinces,\textsuperscript{2222} and the other aiming to assess overall decentralization with a focus on technical and vocational education, girls’ education, and open schooling for dropouts.\textsuperscript{2223} An ADB grant also targets the basic education of disadvantaged children and those living in the remote areas of the Nusa Tenggara Barat province.\textsuperscript{2224}

USAID funded a pilot project to construct schools in areas of the Malukus affected by conflict,\textsuperscript{2225} and UNICEF works to support schools and in parts of Aceh and the Malukus to address the effects of the civil conflict.\textsuperscript{2226} Beginning with the 1998-1999 school year, the World Bank, the ADB, UNICEF, and other donors funded the Scholarship and Grants Program. The program is intended to support schools and keep children of impoverished families and families affected by the economic crisis in school.\textsuperscript{2227}

**Incidence and Nature of Child Labor**

In 2001, the ILO estimated that 7.5 percent of children ages 10 to 14 years in Indonesia were working.\textsuperscript{2228} A 2000 report by the Government of Indonesia and UNICEF found that children were increasingly working in exploitative and hazardous activities such as garbage scavenging, street peddling, domestic servitude, and commercial sexual exploitation.\textsuperscript{2229} In addition to being exploited as prostitutes, children are used in the

\textsuperscript{2220}World Bank, Indonesia - Urban Poverty Project (02), project document, IDPE72852, May 28, 2002.


\textsuperscript{2224}ADB, Community Based Basic Education for the Poor, (Grant: INO 35178-01), [online] August 15, 2002 [cited June 25, 2003]; available from http://www.adb.org/Documents/Profiles/GRNT/35178012.ASP. In addition, the ADB is currently providing technical assistance through the National Development Planning Agency to review Indonesia's social protection services and develop a policy framework. See ADB, Sustainable Social Protection, (PPTA: INO 35140-01), [online] June 14, 2003 [cited June 25, 2003]; available from http://www.adb.org/Documents/Profiles/PPTA/35140012.ASP.


\textsuperscript{2226}UNICEF provides education supplies nationwide, and conducts primary school assessments to determine schooling needs. See UNICEF, UNICEF Humanitarian Action Donor Update - Indonesia, May 29, 2002, 2; available from http://www.unicef.org/emerg/Country/Indonesia/020529.PDF.

\textsuperscript{2227}UNICEF provides education supplies nationwide, and conducts primary school assessments to determine schooling needs. See UNICEF, UNICEF Humanitarian Action Donor Update - Indonesia, May 29, 2002, 2; available from http://www.unicef.org/emerg/Country/Indonesia/020529.PDF.

\textsuperscript{2228}UNICEF provides education supplies nationwide, and conducts primary school assessments to determine schooling needs. See UNICEF, UNICEF Humanitarian Action Donor Update - Indonesia, May 29, 2002, 2; available from http://www.unicef.org/emerg/Country/Indonesia/020529.PDF.


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\textsuperscript{2225}UNICEF provides education supplies nationwide, and conducts primary school assessments to determine schooling needs. See UNICEF, UNICEF Humanitarian Action Donor Update - Indonesia, May 29, 2002, 2; available from http://www.unicef.org/emerg/Country/Indonesia/020529.PDF.

\textsuperscript{2226}UNICEF provides education supplies nationwide, and conducts primary school assessments to determine schooling needs. See UNICEF, UNICEF Humanitarian Action Donor Update - Indonesia, May 29, 2002, 2; available from http://www.unicef.org/emerg/Country/Indonesia/020529.PDF.

\textsuperscript{2227}UNICEF provides education supplies nationwide, and conducts primary school assessments to determine schooling needs. See UNICEF, UNICEF Humanitarian Action Donor Update - Indonesia, May 29, 2002, 2; available from http://www.unicef.org/emerg/Country/Indonesia/020529.PDF.

\textsuperscript{2228}UNICEF provides education supplies nationwide, and conducts primary school assessments to determine schooling needs. See UNICEF, UNICEF Humanitarian Action Donor Update - Indonesia, May 29, 2002, 2; available from http://www.unicef.org/emerg/Country/Indonesia/020529.PDF.


\textsuperscript{2222}UNICEF provides education supplies nationwide, and conducts primary school assessments to determine schooling needs. See UNICEF, UNICEF Humanitarian Action Donor Update - Indonesia, May 29, 2002, 2; available from http://www.unicef.org/emerg/Country/Indonesia/020529.PDF.

\textsuperscript{2223}UNICEF provides education supplies nationwide, and conducts primary school assessments to determine schooling needs. See UNICEF, UNICEF Humanitarian Action Donor Update - Indonesia, May 29, 2002, 2; available from http://www.unicef.org/emerg/Country/Indonesia/020529.PDF.

production of pornography, and are the victims of sex tourists. In North Sumatra, boys work on fishing platforms called jermals for 12 to 13 hours per day, often in dangerous conditions. In addition, paramilitary groups and civilian militias, such as The Free Aceh Movement, have allegedly recruited children to serve in some capacity in armed conflicts. Trafficking is a problem in Indonesia. Children are trafficked both within Indonesia and to international locations, and girls are trafficked internationally into arranged marriages.

Children work in commercial agriculture on tea, chocolate, rubber, and coffee farms. They also work in various industries, including the rattan and wood furniture, garments, footwear, food processing, toy-making, fishing, construction and small-scale mining sectors. Other children work in the informal sector selling newspapers, shining shoes, scavenging, begging, trafficking drugs, engaging in commercial sexual exploitation, working as domestic servants, and working beside their parents in family businesses or cottage industries.

Law No. 20 of 2003 on National Education provides for free, compulsory, basic education for children ages 7 through 15. However, education is not free in Indonesia. Families often must cover the cost of tuition, uniforms, supplies, and fees for parent-teacher associations. Schools, particularly middle and high schools, are often far from home, and the language of instruction often differs from the language spoken at home. Access to education for children in conflict areas was also restricted by school burnings. In 2000, the gross primary enrollment rate was 110.0 percent. The net primary enrollment rate was 92.2 percent, with 91.6 percent of girls...
enrolled as opposed to 92.7 percent of boys. In 1999, 96.6 percent of children enrolled in primary school reached grade 5. There is a much higher rate of completion of lower secondary school among youths from urban areas as compared to rural areas, and the likelihood of dropout is much higher for children from rural areas. Attendance rates are not available for Indonesia. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. In 2000, UNICEF reported that 20 percent of children fail to complete their primary education, and 30 percent of children ages 13 to 15 years old are not in school.

Child Labor Laws and Enforcement

President Megawati signed the National Child Protection Act into law on October 22, 2002. The law provides a strong legal basis for protecting children under age 18 from a variety of abuses. The Act specifically addresses economic and sexual exploitation of children, including child prostitution, child trafficking, and the involvement of children in narcotics distribution and production, and in armed conflict. Under Article 78 of the Act, persons who expose children to such hazardous activities are liable to terms of up to 5 years imprisonment and/or a possible maximum fine of 100 million rupiah (USD 11,875). Articles 81 – 83 provide that persons who engage a child in commercial sexual exploitation or traffic a child could face stiff prison sentences and fines ranging from 60 million to 300 million rupiah (USD 7,125 – 35,623). Persons involving children in various forms of armed conflict are subject to imprisonment under Article 87 for up to 5 years and/or a fine of 200 million rupiah (USD 23,749). Persons economically or sexually exploiting children can be imprisoned for up to 10 years according to Article 88, or face fines of up to 200 million rupiah (USD 23,749). Per Article 89, those involving children in the production or distribution of narcotics face prison terms of 5 years to life or the death penalty, and fines of between 50 million and 500 million rupiah (USD 5,937 – 59,371).

In April 1999, the Indonesian government established the minimum age for employment at 15 years. Act No. 13 of 2003 on Manpower Development and Protection limits children aged 13 to 15 to a maximum of 3 hours of light work per day, prohibits the employment of children in the worst forms of child labor and specifies those forms. Those employing children in the worst forms of child labor face imprisonment for 2 to 5 years. Decree No. 5 of January 2001 on the Control of Child Workers calls for programs to remove children from hazardous work and assist them in returning to school. The Penal Code makes it illegal for anyone exercising legal

2242 World Bank, World Development Indicators 2003.
2244 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
2245 Stalker, Beyond Krismon, 19.
2247 Article 89 also applies a lesser sentence to persons involving children in the production or distribution of alcohol or other addictive substances. See Ibid., Articles 1, 78, 80-85, 87-89. Currency conversions by FXConverter, in Oanda.com, [online] [cited September 10, 2003]; available from http://www.carosta.de/frames/convert.htm.
2249 U.S. Embassy–Jakarta, unclassified telegram no. 9517. The Act specifies as worst forms all types of slavery, commercial sexual exploitation of children, the use of children in pornography or gambling, work in the production or trade of drugs, and any work that harms the health, safety or morals of children. See Deputy Chief of Mission, letter to USDOL official, August 1, 2003.
custody of a child under 12 to provide that child to another person, knowing that the child is going to be used for the purposes of begging, harmful work, or work that affects the child’s health. The Code imposes a maximum sentence of 4 years imprisonment for violations of this kind.\textsuperscript{2251}

The Penal Code prohibits engaging in an obscene act with a person below 15 years of age. The penalty for violations is up to seven years in prison. The use of force or threats increases the penalties.\textsuperscript{2252} The Penal Code also prohibits trafficking of women and younger boys, with a maximum penalty of six years imprisonment for violations.\textsuperscript{2253} The Law on National Defense of 1982 sets the minimum age for voluntary recruitment into the armed forces at 18 years.\textsuperscript{2254}

Due in part to a lack of resources, corruption, and weak law enforcement, the government does not enforce child labor laws in an effective or thorough manner.\textsuperscript{2255}

The Government of Indonesia ratified ILO Convention 138 on June 7, 1999 and ILO Convention 182 on March 28, 2000.\textsuperscript{2256}

\begin{footnotesize}
\textsuperscript{2252} Ibid., Articles 289-90. However, the U.S. State Department reported that some corrupt civil servants issued false ID cards to underage girls, thereby facilitating entry into commercial sexual exploitation. See U.S. Department of State, \textit{Country Reports- 2002: Indonesia}, Section 5.
\textsuperscript{2253} \textit{Penal Code}, Article 297.
\textsuperscript{2255} The number of labor inspectors has reportedly decreased in recent years due to decentralization. See U.S. Embassy- Jakarta, \textit{unclassified telegram no. 9517}.
\end{footnotesize}
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Jamaica became a member of ILO-IPEC in September 2000. The government has also been participating in a three-year USDOL-funded ILO-IPEC national program to collect baseline information on the extent of child labor in the country, conduct capacity-building and advocacy activities, and to provide a range of services to address the problem of child labor in commercial sexual exploitation, fishing, tourism, and informal urban sectors. This project also funded a national child labor survey conducted by the Statistical Institute of Jamaica (STATIN) with technical assistance from ILO-IPEC’s SIMPOC.

In 1996, the government launched a National Plan of Action for Children to provide universal access to basic education, reintegrate street children into school, and develop a comprehensive national policy statement on children. Government programs for children evolving from this Plan of Action and relating to children are coordinated and monitored by the Child Support Unit within the Ministry of Health. For instance, the Child Support Unit commissioned a National Survey of Street and Working Children, which was published in March 2002.

In 2001, the government initiated the Possibilities Program, which provides care, resocialization, and skills training for street children. The government also collaborated with UNICEF on the Child and Youth At Risk Program, designed to address child labor issues and increase school attendance through poverty alleviation efforts and a public-awareness campaign. However, it was reported that the effectiveness of some support activities has been hampered by the country’s poor economic conditions, limited resources, and lack of information about the full extent of the country’s child labor problem.

The Ministry of Education has instituted a cost-sharing program to help parents pay school fees at the secondary level. In 2001, the government and the World Bank began implementation of a Social Safety Net Program, which includes a child assistance component that provides grants to at-risk families in order to keep children in school. The IDB and USAID are funding programs to improve the quality of primary education, and another World Bank initiative is focusing on reforms to secondary education.

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2258 ILO-IPEC, National Programme Jamaica, project document, Annex 1.

2259 Ibid., 11.


Incidence and Nature of Child Labor

Recent statistics on the number of working children under the age of 15 in Jamaica are unavailable. Child labor is largely urban based, the result of high levels of poverty, and the lack of family income. While child labor is not reported to be a significant problem in Jamaica’s formal industrial sector, children are found working in informal activities, notably those in the fishing, agriculture, and tourism sectors. Children live and work on the streets and are involved in such activities as newspaper delivery, street vending, cart pushing, and work on cargo and tourist shipping wharves. Children also work as shop assistants in carpentry and mechanic shops and domestic servants. In tourist towns, children are reported to work in kitchens, hotels, and recreational and cultural activities. In some villages, children catch, scale, and gut fish. In agriculture, children work on family farms and in the cultivation and harvesting of marijuana.

A 2001 study funded by ILO-IPEC found that children as young as 10 years old work as prostitutes, catering to tourists in areas, while other young girls are hired by “go-go” clubs or massage parlors.

Under the Education Act, school is compulsory for children from the ages of 6 to 12 years. In 2000, the gross primary enrollment rate was 99.6 percent, and the net primary enrollment rate was 94.9 percent. In spite of high enrollment rates, many Jamaican children (between 19 and 25 percent) fail to attend primary school regularly. Some families keep their children home because they cannot afford to pay school expenses. Although schooling is free at the primary level, reports indicate that some local schools and parent teacher organizations still collect fees. Other reports attribute low school attendance to the lack of relevant curricula,

2267 In 1994, a labor force survey conducted by STATIN, in collaboration with UNICEF, estimated that 4.6 percent of children ages 6 to 16 years were working in Jamaica. According to the survey, 22,000 children were working. Although it is dated, this statistic provides the best available estimate on the number of children working. See ILO-IPEC, National Programme Jamaica, project document, 7.


2269 U.S. Embassy- Kingston, unclassified telegram no. 2589.

2270 ILO-IPEC, National Programme Jamaica, project document, 7-8.

2271 Government of Jamaica, End Decade Assessment of Year 2000 Goals: Jamaica.

2272 ILO-IPEC, National Programme Jamaica, project document, 7-8.

2273 Ibid.

2274 Claudette Richardson-Pious, interview with USDOL official, July 2000.

2275 ILO-IPEC, National Programme Jamaica, project document, 7.


2277 ILO-IPEC, Situation of Children in Prostitution, 13. See also ECPAT International, Ecpat Database.


2281 Ibid. See also ILO, Review of Annual Reports Under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, Part II, Compilation of Annual Reports by the International Labor Office, Geneva, March 2000, 299.

2282 U.S. Embassy- Kingston, unclassified telegram no. 2589.
the lack of space in schools (especially at the secondary level), and the low quality of instruction. Absenteeism is reported to be particularly high on Fridays, as children often leave school in order to work.

**Child Labor Laws and Enforcement**

The Juveniles Act of 1951 prohibits the employment of children under the age of 12 years, except in family domestic, agricultural, or horticultural work. Children under 15 may not be employed in industrial work. They are also prohibited from working on ships, except where only family members are employed. Children under 16 are prohibited from night work and from begging. Forced labor is not specifically banned. The Criminal Code prohibits procuring a girl under 18 years of age for the purposes of prostitution, and while there is not comprehensive law against trafficking in persons, the Criminal Code prohibits procuring a woman or girl to leave the island for work in prostitution. Assault, immigration, or customs laws may also be applied to prosecute cases of child trafficking.

Inspectors at the Ministry of Labor are responsible for enforcing child labor laws, and representatives from the Children’s Services Division, and other government agencies and programs, have the authority to intervene in order to refer working children to counseling or support services. Under the Juveniles Act, child labor violators can be subject to a fine of JMD 50 (USD 1) or 3 months imprisonment. Enforcement of child labor laws in the informal sector is reported to be inconsistent. There are approximately 30 labor and occupational safety and health inspectors nationwide.

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2284 Claudette Richardson-Pious, interview by USDOL official, May 20, 2003.

2285 Juveniles Act of 1951, Part 8, Section 71.

2286 Ibid., Part 8, Section 72. Industrial activities prohibited for children under 15 include mines, quarries, breweries, shipbuilding, and factories. See Embassy of Jamaica, *Submission to USDOL regarding Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor*, Washington, D.C., September 6, 2000, 1.

2287 U.S. Embassy- Kingston, unclassified telegram no. 2589.


2292 Alvin McIntosh, Permanent Secretary, Ministry of Labor and Social Security, Government of Jamaica, interview with USDOL official, May 20, 2003.
Acts of prostitution that involve girls under the age of 18 are punishable by up to 3 years imprisonment.\footnote{Criminal Code, Article 58.} There is limited information available on prosecutions or convictions for related offenses, but it is reported that since fines have not kept pace with the depreciation in the exchange rate, judges often impose criminal penalties in lieu of fines.\footnote{U.S. Embassy- Kingston, unclassified telegram no. 2907, October 2002.}

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Jordan has been a member of ILO-IPEC since 2000.2298 Queen Noor established the National Task Force for Children (NTFC) in 1995. The NTFC conducted its first national study on child labor in 1997.2299 The Ministry of Labor (MOL) initiated an ILO-IPEC Action Program in January 2001. As a result, the Child Labor Unit (CLU) was established. The CLU developed a database on child labor issues and is in the process of establishing a National Policy and Program Framework, which will provide policy makers with a country-wide strategy for the elimination of the worst forms of child labor.2300 In 2000, Queen Rania2301 opened Dar al-Aman, a child protection center designed to shelter children ages 6 to 12 who have suffered from neglect and abuse, including children who have been forced to drop out of school and enter the workforce.2302 The Ministry of Social Development established a committee to address the problem of child vendors. This government body is empowered to withdraw children from the streets, return them to their families or juvenile centers, and provide families with stipends.2303 The MOL has also implemented a policy whereby the adult relatives of any child laborer withdrawn from work may be offered vocational training.2304 With support from UNESCO and the ILO, the government is also implementing a project intended to inform government officials and educators of children’s rights.2305 In 2002, USDOL funded an ILO-IPEC national program in Jordan.2306 The Jordanian Women’s Federation (JWF) and the UN Relief and Works Agency (UNRWA) launched a pilot project in the Baqa refugee camp to reach street children who had abandoned their education by engaging them in educational games and computer-generated activities.2307 In October 2003, the Information Research Centre (IRC) sponsored a 3-day conference for regional experts to collaborate on action plans to combat child labor.2308

The government has placed a strong emphasis on providing education for all. A 10-year education reform program was initiated in 1987. Two subsequent Human Resources Development Sector Investment programs were financed by the government, World Bank, Government of Japan, and other technical agencies. An Education

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2301 Queen Rania is the wife of King Abdullah II, who ascended to the throne at the death of his father, King Hussein, in 1999. Queen Noor was King Hussein’s wife and still carries the title of Queen. See Jeffrey Goldberg, “Learning How To Be King,” New York Times (New York), February 6, 2000, Section 6; available from http://www.mtholyoke.edu/courses/mjiyad/abdulart.html.

2302 The center works closely with the Ministry of Social Development and the Public Security Directorate. H.M. Queen Rania Al-Abdullah, Dar Al-Aman Center, Queen Rania website, [online] [cited June 19, 2003]; available from http://209.41.172.238/initiatives/daralaman.cfm.


2304 U.S. Embassy- Amman, unclassified telegram no. 5763.

2305 Ibid.

2306 The program aims to withdraw child workers from the worst forms of child labor; mainstream them into non-formal and formal education programs; provide them with pre-vocational and vocational training; and support them with counseling, health care, and recreational activities. See ILO-IPEC, National Program in Jordan—project document, 26-27.


Plan of Jordan was implemented from 1988 to 1995 and was funded by the government, World Bank, Government of Japan, USAID, and the Department for International Development.\textsuperscript{2309} The second Education Development Plan ran from 1996 to 1999, and the third ran from 1999 through 2003. Progress in literacy, enrollment, and numbers of students and teachers has been made throughout the course of these three plans.\textsuperscript{2310} More recently, the government has recognized the link between the lack of education and child labor. The Ministry of Education has taken steps to address child labor issues in its 2003-2015 Educational Development Plan.\textsuperscript{2311} The government also provides school fee reductions and supplements transportation costs for disadvantaged families.\textsuperscript{2312}

**Incidence and Nature of Child Labor**

In 2001, the ILO estimated that less than one percent of children ages 10 to 14 years in Jordan were working.\textsuperscript{2313} In 1997, the Department of Statistics estimated that approximately 13 percent of boys ages 15 to 16 years and 1.1 percent of girls of that age were working.\textsuperscript{2314} An MOL study, published in 2002, stated that children are employed in automobile repair, carpentry, sales, blacksmith shops, tailoring, construction, and food services.\textsuperscript{2315} Child vendors on the streets of Amman work selling newspapers, food, and gum. Other children provide an important source of income for their families by rummaging through trash dumpsters to find recyclable items.\textsuperscript{2316} A 2001 study by the MOL found that working children are primarily concentrated in Amman, Zarqa, Balqa and Irbid.\textsuperscript{2317} Another study of working children in Irbid found that children who work often grow up shorter and leaner than others in the same age group and remain smaller through adulthood. The study also found that many working children had been victims of physical, verbal, and sexual abuse in the workplace and had been exposed to hazardous chemicals and dangerous working conditions.\textsuperscript{2318}

Education in Jordan is free and compulsory for children ages 6 to 17 years.\textsuperscript{2319} The Ministry of Education is required to open a school in every community where there are at least 10 students for grades 1 through 4.\textsuperscript{2320} In 1999, the gross primary enrollment rate was 100.8 percent and the net primary enrollment rate was 93.6 percent.\textsuperscript{2321} Primary school attendance rates are unavailable for Jordan. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{2322} Drop-out rates are
relatively high, particularly in rural areas after children reach the age of 13 years. The primary reasons for dropping out of school are financial pressures, poverty, disability, poor performance, teaching styles, parental attitudes, and lack of adequate transportation. The 2001 MOL study indicated that most of the child workers interviewed had completed at least nine years of education or more.

Child Labor Laws and Enforcement

In 1996, the Labor Code was amended to raise the minimum legal working age from 13 to 16 years. In February 2003, the government raised the minimum age for employment of children in dangerous and hazardous work from 17 to 18 years. Minors must be given a break after four hours work, are not allowed to work more than six hours per day, and may not work during weekends and holidays, or at night. Before hiring a minor, a prospective employer must obtain a guardian’s written approval, the minor’s birth certificate, and a health certificate. An employer found in violation of these provisions will face a fine ranging from 100 to 500 dinars (USD 142 to 710). Compulsory labor is prohibited by the Constitution of Jordan. While the law does not specifically prohibit forced or bonded labor by children, such practices are not known to occur. A 1926 law specifically prohibits trafficking in children, and there is no indication that children were trafficked, to, from, or within the country.

The CLU of the MOL is primarily responsible for monitoring child labor, collecting and analyzing data, and reviewing and ensuring the enforcement of existing legislation. There are over 80 labor inspectors in the country, many of whom have received training on issues of child labor. In 2002, approximately 3,000 child labor allegations were investigated by MOL inspectors and none of these cases resulted in sanctions against the employers.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

On July 31, 2000, the Government of Kazakhstan created a Council for Children’s Matters to analyze youth issues and offer policy advice. A Presidential decree titled the “Outline of Children’s Rights” also sets up special units among internal affairs authorities focusing on the affairs of minors. These special units deal specifically with child crime and the protection of the rights, interests, and freedoms of minors. The National Commission for Women’s and Family Issues and the Prosecutor General are leading efforts to combat trafficking of women and girls in Kazakhstan. The Commission has joined with the Gender Crimes Unit of the Ministry of the Interior to conduct research on trafficking, and Commission representatives have engaged in some preventative activities. With funding from USAID, IOM is implementing an anti-trafficking program in cooperation with government ministries. The program aims to raise awareness and develop a preventative action plan for the country.

The Ministry of Education and Science has joined with local representatives and law enforcement agencies to conduct regular searches for school truants and provide services for children in need. The government provides free textbooks to children from large families, children who receive social assistance, and disabled, orphaned, and institutionalized children. The ADB has approved two technical assistance grants of USD 600,000 to prepare a childhood development project and strengthen the education sector development strategy for the Government of Kazakhstan. International organizations, such as UNICEF and UNESCO, have also implemented programs aimed at improving the country’s education system.

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2341 The Ministry of the Economy and the Ministry of Internal Affairs have set up a process and criteria for registering school age youth. See The Government of Kazakhstan, Consideration of Reports, paras. 274-75.

2342 Ibid., para. 281.


Incidence and Nature of Child Labor

Recent statistics on working children under the age of 15 are unavailable. However, educators interviewed for the ILO-IPEC Child Labor Survey in Kazakhstan estimate that over one-half of all children participate in labor activities at some time during their childhood.

Child labor tends to occur mostly in rural areas during harvest time, when children are employed in agriculture. However, growth in the informal sector has led to increases in the involvement of young people in unregulated employment in urban areas. Children in cities, including many homeless and abandoned children, can be found: working at gas stations; selling newspapers, magazines, and other goods; wiping windshields and cleaning cars; conducting buses; loading and unloading goods; and begging and working in bazaars and small businesses, often alongside their parents. Although the scope of the problem is unknown, local media reports indicate that child prostitution is a problem in Kazakhstan. There are also reports that children are sold or pawned by parents or guardians. Kazakhstan is reported to be a source country for trafficking in children (mainly teenage girls) to the United Arab Emirates, Greece, Turkey, Israel, South Korea, Cyprus, France, Italy, Portugal, Switzerland, Belgium, and Albania. There are some reports that Kazakhstan is also a destination country for trafficking in children.

Under the Constitution and the Education Act, school is free and compulsory through grade 9 or up to the age of 16 years. The Government also provides free secondary vocational and higher vocational education as well as

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2346 National Labor Force surveys carried out by the Kazakhstan government do not collect employment statistics on children under 15 years. See ILO, Laborsta, in Laborsta, [online database] 2000 [cited August 22, 2003]; available from http://laborsta.ilo.org. In 1996, a national household survey on living standards found that 31.1 percent of children ages 7 to 14 were working only or working and studying in Kazakhstan. The survey also found that a higher percentage of children in Central Kazakhstan work without attending school than in other regions of the country. See Understanding Children’s Work: An Inter-Agency Research Cooperation Project at Innocenti Research Center, Kazakhstan Living Standards Survey, [online] [cited September 18, 2002]; available from http://www.ucw-project.org/cgi-bin/ucw/Survey/Main.sql?come=Tab_Country_Res.sql&ID_SURVEY=1095.

2347 Dr. Serikzhan, Bereshev, and Windell, Child Labour in Kazakhstan., 3


2349 The Government of Kazakhstan, Consideration of Reports, para. 345.

2350 Bauer, Boschmann, Green, and Kuehnast, A Generation at Risk, 39, 108. See also Dr. Serikzhan, Bereshev, and Windell, Child Labour in Kazakhstan., 3

2351 A survey of school-age girls in Almaty suggests that prostitution is regarded as an acceptable profession given serious family economic problems. See Bauer, Boschmann, Green, and Kuehnast, A Generation at Risk, 114-15. The Kazakhstan Today News Agency reported that a medical investigation conducted in several cities including Almaty discovered children as young as 10 suffering from sexually transmitted diseases as a result of being sexually abused by tourists. See Cheryl Eichorn, electronic communication to USDOL official, October 23, 2001.

2352 Bauer, Boschmann, Green, and Kuehnast, A Generation at Risk, 108.

2353 Travel, employment and marriage agencies lured girls into trafficking with promises of good jobs or marriage abroad. See U.S. Department of State, Country Reports- 2002: Kazakhstan, Section 6f.

2354 Children were trafficked from the Kyrgyz Republic, Uzbekistan, and Tajikistan. See Ibid. See also U.S. Department of State official, electronic communication to USDOL official, February 2003.

2355 Students may begin technical training at grade 9. See U.S. Department of State, Country Reports- 2002: Kazakhstan, Section 5.
free and compulsory preparation classes for children aged 5 and 6 years. In 2000, the gross primary enrollment rate was 98.8 percent. In the same year, the net primary enrollment rate was 88.7 percent. Primary school attendance rates are unavailable for Kazakhstan. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school. The number of children enrolled in preschool grew by 10,500 in the year 2000, while the percentage of children enrolled in kindergarten increased by 2.1 percent. However, government resources for education have declined by over 50 percent in the last decade.

Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 14 years with parental consent, providing that the work does not interfere with school attendance or pose a health threat. Children 16 years and older may independently sign work contracts. Children under 18 years are prohibited from working in dangerous conditions, overtime, or at night. Children between the ages of 14 and 16 may not work more than 24 hours per week. Children between 16 and 18 may not work more than 36 hours per week. The Constitution prohibits forced labor, except under a court mandate or in a state of emergency. The Criminal Code was expanded in 1997 to include an article establishing penalties for the sale or purchase of minors. Although the Code of Administrative Offences criminalizes the involvement of minors in the creation of pornographic products, there are no special prohibitions against involving children in the storage or distribution of sexual products or the use of images of minors for sexual purposes. There are no specific laws prohibiting

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2356 The Government of Kazakhstan, Consideration of Reports, points 257 and 67. It is mandated that Universal Compulsory Secondary Education Funds be established at schools in Kazakhstan in order to pay for education expenses, including clothes, shoes, text books, training aids, and school meals for needy students. The funds are provided by local governments and private sources (such as sponsorships) and total no less than 1 percent of the schools' current operational budgets. See Resolution #812 on Measures to Promote Further Reforms of Secondary Education System of the Republic of Kazakhstan, August 28, 1998 as cited in UNESCO, Education for All 2000 Assessment: Country Report - Kazakhstan, prepared by Sports, pursuant to UN General Assembly Resolution 52/84, 2000; available from http://www2.unesco.org/web/countryreports/kazakhstan/contents.html.


2358 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

2359 The Government of Kazakhstan, Consideration of Reports, para. 263.

2360 In 1990, 24.5 percent of the budget expenditures and 5.7 percent of GDP were spent on education. In 1998, percentages for budget expenditures and GDP were 11.2 and 3.0 respectively. See UNESCO, Education for All 2000 Assessment. See also Dr. Serikzhan, Bereshev, and Windell, Child Labour in Kazakhstan., 18.


2362 Ibid., Section 11, no. 1.

2363 Children between ages 16 and 18 years may not work more than 36 hours per week. Children between ages 15 and 16 years (or 14 and 16 years during non-school periods) may not work over 24 hours per week. See Ibid., Sections 46-49.

2364 The Government of Kazakhstan, Consideration of Reports, para. 343.


2366 Aggravating circumstances include: engaging in the same act with two or more minors, selling body parts, and sale by a group of persons or by a person in a position of authority, in conjunction with trafficking or inciting the youth to commit immoral acts. See The Government of Kazakhstan, Consideration of Reports, para. 358. See also U.S. Department of State, Country Reports- 2002: Kazakhstan, Section 6f.

2367 The Government of Kazakhstan, Consideration of Reports, para. 355.
However, procuring a minor to engage in prostitution, begging, or gambling is illegal under the Criminal Code and punishable by up to 5 years imprisonment, or 8 years if the minor is trafficked abroad. Article 330 of the Criminal Code criminalizes organized illegal migration, including the trafficking of minors across borders. On May 15, 2003, Parliament approved amendments to the Code intended to strengthen its anti-trafficking campaign.

The Ministry of Labor is responsible for enforcing child labor laws. However, reports indicate that regulations are inadequately enforced.


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2371 The amendments expand the law to cover the trafficking of persons from countries other than Kazakhstan for purposes of sexual or other forms of exploitation. They impose sentences of up to 4 years. See “Human Trafficking Criminalized in Kazakhstan”, Legislationonline.org, [online], May 19, 2003 [cited August 27, 2003]; available from http://www.legislationonline.org/news.php?topic=0&country=42&iorg=0&month=0&year=2003. See also U.S. Embassy- Almaty, unclassified telegram no. 2526, May 2003.
2372 U.S. Department of State, Country Reports- 2002: Kazakhstan, Section 6d.
2373 Dr. Serikzhan, Bereshev, and Windell, Child Labour in Kazakhstan, 18.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1992, the Government of Kenya became one of the first six members of ILO-IPEC.2375 The government is working with ILO-IPEC and other development partners to build the capacity of the Ministry of Labor and Human Resource Development to enforce child labor inspection, and with the Department of Children's Services in the Ministry of Home Affairs to raise awareness on child labor.2376 In September 2001, the Ministry of Labor and Human Resource Development established a Child Labor Division within the ministry.2377 The Government of Kenya's National Development Plan 2002-2008 recognizes child labor as a problem and calls for an evaluation of the impact of child labor on the individual and the nation, as well as its implications on the quality of the future labor force.2378

By 2003, 73 ILO-IPEC programs on child labor had been launched targeting the agriculture, construction, cross-border trade, domestic service, fishing, hotel and tourism, and quarrying and mining sectors.2379 Kenya is also participating in an ILO-IPEC regional program funded by USDOL to withdraw, rehabilitate, and prevent children from engaging in hazardous work in the commercial agriculture sector in East Africa.2380 The government is taking part in another USDOL ILO-IPEC regional project aimed at building the foundations for eliminating the worst forms of child labor in Anglophone Africa.2381 In September 2001, the Government of Kenya and ILO-IPEC released the results of the Child Labor Module of the Integrated Labor Force Survey, which collected national data on the incidence of child labor in Kenya from 1998 to 1999.2382

The Government of Kenya has also received support from UNICEF to raise the enrollment and primary completion rates for girls, and to help formulate policy on issues affecting children.2383 In 2001, USAID allocated money for a “Displaced Children and Orphans Fund” to support programs that would allow children from HIV/AIDS-affected families, including orphans, to benefit from home-based care and other programs.2384 In 2002, USAID helped provide scholarships to secondary school girls from poor families, provided internet access to primary and secondary schools, and assisted 22 educational institutions.2385

2382 Central Bureau of Statistics- Ministry of Finance and Planning, The 1998/99 Child Labor Report, ii. This survey was carried out with support from a USDOL funded ILO-IPEC SIMPOC project.
In December 2002, the newly elected government promised to eliminate tuition fees for primary education and reform the educational system.\textsuperscript{2386} As a result, the number of children in primary school significantly increased in 2003, but not without placing a strain on schools.\textsuperscript{2388} To aid in the provision of primary education to all children by 2015, the World Bank will provide USD 50 million to this effort.\textsuperscript{2389} The World Bank has also been supporting an early childhood development project, which has as part of its objectives to increase enrollment and reduce dropout and repetition rates in lower primary school.\textsuperscript{2390}

Prior to the implementation of Universal Free Primary Education, a “cost sharing” education system in which students paid both tuition and other associated schooling costs, which could total up to 65 percent of the recurrent costs of schools, had been in place in Kenya.\textsuperscript{2391} Increased costs of schooling reduced access to education for many poor children, and led to a steady increase in the number of dropouts in Kenya.\textsuperscript{2392}

**Incidence and Nature of Child Labor**

In 1998/99, the Kenyan Central Bureau of Statistics estimated that 17.4 percent of all children ages 5 to 17 years were working in Kenya.\textsuperscript{2393} According to the survey, children made up 14.4 percent of the total workforce in Kenya.\textsuperscript{2394} More children living in rural areas (19.7 percent) worked compared to children living in urban areas (9.0 percent).\textsuperscript{2395} The commercial or subsistence agriculture and fishing sectors employ the largest number of working children (57.6 percent), followed by the domestic service sector (17.9 percent).\textsuperscript{2396} Children also work in construction, wholesale and retail trade, mining, and manufacturing.\textsuperscript{2397} Children employed in the hotel industry


\textsuperscript{2387} U.S. Embassy- Nairobi, unclassified telegram no. 3531.


\textsuperscript{2393} Child labor was defined as work undertaken by children 5-17 which hampers school attendance, is exploitative, and is hazardous or inappropriate for children. This definition includes the worst forms of child labor. See Central Bureau of Statistics- Ministry of Finance and Planning, *The 1998/99 Child Labor Report*, 33.

\textsuperscript{2394} Of the children surveyed for the SIMPOC survey, 78.7 percent worked as unpaid family workers in family farms or businesses and 18.5 percent worked for pay, and 1.6 percent were running their own businesses. See Ibid., 33 and 36.

\textsuperscript{2395} Ibid., 34.

\textsuperscript{2396} Ibid., 37.

are often drawn into commercial sex work. Street children are often engaged in odd jobs in the informal sector, prostitution, or various illegal activities often under the control of organized criminal groups. Cases of forced labor, in which children are loaned out to creditors to pay off family debt, have also been documented, primarily in rural areas. There are reports of internal trafficking of children, for the purpose of commercial sexual exploitation and forced labor. Children are also reportedly trafficked to Uganda for labor purposes.

Education is compulsory for eight years, for children ages 6 to 14. In 2000, the gross primary enrollment rate was 94.0 percent, and the net primary enrollment rate was 68.5 percent. In 1998, 71.2 percent of children persisted to grade five. Of students enrolled in primary school in 1991, 47.2 percent completed the eighth grade in 1998. Of children who completed primary school, 44 percent transitioned to secondary school. Progress is being made in improving school completion rates for girls, and the completion rate among girls has been reported higher than boys. However, there is still a gender bias in access to education. As the government looks to expand primary education, it faces some challenges, including high numbers of overage students, lack of teachers in some areas, learning material shortages, large classroom sizes, lack of classrooms, and inadequate facilities. In 2001, 42 percent of teachers were reported as being untrained. Furthermore, a teachers’ strike from September to October 2002 led to disruptions in the provision of schooling.

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2404 World Bank, World Development Indicators 2003.
2406 Ibid., 5.
2407 Ibid.
2410 UN Integrated Regional Information Network (IRIN), “Kenya: Feature - Compromise Deal Ends Teachers' Strike”, IRINews.org, October 23, 2002, [cited August 1, 2003]; available from http://www.irinnews.org/report.asp?ReportID=30563&SelectRegion=East_Africa&SelectCountry=KENYA. After a teachers’ strike in 1997, the government agreed to increase teachers’ salaries by 200 percent. However, after the first phase of salary awards it asserted that it did not have the funds to complete the rest of the awards, subsequently not providing the agreed to increases to the teachers. A number of negotiations and strikes have taken place since. On May 1, 2003, however, the President ordered a renegotiation and on July 1, the government made the first salary award payment, with the remainder to be paid over the next 6 years. See also UN Integrated Regional Information Network (IRIN), Kenya: Focus on Challenges in the Education Sector. See also UN Integrated Regional Information Network (IRIN), “Kenya: Education sector in crisis as teachers strike”, September 23, 2002; available from http://www.irinnews.org/report.asp?ReportID=30027&SelectRegion=East_Africa&SelectCountry=KENYA. See also U.S. Embassy- Nairobi, electronic communication to USDOL official, February 17, 2004.
Child Labor Laws and Enforcement

The Children’s Act of 2001 prohibits all forms of child labor that would prevent children under the age of 16 from going to school or that is exploitative and hazardous.\textsuperscript{2411} The Children’s Act also prohibits child sexual exploitation.\textsuperscript{2412} The Constitution prohibits slavery, servitude, and forced labor.\textsuperscript{2413} The enforcement of child labor regulations involves multiple government agencies and institutions. At the ministerial level, the Ministry of Labor and Human Resource Development enforces child labor legislation.\textsuperscript{2414} The Department of Children’s Services (Office of the Vice President and the Ministry of Home Affairs) is responsible for the administration of all laws regarding children, particularly awareness raising regarding children’s rights and the management of rehabilitation institutions.\textsuperscript{2415} There are more than 80 Directorate of Occupational Health and Safety Services inspectors and 140 Ministry of Labor officers who have been trained to detect and report child labor.\textsuperscript{2416} However, the number of inspectors is reported to be insufficient, and fines are not high enough to effectively deter employers from utilizing children under the minimum age.\textsuperscript{2417} There are no laws in Kenya prohibiting trafficking.\textsuperscript{2418}

The Government of Kenya ratified ILO Convention 138 on April 9, 1979 and ILO Convention 182 on May 7, 2001.\textsuperscript{2419}

\textsuperscript{2411} U.S. Embassy- Nairobi, unclassified telegram no. 3531.
\textsuperscript{2415} Ibid.
\textsuperscript{2416} U.S. Embassy- Nairobi, unclassified telegram no. 7028.
\textsuperscript{2417} Ibid.
\textsuperscript{2418} U.S. Department of State, Country Reports- 2002: Kenya, section 6f.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Kiribati began working with the UN in late 1999 to assess the country’s national development through a Common Country Assessment (CCA). The CCA formed the basis for the United Nations Development Assistance Framework (UNDAF) 2003–2007 which was completed in 2002. The UNDAF is working with the government to support national priorities and initiatives that include promoting the healthy growth and development of Kiribati’s children.

The government is also working with the ADB on the implementation of its 2003–2005 Country Strategy and Program to address key issues that include poverty reduction and human development. Part of its poverty reduction strategy and plan to invest in human capital development will focus on improving quality and relevant education and expanding the coverage of social services, particularly for people living in the outer islands. AusAID is also assisting the country to enhance policy initiatives surrounding the education sector for the period between 1998 and 2005. The objective of the education program is to develop curriculum materials, advance teacher training, and facilitate access to basic education.

The Quality of Life Improvement policy of the government includes a commitment to financially support initiatives that enhance the social, physical, and economic environment for children, such as health and sports programs. As a signatory to the Convention of the Rights of the Child, the government has made progress in reaching the Convention’s standards by amending the Film Education Act to protect children from pornography and violent films, funding construction of Early Care and Childhood Education centers, providing teacher materials for centers, instituting vocational training centers, and expanding the education system.

The Ministry of Education, Training and Technology is responsible for implementing the National Development Strategies for 2000–2003 to improve the quality of education at each level. One of the primary goals is to increase access to education through the provision of universal education at little or no direct cost to parents throughout Kiribati, including the outer islands of Teraina and Tabuaeran. Increasing the availability of pre-schools, training teachers to adapt to changes in the new curriculum and renovating classrooms are all a part of the national policy to strengthen its education system. UNICEF is also active in Kiribati implementing child and youth advocacy projects.
Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Kiribati are not available. However, an estimated 2,000 school-aged children are reported to be out of school for unknown reasons. Some children who are not in school are reported to work in the informal sector, either in small-scale enterprises or in their homes.

Education is free and compulsory for children ages 6 to 14 years. Basic education includes primary school for grades one through six, and Junior Secondary School for three additional grade levels. In 1998, the gross primary enrollment rate was 84.4 percent, and net primary enrollment rate was 70.7 percent. Attendance rates are not available for Kiribati. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. School quality and access to primary education is still a challenge, particularly in the outer islands.

Child Labor Laws and Enforcement

Part IX, Section 84 of the Employment Ordinance, Employment of Children and Other Young Persons, sets the minimum age for employment at 14 years, and children under 16 years are prohibited from industrial employment or jobs aboard ships. The Constitution prohibits forced labor. The Penal Code criminalizes the procurement of minors under 15 years of age for the purpose of sexual relations and establishes a penalty of two years imprisonment for such offenses. The Penal Code also bans parents or guardians from prostituting children under 15 years old. Child labor laws are enforced by the Ministry of Commerce, Industry and Employment.

The Government of Kiribati has not ratified ILO Convention 138 or ILO Convention 182.

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2430 Informal sector economic activities in the Pacific Islands include small-scale agriculture in rural areas and small enterprises or domestic services in urban areas. The informal sector is not widely visible in Pacific Island towns, because much of the activity is home-based. This makes it particularly difficult to monitor the extent of child labor practices. See United Nations Development Programme, Pacific Human Development Report 1999, Suva, Fiji Islands, June 1999, 41-42, 80, [hard copy on-file]; available from www.unpd.org/fj/Pacific_Human_Dev_Report_1999.htm.
2432 Kiribati Education Policy.
2434 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
2437 U.S. Department of State, Country Reports- 2002: Kiribati, Section 6d.
2439 UN Committee on the Rights of the Child, Summary Record of the 751st Meeting, CRC/C/SR.751. (Summary Record), 2002, Articles 141, 43.
2440 Ibid.
2441 Ibid.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Kyrgyzstan is an associated country of ILO-IPEC. The Ministry of Education, Science, and Culture, the Department of Employment, and the Mayor of Bishkek cooperate with the Center for Child Protection established in 1998 by the “Children in Risk” organization to address child labor issues. The Center provides a safe house for homeless children, a medical program, a food program, and a professional orientation program to teach children involved in low-skilled work a trade. In 2002, the government collaborated with trade unions, NGOs, and the ILO to hold conferences in an attempt to raise awareness about child labor. With funding from USAID in 2001, IOM began cooperating with the government to implement an anti-trafficking program that aims to raise awareness about the issue in the country. The program also contributed to the development of the National Anti-Trafficking Plan, which was signed by President Akayev on July 11, 2002.

The government has also created New Generation, a consortium of international and national organizations that focuses on child welfare issues. The Center for Social Adaptation, supported by Norwegian and UNDP funds, cares for homeless, abused, and neglected children. In the fall of 2002, Prime Minister Nikolai Tanayev also created a working group with the responsibility of drafting a Children’s Code.

In April 2003, President Akayev initiated new efforts to help reduce poverty and send 50,000 low-income children back to school. The Government of Kyrgyzstan has established national education programs such as Araket and Jetkinchek, which provide school supplies or other educational benefits for low-income families. Since 1992, the World Bank has provided support for basic education.


2444 “Children in Risk” is supported by the Holland Interchurch Aid and Interchurch Organization for Partnership Development. See ILO-IPEC and SIAR, Child Labor in Kyrgyzstan, 36.


2448 Ibid., 4. See ILO-IPEC and SIAR, Child Labor in Kyrgyzstan, 36.

2449 The group consisted of the Ministry of Justice Representatives, affiliates from the “New Generation” program and members from the NGO Children in Danger. The Children’s Code will be a legal document that addresses every aspect of a child’s life. This includes human rights, child labor concerns, and penalties for child labor exploitation. No current information is available on the progress of this Children’s Code. US Embassy–Bishkek, Unclassified telegram no. 1189.

2450 Ibid.


Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Kyrgyzstan are unavailable. However, 5,000 to 7,000 children were estimated to be living and working on the streets. Some of the common occupations where children are working include selling goods (such as newspapers, cigarettes and candy), transportation, loading and unloading goods, collecting aluminum and bottles, begging, cleaning and repairing shoes, washing cars, agriculture, and selling narcotics. In southern rural areas, children work in mines. Children are also pulled out of school to harvest cotton. During summer vacations from school, they work on commercial tobacco farms. Some schools have also reportedly required students to participate in the tobacco harvest on fields located on school grounds. Children are also found working on family farms and in family enterprises such as shepherding or selling products at roadside kiosks. Children are reported to work as prostitutes in Bishkek.

Kyrgyzstan is considered to be primarily a country of origin and transit for the trafficking of children. Girls as young as 13 years are trafficked to countries such as the United Arab Emirates, Turkey, China, and Germany. The Islamic Movement of Uzbekistan is rumored to recruit boys under 18 to serve as armed members of opposition groups, and the 1999 incursions into Kyrgyzstan, allegedly by Islamic Movement supporters, may have involved child soldiers.

The Constitution establishes free and compulsory education up to the secondary level, which is generally completed by the age of 14. On April 30, 2003, the government passed a new law on education to help the

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2456 ILO-IPEC and SIAR, Child Labor in Kyrgyzstan, 6.
2459 Proceeds from the harvest are collected by the schools and do not go to the children. See U.S. Department of State, Country Reports- 2002: Kyrgyz Republic. Students sometimes participate in labor training classes involving cleaning and collecting waste. “Subbotnics” (labor days) are also arranged in city areas. UN Committee on the Rights of the Child, NGO Commentaries to the Initial Report of the Kyrgyz Republic on the UN Convention on the Rights of the Child; available from http://www.crin.org/docs/resources/treaties/crc.24/kyrgyzstanNGOreport.doc.
2460 Families tend to be large and consider it necessary for children to begin work at a young age to support their families. See U.S. Department of State, Country Reports- 2002: Kyrgyz Republic, Section 6d.
2461 See Ibid., 1576-79 Section 6f. See also IOM, Trafficking in Women and Children from the Kyrgyz Republic, Bishkek, November 2000.
country meet mandatory basic education standards. Residence registration limits access to social services, including education, for refugees, migrants, internally displaced persons, and non-citizens. In 2000, the gross primary enrollment rate was 103.2 percent, and the net primary enrollment rate was 82.5 percent. Primary school attendance rates are unavailable for Kyrgyzstan. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school. The economic crisis and declining family incomes have led to an increase in the number of children who drop out of school and take up work. According to the U.S. Department of State, in August of 2003, there were 4,000 children not attending school and many that do attend, do so irregularly. Students who have stayed in school have to pay administrative fees.

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 16 years. Children who are 14 may work with parental consent, provided that work does not interfere with school attendance or pose a threat to the child's health and development. The Labor Code prohibits children under 18 years from working overtime hours or at night. Hazardous work is also prohibited for children under 18 years, however, aspects of the Labor Code relating to hazardous work are contradictory. A violation of labor laws is now punishable by a fine of up to USD 120 or a ban from working in particular occupations for up to 5 years.

Both the Constitution and the Labor Law prohibit forced labor under most circumstances. The Criminal Code provides for punishments of up to 8 year prison sentences for the recruitment of adults and children for exploitation. The restriction of freedom, unrelated to kidnapping, for adults and children can be punished with 7 to 10 years of prison sentence according to Article 125.

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2466 Article 4 focuses on securing free elementary and secondary education through grade 11. US Embassy- Bishkek, unclassified telegram no. 1425.
2468 World Bank, World Development Indicators 2003 [CD-ROM], Washington D.C., 2003. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.
2469 For a more detailed description on the relationship between education statistics and work, see the preface to this report.
2470 UN Committee on the Rights of the Child, Concluding Observations, para. 55.
2474 Ibid., Article 319.
2475 Article 285 sets the age for employment in morally and physically dangerous work at 21. However, Article 319 prohibits youth under 18 from engaging in such work. The Labor Code allows children between the ages of 14 and 16 to perform strenuous work with parental consent. However, minors under the age of 18 cannot work underground. See U.S. Department of State, Country Reports- 2002: Kyrgyz Republic, 1576-79 Section 6d. See also ILO-IPEC and SIAR, Child Labor in Kyrgyzstan, 33. See also U.S. Department of State, Country Reports- 2002: Kyrgyz Republic, Section 6d.
2476 Article 124, Article 125, Article 143, Article 142 of the Criminal Code, as cited in US Embassy–Bishkek, Unclassified telegram no. 1189.
2477 In both texts, forced labor is prohibited except in cases of war, natural disaster, epidemic, or other extraordinary circumstances, as well as upon sentence by the court. See Labor Code, 1997, Article 12. See also Constitution, 1996, Article 28.
The Prosecutor's Office is responsible for enforcing child labor laws as well as monitoring the State Labor Inspectorate's activities.\textsuperscript{2478} Given resource constraints, however, the government does not enforce child labor law adequately.\textsuperscript{2479} In addition, despite the fact that compliance with labor legislation is monitored by state health agencies, trade unions, government departments, and commissions for minors,\textsuperscript{2480} the lack of national policy on child labor has resulted in few administrative structures to monitor the problem.\textsuperscript{2481} Similarly, although there are 300 labor inspectors in the country assigned to protect child welfare, abandoned and orphaned children are typically considered to be a law enforcement challenge due to the absence of a well-established tradition of social welfare.\textsuperscript{2482}

Until recently, laws prohibiting trafficking in persons were inconsistently enforced. The Criminal Code forbids the recruitment of individuals for exploitation, the trading or selling of children, and coercion into prostitution.\textsuperscript{2483} According to IOM, weak legislation and a lack of coordination between government ministries results in the prosecution of few crimes related to the trafficking of people.\textsuperscript{2484} At the end of June 2003, the Legislative Assembly adopted a law criminalizing trafficking. Government leaders are spearheading anti-trafficking initiatives.\textsuperscript{2485}

The Government of Kyrgyzstan ratified ILO Convention No. 138 on March 31, 1992, but has not ratified ILO Convention No. 182.\textsuperscript{2486}

\textsuperscript{2478} U.S. Embassy- Bishkek, unclassified telegram no. 1189, August 15, 2003.

\textsuperscript{2479} Ibid.

\textsuperscript{2480} UN Committee on the Rights of the Child, Concluding Observations, , para. 262.

\textsuperscript{2481} The State Commission for Family, Women and Youth Affairs, responsible for coordination and implementing state policy addressing the needs of children and youth, and the Commission for Under-age Youth Affairs responsible for protecting children rights, do not deal with working children. The Ministry of Labor and Social Protection has no basis for the regulation of child labor because no contracts for under-age children exist. See ILO-IPEC and SIAR, Child Labor in Kyrgyzstan, 35.

\textsuperscript{2482} Children living and working on the streets are frequently rounded up in sweeps and institutionalized. U.S. Department of State, Country Reports- 2002: Kyrgyz Republic, Section 5.

\textsuperscript{2483} Government of the Kyrgyz Republic, Criminal Code of the Kyrgyz Republic (September 18, 1997), Articles 124, 159, 260, as cited in IOM, Trafficking in Women and Children from the Kyrgyz Republic. See also U.S. Department of State, Trafficking in Persons Report: Kyrgyzstan, 67. See also U.S. Department of State, Country Reports- 2002: Kyrgyz Republic.

\textsuperscript{2484} IOM, Trafficking in Women and Children from the Kyrgyz Republic. Government agencies involved in anti-trafficking include: The Ministry of Foreign Affairs, the Ministry of Interior, the National Security Service, the Ministry of Health, the State Procurator’s Department, the State Agency of Migration and the State Committee for Tourism, Sport and Youth policy. See U.S. Department of State, Country Reports- 2002: Kyrgyz Republic. See also U.S. Department of State, Trafficking in Persons Report: Kyrgyzstan, 67.

\textsuperscript{2485} US Embassy- Bishkek, unclassified telegram no. 1425.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Latvia has initiated a National Program for Preventing Sexual Violence Against Children for 2000–2004, and it is cooperating with the Baltic and Eastern European governments to combat regional organized crime groups that engage in trafficking or prostitution. In 1999, the National Center for the Rights of the Child was restructured to monitor the implementation of legislation on children’s rights. Inspectors who focus on children’s rights protection work at a municipal level to ensure the coordination of activities. The government has established an anti-trafficking working group that includes representation from government and NGOs involved in anti-trafficking efforts.

Several international organizations have programs that support children. UNICEF and the AIDS Prophylaxis Center carried out a program in 1999 to educate and train employees of NGOs and municipalities on how to work with street children. In October 2001, IOM launched an information campaign aimed at potential victims of trafficking, the press, the general public, and government authorities. IOM also instituted a counter-trafficking project aimed at establishing a coordinated system of assistance for trafficking victims from the Baltic Republics. The Children’s Unit of the Council of Baltic Sea States supports activities targeting children victimized by sexual exploitation, children living in the streets, and children in institutions. The National Center for the Rights of the Child started an education program in 1999 called “A Lesson in Children’s Rights for Adults” that in part addresses the situation of children outside the system. The program trains court personnel, teachers, and social workers to deal with the growing street children situation.

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2489 The Children’s Rights Protection Center was established in 1995 and was restructured in 1999 to become the National Center for the Rights of the Child. See Government of Latvia, Report of the State of Latvia on Situation after the Conference on Children held by Government leaders of States of the World, 1 and 5 [cited August 27, 2003]; available from http://www.unicef.org/specialsession/how_country/edr_latvia_en.PDF.
2490 The working group includes representation from the Ministries of Justice, Welfare, Interior, Foreign Affairs, and Education and Science, municipalities, NGOs and others. See Nordic-Baltic Campaign Against Trafficking in Women, National Campaign: Latvia, [online] [cited August 27, 2003]; available from http://www.nordicbalticcampaign.org/latvian/.
2493 The project takes place in Estonia, Latvia and Lithuania, and is carried out through a partnership among the Ministries of Interior, Border Guards, Departments of Investigating Organized Crime and Ministries of Foreign Affairs. See IOM, Online Project Compendium, [online] [cited July 17, 2003]; available from http://www.iom.int/iomwebsite/Project/ServletSearchProject?event+detail&id+FI1Z045.
the Government of Latvia with a loan to implement a 5-year Education Improvement Project to provide school building and structural repairs, improve the quality of education, and strengthen the capacity of the Ministry of Education and Science.2496

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Latvia are unavailable. However, the commercial sexual exploitation of children is known to exist.2497 Prostitution by both boys and girls remains a problem.2498 It is estimated that up to 15 percent of prostitutes in Latvia are children between 8 and 18 years old.2499 Victims from Latvia are trafficked to countries in Western Europe, including Germany, Switzerland, Denmark, Spain, Greece, Italy, and UK for the purposes of sexual exploitation.2500

Chapter 8 of the Latvian Constitution establishes that everybody has the right to education.2501 The Constitution provides for free and compulsory education until the age of 15, or through the completion of primary school.2502 However, the 1998 Latvian Education Law guarantees equality in education for all residents and defines the mandatory nature of education in Latvia, making acquiring basic education by age 18 mandatory.2503

In 2000, the gross primary enrollment rate was 100.3 percent and the net primary enrollment rate was 92.0 percent.2504 Primary school attendance rates are unavailable for Latvia. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.2505 School infrastructure has deteriorated, and few investments have been made in teacher training. The financial burden of maintaining and improving schools has fallen heavily on municipalities rather than on the central government, which is burdening local communities with excessive costs.2506 In accordance with Regulation No. 439 (December 28, 1999) of the Cabinet of Ministers, information on children who are not attending school is compiled annually by the Ministry of Education and Science.2507

2500 There are no official estimates of the number of trafficking cases. However, Swiss police reported that nearly half of the registered prostitutes in one of the country's 27 cantons were Latvian. See Kamenska, “Trafficking in Women-Latvia.” See also Gillian Caldwell, Steven Galster, and Nadia Steinzor, Crime and Servitude: An Exposé of the Traffic in Women for Prostitution From the Newly Independent States, Global Survival Network, 1997, 10.
2504 World Bank, World Development Indicators for 2003 [CD-ROM], Washington, D.C., 2003. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.
2505 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
2506 UN Committee on the Rights of the Child, Consideration of Reports Submitted by States Parties: Latvia, para. 43. See also World Bank, Latvia - Education Improvement Project.
of Education and Science. The number of children not attending primary school is increasing. In 1997, the Ministry of Education and Science had a record of 1,311 children ages 5 to 15 who were not attending school. According to the Education Ministry’s annual report, 2,512 children did not attend school in 2002.

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for general employment at 15 years, although children over 13 years of age may work in light jobs that are not harmful to their health and morals if it does not interfere with school, and if the child has permission from a parent or guardian. According to the Labor Code, children under 18 years may not be employed in jobs requiring heavy labor, in nighttime or overtime work, or under conditions that are hazardous to health or morals. The Constitution prohibits forced labor, unless it is required by a court order or in the case of a disaster.

Approved in May 2000, Article 165 of the Criminal Law prohibits sending a person to a foreign country for the purpose of sexual exploitation and serves as Latvia’s primary anti-trafficking legislation. Trafficking of a minor is punishable with 8 to 15 years of imprisonment.

The Cabinet of Ministers adopted Regulations on the Restriction of Prostitution in 1998, which prohibits juveniles from engaging in prostitution. In addition, the Criminal Law prohibits the procuring, inducing or compelling of a minor to commit prostitution.

Article 166 of the Latvian Criminal Law establishes child pornography as an offense. The use of juveniles or minors in the production, manufacturing or distribution of pornographic materials is punishable with up to 12 years imprisonment or a fine. Possession of pornography is also an offense, and sentences range from fines and confiscation to 1 year of imprisonment for repeated offenses.

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2508 UNESCO, EFA 2000 Report: Latvia, Section 11.1. There is a report that in 2001, the Inter-Ministerial Committee on the Rights of the Child found 15,000 children not in school, although this number was not released to the general public. See Latvian Save the Children, Alternative Report to the United Nations.


2511 Latvia Labor Code, Amended March 17, 1992, Sections 182, 84 and 86. A State Labor Inspectorate was established by the government to monitor work conditions. If a violation of child labor laws should occur, the government agency will investigate the report and, if necessary, forward the case to state courts. See also U.S. Embassy- Riga, unclassified telegram no. 1381, October 2001.


2513 Because it is relatively new, the effectiveness of Latvia’s trafficking legislation has not yet been tested. In general, fear of retribution from traffickers makes victims reluctant to testify. In addition, victims report dissatisfaction with police handling of cases, which often prevents them from seeking immediate police assistance. Article 152, which prohibits illegal deprivation of liberty, and Article 153, which prohibits kidnapping, can also be used to prosecute trafficking. See Latvia Criminal Code, Articles 152, 53 and 65 as cited in Kamenska, “Trafficking in Women-Latvia,” 3, 4, 6 and 18.


2515 Latvia Criminal Code, Articles 164, 65, as cited in Kamenska, “Trafficking in Women,” 5.


2517 Ibid.
The Latvian Children’s Rights Law was ratified in 1998, which guarantees children’s rights and freedoms at the national level. Under the Children’s Right’s Law and the Criminal Law, the Latvian government began 10 criminal investigations on child abuse during 2002 and 2003.

The Government of Latvia has not ratified ILO Convention 138 or ILO Convention 182.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Lebanon has been a member of ILO-IPEC since 2000. That year, a study to assess the working conditions of child labor in tobacco cultivation in Lebanon was conducted with technical assistance from ILO-IPEC’s SIMPOC and funding from USDOL. In May 2001, the Ministry of Labor (MOL) established a National Committee to Combat Child Labor, which is charged with developing a national strategy for preventing child labor. In 2002, the Ministry of Interior and ILO-IPEC signed an agreement to implement a program to prevent and eliminate the trafficking of children and the work of street children through a multi-sector program. In 2002, IPEC, in coordination with the MOL, initiated projects in Nabatiyah, Tripoli, Sin el Fil, Bourj Hammoud, and Ain el-Hilweh (the largest Palestinian refugee camp in Lebanon). These programs were aimed at the prevention, rehabilitation, and withdrawal of children from the worst forms of child labor.

The Ministry of Social Affairs through its Higher Council for Childhood coordinates efforts of governmental agencies and NGOs involved in supporting the rights of children. In 2000, with the support of UNICEF, the government’s Central Bureau of Statistics conducted a Multiple Indicator Cluster Survey on the Situation of Children, of which child labor and education were essential components. In March 2000, the World Bank approved a USD 56.6 million loan to the government to support a project designed to enhance the capacity of the Ministry of National Education, Youth and Sport, intended to benefit 150,000 primary and secondary students and 20,000 teachers.

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 45.3 percent of children ages 6 to 14 years were working in Lebanon. Children are employed in metal works, handicraft and artisan establishments, as well as sales, construction work...

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2524 Current efforts by the Ministry of Interior aimed at raising awareness on the issue of working street children include training police on the appropriate means of approaching working street children, preparation for a study on the extent of the problem, and a public television ad campaign on the issue. See Ibid., 3.

2525 Ibid., 4.


2529 UNICEF’s estimate derives from a broad definition of children’s work represented as the proportion of children 6 to 14 years of age who are currently working (paid or unpaid; inside or outside the home). See UNICEF, Preliminary Report on the Multiple Cluster Survey, 33.

2530 ILO-IPEC, Child Labour on Tobacco Plantations: A Rapid Assessment, viii.
and the operation of machinery.\textsuperscript{2531} Approximately 11 percent of working children are employed in agriculture.\textsuperscript{2532} In 2000, national reports estimated that 25,000 children ages 7 to 14 were working in tobacco cultivation.\textsuperscript{2533} The majority of children working in tobacco cultivation are unpaid, some entering the labor force as early as 3 years old.\textsuperscript{2534} Reportedly, the employment of children under the age of 10 in other sectors is rare.\textsuperscript{2535} UNICEF estimates of all child labor in Lebanon, including unregistered labor, suggest that over half of the children ages 6 to 14 who are engaged in work are girls.\textsuperscript{2536} In poorer, more remote regions child labor is more prominent, and larger proportions of young children are economically active.\textsuperscript{2537} Palestinian refugee children in Lebanon are more likely to work than their Lebanese counterparts.\textsuperscript{2538}

Children are involved in prostitution in Lebanon, and sometimes find themselves in situations that amount to forced labor.\textsuperscript{2539} There are no indications of child combatants in government armed forces, however children, including boys and girls as young as 8 years old, have been known to participate in various armed militia groups operating in the country.\textsuperscript{2540}

In March 1998, the Government of Lebanon adopted legislation providing free and compulsory primary school education through the age of 12.\textsuperscript{2541} Despite this legislation, education is not free. The average annual cost per

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\textsuperscript{2531} Ibid., 9.
\textsuperscript{2532} Ibid. For a further breakdown on child labor in specified sectors, see UN Committee on the Rights of the Child, Second Periodic Reports of States Parties: Lebanon, 125–26.
\textsuperscript{2533} These estimates are based on a survey of 128 children working in tobacco cultivation in 4 districts of South Lebanon. The most widely cited reason for children engaging in child labor was economic need. The survey was conducted between July and September 2000 by the Consultation and Research Institute in Lebanon. See ILO-IPEC, Child Labour on Tobacco Plantations: A Rapid Assessment, viii, 7-8.
\textsuperscript{2534} Ibid., viii.
\textsuperscript{2535} UN Committee on the Rights of the Child, Second Periodic Reports of States Parties: Lebanon, 118.
\textsuperscript{2536} UNICEF, Preliminary Report on the Multiple Cluster Survey. For more specific figures on gender disparities in paid and unpaid child labor see UNICEF, Preliminary Report on the Multiple Cluster Survey on the Situation of Children in Lebanon, February 2001, 10-11; available from http://childinfo.org/MICS2/newreports/lebanon/lebanon.pdf. Illegal and undocumented child labor overlap and are excluded from official figures. Consequently, the MICS2 survey used a broader scope in order to incorporate these sectors. Child labor below the legal age limit is, for instance, included in the MICS2 survey, but not in official figures. See UNICEF, Preliminary Report on the Multiple Cluster Survey, 3, 10-11.
\textsuperscript{2537} ILO-IPEC, Child Labour on Tobacco Plantations: A Rapid Assessment, 8. It should also be pointed out that Syrian and Palestinian children are involved in child labor in Lebanon. See UN Committee on the Rights of the Child, Second Periodic Reports of States Parties: Lebanon, 127.
\textsuperscript{2538} UN Committee on the Rights of the Child, Second Periodic Reports of States Parties: Lebanon.
student for primary education in 1997 was 271,000 Lebanese pounds (USD 176). Economically disadvantaged families, especially refugees, are often unable to afford the tuition costs for their children, and are compelled to withdraw them from school and send them to work. Lebanon enjoys one of the most advanced educational systems in the Arab world in terms of quality and gender parity. Literacy rates are the highest in the Middle Eastern region. In 2000, the gross primary enrollment rate was 98.9 percent, (100.6 percent for boys and 97.2 percent for girls), and the net primary enrollment rate was 74.2 percent (74.1 percent for boys and 74.3 percent for girls). Attendance rates are not available for Lebanon. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

The progress in education is due in part to the high number of private schools in Lebanon. Notwithstanding this progress, child labor negatively affects the education of working children in Lebanon. Although the majority of the children working in tobacco cultivation, for instance, enroll in elementary school, work-related absenteeism negatively affects these children and contributes to high dropout rates before reaching the secondary level. Approximately 38 percent of working children are illiterate or have abandoned primary education entirely.

**Child Labor Laws and Enforcement**

The Labor Code of 1996 established the minimum age for employment at 14 years. In regard to the definition of the child and the minimum age for admission to employment, the Labor Code makes a distinction between two stages in the case of minors, children ages 13 and younger, and children ages 14 to 17. In the first stage, children are prohibited from engaging in any kind of work. In the second stage, consisting of the 14 to 17 age group, children may be employed under special conditions relating to matters such as working hours and conditions, type

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2542 Lebanon has a unique education system made up of public, private, and semi-private institutions. The government only contributes to public and semi-private institutions. The figure above refers to the average costs of government-supported primary education in the most recent year for which data are available. For a more detailed discussion, see Ibid., Section 5.2. See also U.S. Embassy-Beirut official, electronic communication to USDOL official, March 31, 2004. See also William A. Rugh, “Arab Education: Tradition, Growth and Reform,” *Middle East Journal* Vol. 56 No. 3 (2002), 402. See also UNDP, *Arab Human Development Report 2002*, Arab Fund For Economic and Social Development, 2002 [cited August 29, 2003], 55 [cited August 14, 2002]; available from http://www.undp.org/rbas/ahdr/CompleteEnglish.pdf. For currency conversion see FXConverter, in Oanda.com, [online] [cited July 18, 2003]; available from http://www.oanda.com/convert/classic. The conversion rate was based on August 1997 figures, the same year the estimates of education costs were calculated.


2546 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


2550 Ibid., 9.

of work and so on. In addition, it is illegal to employ a child under the age of 15 in industrial enterprises that are harmful or detrimental to their health, or to hire youth below the age of 16 in dangerous environments that threaten their life, health or morals. There are no laws specifically prohibiting trafficking. The law allows for the establishment of licensed brothels in certain areas, providing that women working in such establishments are at least 21 years old and undergo regular medical examinations. Despite the age restrictions, the commercial sexual exploitation of children is reported to occur, and in 2002, the police identified and disbanded several child prostitution rings in Lebanon. MOL is responsible for the enforcement of child labor laws, through its labor inspectors, but the Ministry lacks adequate resources to be effective. According to MOL, the Ministry has 75 labor inspectors nationwide.


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2552 A 1999 amendment to the Labor Code forbids the employment of children under the age of 18 for more than 6 hours per day. The amendment also requires a 13-hour period of rest between workdays. In addition, children must be given an hour break after a four-hour period of labor. An employer may not work children between the hours of 7 p.m. and 7 a.m. Adolescents ages 14 to 18 must pass a medical examination to ensure that they can undertake the work for which they are to be engaged, and the prospective employer must request the child’s identity card to verify his or her age. See Government of Lebanon, Modifiant les dispositions des articles 23 et 25 du Code du travail, (June 14, 1999); available from http://natlex.ilo.org/scripts/natlexcgi.exe?lang=E.

2553 Code du Travail. These types of work include underground mines and quarries, manufacturing of alcohol, chemicals, explosives, asphalt, work in tanneries or with machinery.


2557 Ibid., Section 6d. See also U.S. Embassy- Beirut, unclassified telegram no. 3065. See also U.S. Embassy- Beirut, unclassified telegram no. 3532, September 2000.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Lesotho established a National Child Labor Support Group that includes representatives from the Ministries of Labor, Education, Social Welfare, and Youth Affairs, organized labor, NGOs and UNICEF. The group began developing an action plan in 2001 to address child labor. In 2000, the government collaborated with UNICEF to conduct a multi-sectoral assessment on child labor.

In 2000, the Government of Lesotho began instituting a free primary education system, through which the government covers the cost of fees, books, and one meal per day. To date, the government covers the cost of schooling for first through fifth grades, and it expects free education to be universal through grade seven by the year 2006. With a loan from the World Bank in 2002, the Ministry of Education is implementing an education sector development project to improve the access and quality of education for children. The government is collaborating with UNICEF on administering several educational programs including non-formal, early childhood, and primary education.

Incidence and Nature of Child Labor

In 2000, the Government of Lesotho and UNICEF estimated that 29 percent of children ages 5 to 17 years were working. Due to poverty, unemployment, and orphaning of children because of HIV/AIDS, the employment of children is becoming increasingly problematic. Boys as young as four or five are employed in hazardous conditions as livestock herders in the highlands, either for their family or through an arrangement where parents hire out their sons. Child homelessness is also an increasing problem, and some homeless street children reportedly find work as prostitutes. Children also work as domestics, car washers, taxi fare collectors, and...
Children are less likely to be found working in the formal sector, due to the high unemployment rate for adults.\footnote{2570} Currently, primary education through grade five is free.\footnote{2572} Education is not compulsory in Lesotho.\footnote{2573} In 2000, the gross primary enrollment rate was 115.0 percent, and the net primary enrollment rate was 78.0 percent.\footnote{2574} Rural children often work to support the family, and poverty makes school fees unaffordable.\footnote{2575} The problem of school absenteeism affects boys disproportionately, as livestock herding is considered a cultural prerequisite to manhood.\footnote{2576} Primary school attendance rates are unavailable for Lesotho. In 1999, 74.5 percent of children enrolled in primary school reached grade five.\footnote{2577} While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\footnote{2578}

## Child Labor Laws and Enforcement

The Labor Code of 1992 establishes 15 years as the minimum age for employment, although children between 13 and 15 may perform light work in a technical school or approved institution.\footnote{2579} The Labor Code prohibits employment of children in work that is harmful to their health or development.\footnote{2570} There are no specific laws prohibiting trafficking in persons,\footnote{2581} but Proclamation No. 14 of 1949 imposes penalties for the procurement of women or girls for purposes of prostitution.\footnote{2582}

The Ministry of Labor and Employment’s Inspectorate has weakly enforced statutory child labor prohibitions in the past, but it is now adequately staffed and its inspectors conduct quarterly inspections.\footnote{2583} An employer found guilty of hiring underage children or using child workers for hazardous work can be imprisoned for 6 months, required to pay a fine of M600.00 (USD 82.00), or both.\footnote{2584}

The Government of Lesotho ratified ILO Convention 138 and ILO Convention 182 on June 14, 2001.\footnote{2585}

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\footnote{2570}{Allegations of child labor in the textile and garment sectors have been investigated by the ILO, UNICEF, and the Labor Commission and have not been verified. See Ibid., Section 6d. See also U.S. Embassy—Maseru,\textit{ unclassified telegram no. 0599}.}

\footnote{2571}{The cost-effectiveness of hiring children rather than adults is limited because so many adults are unemployed and available to work.}

\footnote{2572}{U.S. Embassy—Maseru,\textit{ unclassified telegram no. 0599}.}

\footnote{2573}{U.S. Embassy—Maseru,\textit{ unclassified telegram no. 422}.}

\footnote{2574}{World Bank,\textit{ World Development Indicators 2003}. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.}

\footnote{2575}{U.S. Department of State,\textit{ Country Reports- 2002: Lesotho}, Section 5.}

\footnote{2576}{Ibid.}

\footnote{2577}{World Bank,\textit{ World Development Indicators 2003}.}

\footnote{2578}{For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.}

\footnote{2579}{U.S. Embassy—Maseru,\textit{ unclassified telegram no. 0599}. See also U.S. Embassy—Maseru,\textit{ unclassified telegram no. 0599}.}


\footnote{2581}{U.S. Department of State,\textit{ Country Reports- 2002: Lesotho}, Section 6f.}


\footnote{2583}{U.S. Department of State,\textit{ Country Reports- 2002: Lesotho}, Section 6d. See also U.S. Embassy—Maseru,\textit{ unclassified telegram no. 0599}.}

\footnote{2584}{U.S. Embassy—Maseru,\textit{ unclassified telegram no. 0599}. For currency conversion, see FXConverter, in Oanda.com, [online] [cited September 22, 2003]; available from http://www.oanda.com/convert/classic.}

\footnote{2585}{ILO,\textit{ Ratifications by Country}, in ILOLEX, [database online] [cited June 12, 2003]; available from http://www.ilo.org/ilolex/english/newratframeE.htm.}
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Lithuania initiated the National Program Against Commercial Sexual Exploitation and Sexual Abuse of Children in 2000 to support the prevention of sexual crimes against children.2586 In 2003, USD 400,000 was allotted under this program for spending on victim support, education, and improving legal capacity.2587 In 2000, the Parliament created the position of Child Ombudsman to centralize advocacy efforts for children’s rights.2588 The Council for Children’s Affairs was established under the jurisdiction of the President to address problems related to the protection of children's rights.2589 In November 2001, an interdepartmental task force was established to develop a strategy to address the problem of neglected children and street children.2590 In January 2002, the government approved a Program on the Control and Prevention of Trafficking in Humans and Prostitution for 2002-2004.2591 The program concentrated on the causes of prostitution and trafficking; preventive measures; and on providing social, psychological, and legal support to victims of prostitution and trafficking.2592

With funding and assistance from the World Bank, the government is implementing a National Poverty Reduction Strategy in order to assist vulnerable populations, including at risk children.2593 In partnership with government agencies, IOM launched a counter-trafficking project aimed at establishing a coordinated system of assistance for trafficking victims from the Baltic Republics.2594 In coordination with NGOs, the media, and IOM, the government has carried out a number of anti-trafficking publicity campaigns since 2001.2595 The World Bank also funds an education project, started in 2002, aimed at improving student achievement in basic education.2596

2586 The program aims to create a system of prevention measures, determine the reasons behind the sexual exploitation of children, find ways of eliminating them, develop a legal base, strengthen criminal liability for persons who commit crimes against children, further develop measures for rehabilitation of child victims of violence or sexual exploitation, and create a system of institutions engaged in the protection of children’s rights. A commission for the coordination of the program was established in August 2001. See U.S. Embassy–Vilnius, unclassified telegram no. 991, August 20, 2003.


2590 The task force is made up of representatives from the Ministries of Social Security and Labor, Education and Science, and Interior. See U.S. Department of State, Country Reports–2001: Lithuania, 1600-03, Section 5.


2594 The project takes place in Estonia, Latvia and Lithuania, and is implemented through a partnership among the Ministries of Interior, Border Guards, Departments of Investigating Organized Crime, and Ministries of Foreign Affairs. IOM, Online Project Compendium, [online] [cited August 29, 2002]; available from http://www.iom.int/iomwebsite/Project/SerlVerSearchProject?event+detail&kid+FI1Z045.


Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 years in Lithuania are unavailable. Children are reported to beg on the streets or perform odd jobs, such as cleaning cars or selling newspapers.2597 There are reports of children as young as 11 years old working as prostitutes in brothels in Lithuania. According to UNICEF estimates, 20 to 50 percent of prostitutes in Lithuania could be minors.2598 Organized crime figures are reported to use coercive means to traffic Lithuanian girls into prostitution abroad, particularly to Western European countries.2599

The Law on Education provides for schooling that is free of charge and compulsory from the age of 6 or 7 to 16 years.2600 The law was amended in 1998, establishing 10 years of basic education and the admission of students aged 14 to vocational schools.2601 The Constitution guarantees compulsory education for children under the age of 16 years.2602 In 2000, the gross primary enrollment rate was 101.3 percent, and the net primary enrollment rate was 94.6 percent.2603 Primary school attendance rates are unavailable for Lithuania.2604

Child Labor Laws and Enforcement

The Law on Employment Contract sets the minimum age for employment at 16 years and stipulates that children from age 14 to 16 years may work in certain government-approved jobs with the consent of a parent or guardian.2605 With additional consent of a doctor, the Law on Labor Protection allows for children under age 14 to participate in cultural or art festivals, provide communication services, or work in other activities that do not negatively affect their health, morals, or studies.2606 The Law on Labor Protection prohibits children under 18 years old from working in hazardous conditions, night work or overtime work.2607 According to this law, children

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2606 Republic of Lithuania Law on Labor Protection, Article 58.
2607 Ibid. The Law on Labor Protection defines hazardous working conditions as the “working environment of working process factor which, under certain accidental circumstances, may cause an employee to be traumatized or killed or which may suddenly worsen an employee’s health.” A harmful factor in working conditions is defined as “the factor of the working environment due to which an employee may lose functional capacity or fall ill (or contract an occupational disease), or whose long lasting influence may be hazardous to life.” See Republic of Lithuania Law on Labor Protection, Article 58.
between ages 14 and 16 may work 24 hours per week, and children between ages 16 and 18 may work 36 hours per week. The Law on Fundamentals of Protection of the Rights of the Child stipulates that a child having attained 16 years of age may work, that employers must guarantee safety of children at work, and that the state protects the child from all forms of exploitation at work. Resolution No. 1055 includes a list of jobs and conditions that are considered dangerous for children from 13 to 18 years old. Resolution No. 138, approved by the government on January 29, 2003, provides a list of jobs that are forbidden for children under 18 years. A new Criminal Code came into force on May 1, 2003, which includes a section on crimes against children that addresses the worst forms of child labor. Forced labor is prohibited by the Constitution.

Trafficking is a crime in Lithuania. The Criminal Code prescribes 6 to 12 years imprisonment for trafficking in persons involving a juvenile. According to Article 239 of the Criminal Code, forcing the prostitution of a juvenile is punishable by imprisonment from 3 to 7 years. According to Article 242 of the Criminal Code, the punishment for exploiting children under the age of 18 in the production of pornography is up to 4 years in jail; however, there is no official data on cases of children exploited for the purpose of pornography.

The State Labor Inspectorate enforces the country’s child labor laws and investigates complaints related to employment of children under 18 years old. In 2003, the State Inspectorate conducted inspections in 103 different companies that employed young people and found 4 violations of conditions of employment for people under 18 years.


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2608 Republic of Lithuania Law on Labor Protection, Article 41.
2611 U.S. Embassy–Vilnius, unclassified telegram no. 2335. See also
2615 Ibid.
2616 Bazylev and Renaldas Zekonis, Prevention and Control of Trafficking in Human Beings in Lithuania. See also U.S. Department of State, Country Reports- 2002: Lithuania.
2617 U.S. Embassy–Vilnius, unclassified telegram no. 2335.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Macedonia established an Ombudsperson for the Rights of Children in 1999, which is responsible for all child-related matters and is in charge of the Department for Child Protection. In 1999, the government signed a trans-border crime agreement as part of an effort to prevent trafficking and develop an effective transnational database mechanism. In addition, the government is working with OSCE and IOM on prevention, protection, and law enforcement projects to combat trafficking. The countries of the Stability Pact, including Macedonia, signed the “Anti–Trafficking Declaration” in December 2000, which established country coordinators tasked with coordinating activities, exchanging information, and preparing progress reports. Following this declaration, the government finalized a National Action Plan to combat trafficking. In December 2002, the government signed another joint declaration with other Southeastern European nations to better assist victims of trafficking. The government hosted an international conference on this topic in May 2003 to strengthen regional cooperation.

UNICEF is working to increase access to schools by implementing projects that improve the overall quality of education as well as enhance services for vulnerable children, and promote and monitor the implementation of the Convention of the Rights of Children. The government also works with Catholic Relief Services on civic education activities, school reconstruction, and organizing parent groups in elementary schools. The World Bank currently supports several projects in Macedonia. The Children and Youth Development Project aims to integrate at risk youth from different socio-cultural backgrounds, strengthen institutional capacity, and contribute to the implementation of the Children and Youth Strategy. The Community Development Project is rehabilitating school heating systems as well as providing school furniture and financing social services.

2622 OSCE is the leading agency with regard to trafficking in Macedonia. Its programs include government negotiations, a working group on the subject and, in conjunction with the IOM, the development of a shelter for women. IOM is also establishing repatriation processes for trafficked women. See UNICEF: Area Office for the Balkans, Trafficking in Human Beings in Southeastern Europe, 97.
2625 The commitment ensures that countries stop the immediate deportation of trafficked persons and to offer them shelter, as well as social, health, and legal assistance. See Alban Bala, Southeastern Europe: Governments Shift Their Focus In Fighting Human Trafficking, Radio Free Europe: Radio Liberty, [online] December 13, 2002 [cited July 2, 2003]; available from http://www.wrl.org/nca/features/2002/12/13122002200939.asp.
2628 Ibid.
2629 Catholic Relief Services, Macedonia, Catholic Relief Services, [online] Summer 2002 [cited July 1, 2003]; available from http://www.catholicroleif.org/_where_we_work/eastern_europe_&_the_caucasus/macedonia/index.cfm.
Incidence and Nature of Child Labor

In 2001, the ILO estimated that less than 1 percent of children ages 10 to 14 years in Macedonia were working.\textsuperscript{2632} In rural areas, it has been reported that children leave school early to assist with agricultural duties.\textsuperscript{2633} Children work in the informal sector, in illegal small businesses,\textsuperscript{2634} and on the streets and in markets selling cigarettes and other small items.\textsuperscript{2635} Trafficking of girls, especially for prostitution and pornography, is an ongoing concern.\textsuperscript{2636}

Macedonia is a country of destination for women and children trafficked for prostitution from Eastern European countries such as Bulgaria, Moldova, Romania, Ukraine, and Yugoslavia, as well as a transit and source country for trafficking to Greece, Albania, Kosovo, and Western Europe.\textsuperscript{2637} The Romanian Embassy and OSCE have indicated that of the 326 foreign women expelled from the town of Tetovo in 1999, many were being held against their will and that at least 20 percent of them were children.\textsuperscript{2638} Police also reported that Macedonia has been used as a transit country for children trafficked from Albania to Greece to work in forced labor.\textsuperscript{2639} There are indications that children aged 17 have volunteered for military service in Macedonia. Furthermore, children between the ages of 14 and 18 have joined armed groups abroad during regional conflicts, for example in Bosnia and Kosovo.\textsuperscript{2640}

The Constitution mandates free and compulsory primary education and all children are guaranteed equal access,\textsuperscript{2641} although parents must provide children with books and supplies.\textsuperscript{2642} The Law on Primary Education specifies that education is compulsory for eight years, normally between the ages of 7 to 15.\textsuperscript{2643} In 2000, the gross
primary enrollment rate was 98.9 percent and the net primary enrollment rate was 92.4 percent. In 1995, 95.39 percent of children enrolled in primary school reached grade 5. Primary school attendance rates are unavailable for Macedonia. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. Dropout rates for girls in primary and secondary school are high, particularly among ethnic Roma or Albanian children.

Child Labor Laws and Enforcement

The Constitution and Labor Relations Act set the minimum age for employment at 15 years. The Labor Relations Act prohibits overtime work by children, as well as work between 10 p.m. and 6 a.m., or work that may be harmful or threatening to their health or life. The Constitution prohibits forced labor. The Macedonian Criminal Code prohibits various acts of sexual exploitation against children, including the recruitment or solicitation of children for prostitution and/or the procurement of a child for these activities. Individuals convicted of instigating, recruiting or procuring a child for prostitution shall be punished with imprisonment of three months to five years. Articles in the criminal code related to prostitution and forced labor are used to prohibit and punish those involved in trafficking in persons. Seventy trafficking-related charges have been brought against more than 100 perpetrators, with a result of 11 convictions from April 2002 to March 2003. Labor inspectors at the Ministry of Labor and Social Policy are responsible for enforcing the child labor laws; however, they have been reluctant to enforce these laws. The Ombudsperson for the Rights of Children has processed 50 cases of child rights violations and reports to Parliament on an annual basis.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Madagascar has been a member of ILO-IPEC since 1998. In 2003, the Ministry of Labor and ILO-IPEC conducted a child labor awareness campaign in the capital cities of Madagascar’s provinces. The government launched an action plan in 2001 to eliminate the worst forms of child labor, which included programs to remove child workers from the informal sector in the major cities. ILO-IPEC, in coordination with the government, has implemented three programs to remove children from working in quarries through prevention and education efforts. The government is also working with ILO-IPEC to compile all laws and texts governing child labor and make them more widely available, and to create a new list of occupations that represent the worst forms of child labor in the country.

The government has created a national interministerial steering committee to coordinate and supervise all activities related to child labor and to provide support in the implementation of child labor action plans. Child labor issues are included in conferences, in-service workshops, and training curricula for labor inspectors. The government has collaborated with UNICEF and ILO-IPEC to conduct a survey and studies on child prostitution. The Ministry of Labor also cooperates with NGOs that attempt to reduce or eliminate child labor. It has been reported that the government will be providing additional funds for child labor-related activities through the Public Investment Program in the future.

The Education of Girls Office in the Ministry of Education has implemented an assisted home study program that provides non-traditional education for working children. The Ministry of Education has also promoted educational opportunities through a safety net program for public primary schools that loans books to primary schools, renovates and expands schools, and increases staff. With a loan from the World Bank, the Ministries of Education and Higher Education are focusing on ensuring universal basic education and improving the overall quality of education in the country. A loan from the African Development Bank funded a project with a similar goal of supporting universal basic education. Funding from the World Bank, UNICEF, and other

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2660 Ibid.

2661 Ibid. See also U.S. Embassy- Antananarivo, unclassified telegram no. 0863. In early 2002, the government, with support from Unicef, released a compilation of Madagascar laws and international conventions relating to children’s rights.

2662 U.S. Embassy- Antananarivo, unclassified telegram no. 1787.

2663 Ibid.

2664 Ibid.


2666 U.S. Embassy- Antananarivo, unclassified telegram no. 0863. At least some of the funds will likely be used to build additional youth centers that provide children engaged in the worst forms of child labor with education, training, and job placement services.

2667 U.S. Embassy- Antananarivo, unclassified telegram no. 1787.

2668 Ibid.


donors supports the School Nutrition Program, which is implemented by the Ministry of Secondary and Basic Education. This program seeks to meet the nutritional needs of school children ages 3 to 14 years, and is due to finish in 2003.2671

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 35.7 percent of children ages 5 to 14 years in Madagascar were working.2672 Most child labor occurs in the agricultural sector, where children work as unpaid laborers on family farms,2673 while other child labor as domestic servants for third parties in both rural and urban areas.2674 Children also work in the commercial and industrial sectors.2675 In urban areas, children work as petty traders and casual transport workers.2676 Some children are also employed in the clandestine mining sector.

The commercial sexual exploitation of children occurs and is on the rise in Madagascar, particularly in tourist areas and coastal fishing areas.2677 In December 2003, the government, in collaboration with ILO-IPEC and UNICEF, released a study estimating that approximately 3,000 children, mostly girls between the ages of 13 and 18, engaged in prostitution in three of Madagascar’s largest cities (Antananarivo, Toamasina, and Mahajanga).2678 The study cited poverty, permissive societal attitudes, peer pressure, and inadequate law enforcement as contributing factors in such sexual exploitation.2680 There have been reports in recent years that women and girls were trafficked between Madagascar, Reunion, a French overseas department, and Mauritius for the purpose of prostitution.2681

Primary education is free and compulsory.2682 Enforcement of compulsory education laws is generally weak.2683 In 2000, the gross primary enrollment rate was 103.1 percent, and the net primary enrollment rate was 67.7%


2672 Working children are defined as those working for payment or those carrying out more than four hours of domestic work a day. See Demographie et des Statistiques Sociales, MICS 2000 Madagascar Rapport Complet, UNICEF, 2000, 144 and 42; available from http://www.childinfo.org/MICS2/newreports/madagascar/madagascar.PDF. In 2001, the World Bank reports that 33.76 percent of children ages 10-14 are in the labor force. See also World Bank, World Development Indicators 2003 [CD-ROM], Washington, D.C., 2003.


2674 Demographie et des Statistiques Sociales, MICS Madagascar, 151.

2675 The 1993-1994 survey reported that 3 percent of working children are employed in services; 2 percent work in the commercial sector; and 1 percent work in the industrial sector. See Roubaud and Coury, Le travail des enfants au Madagascar. See also Demographie et des Statistiques Sociales, MICS Madagascar.


2677 U.S. Embassy- Antananarivo, unclassified telegram no. 1787. See also Demographie et des Statistiques Sociales, MICS Madagascar, 151.


2680 U.S. Embassy - Antananarivo official, electronic communication, February 19, 2004. See also U.S. Embassy- Antananarivo, unclassified telegram no. 1800. See also Ravaozanany, Madagascar Rapid Assessment.


2683 U.S. Embassy- Antananarivo, unclassified telegram no. 1787.
percent. Attendance rates are not available for Madagascar. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. The percentage of students who began school in 1995 and reached grade 2 was 77.0 percent, while the percentage of students who reached grade 5 in 1995 was 40.0 percent.

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 14 years. Decree 62-152 prohibits minors from engaging in work that could endanger their health, safety or morals. Children under the age of 18 are also prohibited from performing night work. Article 334 bis of the Penal Code prohibits the procurement of children for prostitution with a sentence of imprisonment for 5 to 10 years and a fine of 20 million to 100 million Malagasy francs (USD 3,505.08 to 17,525.40). The same punishment can be imposed on any person who is the cause of the corruption of a child under the age of 16. Forced or bonded labor by children is prohibited under the Labor Code.

The Ministry of Civil Services and Ministry of Labor enforces child labor laws through inspections, and enforcement in the informal economic sector is difficult. Violations of labor laws are punishable with fines of up to 1.5 million Malagasy francs (USD 270.32), imprisonment or closure of the workplace if it poses an imminent danger to workers. The government has not earmarked resources for investigations of exploitative child labor cases, and the Ministry of Labor does not have an adequate number of trained inspectors. There are approximately 40 labor inspectors who do general inspections; none focus solely on child labor issues. With funds from the Public Investment Program, however, the Ministry is planning to hire and train 35 new inspectors in 2004. When violations are found, the fines reportedly are low and employers are not jailed.

MALAWI

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Malawi is an associated country of ILO-IPEC. The Ministry of Labor and Vocational Training (MOLVT) established and chairs a National Steering Committee on Child Labor. The Committee has developed an action plan against child labor and has selected officers to coordinate activities to eliminate child labor. The government recently established an ombudsman who handles children issues among other social concerns. The government has also launched campaigns against local customs such as initiation rights for girls and early marriage in an attempt to reduce the risk of girls becoming victims of child trafficking. A Child Rights Unit was established in 1999 in the Human Rights Commission to protect children from abuse, violence, and exploitation.

The Ministry of Gender, Youth, and Community Services (MGYCS) has collaborated with stakeholders to form the National Task Force on Children and Violence, which deals with child labor as well as other threats to children’s health and well being. Street children receive assistance through the Department of Social Welfare with support from the MGYCS.

The government is also participating in an ILO-IPEC regional program funded by USDOL to withdraw and rehabilitate children engaged in hazardous work in the commercial agriculture sector in East Africa. In April 2001, the MOLVT conducted a USDOL-funded national household survey on child labor with assistance from

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2701 Approximately USD 900,000 will be provided by UNICEF and the Norwegian Agency for International Development to fund the plan. See Suzgo Khunga, “Minister Bemoans the Increase in Child Labour”, allAfrica.com, [previously online], March 25, 2002; available from http://allafrica.com/stories/printable/200204020420.html [hard copy on file]. UNICEF Malawi is providing technical and project management assistance. The government and civil society organizations are responsible for implementing the plan. See ILO-IPEC, Baseline Survey Report, 50.

2702 Officer activities include sensitizing labor inspectors, employers and workers organizations on child labor issues, training labor inspectors to prosecute child labor cases, reviewing legislation, and developing a code of conduct for child labor employment. See ILO-IPEC, Baseline Survey Report, 50.


2704 Ibid.

2705 The Right Honorable Justine C. Malewezi, Vice President of the Republic of Malawi, Statement at the UN Special Session on Children, May 8, 2002, Para 11; available from http://www.un.org/ga/children/malawiE.htm. The Child Rights Unit has taken over much of the responsibility for coordinating children’s policy from the Children’s Affairs Division in the Ministry of Gender, Youth and Community Services (MGYCS). The MGYCS continues to formulate policy on childcare and protection but relies on the Child Rights Unit and other partners to carry out policy. See UN Committee on the Rights of the Child, Summary of the record of the 765th meeting; Malawi, CRC/C/SR.765, prepared by The Republic of Malawi pursuant to Article 44 of the Convention on the Rights of the Child, January 31, 2002, Paras 20, and 54; available from http://www.unhchr.ch/TBS/doc.nsf/e121f32fbc58faafc1256a2a0027ba24/1e631b6fbb5f333ec1256b5a0055c56f7fOpenDocument.

2706 In 2000, the Task Force worked with Save the Children to produce a situation analysis study on child abuse in Malawi. See ILO-IPEC, Regional Programme on Prevention, Withdrawal and Rehabilitation of Children engaged in Hazardous Work in Commercial Agriculture in Kenya, Tanzania, Uganda, Zambia and Malawi, technical progress report., RAF/00/PS1/USA, Geneva, March 30, 2002, 18. See also ILO-IPEC, Baseline Survey Report, 50.


ILO-IPEC’s SIMPOC project. In addition, the government has partnered with other organizations to promote efforts to eliminate child labor, including the Tobacco Association of Malawi, the Tobacco Exporters Children Service (since renamed Together Ensuring Children’s Security), UNICEF, the Norwegian Agency for International Development, the African Regional Labor Administration and international and national unions.

In 1994, Malawi’s new democratically elected government introduced a policy of Free Primary Education. Since that time, Malawi has increased enrollment, raised education spending, launched several teacher training programs, reformed primary curriculums, built new schools, and invested in efforts to enroll and retain girls at all education levels. The government developed an Education Policy and Investment Framework in 1995, outlining education policy over a ten-year period in an attempt to accommodate free primary education and other reforms. In addition to subsidies from the government, educational institutions in Malawi receive assistance from religious organizations, local authorities, community associations, international NGOs, international

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2709 Two specialized studies on street children and child prostitutes have also been initiated. See ILO-IPEC, *Statistical Programme for Advocacy on the Elimination of Child Labour and the Protection of Working Children in Malawi (Child Labour Survey)*, technical progress report, MLW/01/P50/USA, Geneva, September 12, 2003, 2.


2712 These organizations have helped to train over one hundred labor officers in child labor inspection and child labor issues. ILO-IPEC trained 33 officers to prosecute child labor and held a sensitization workshop for 12 members of parliament. See U.S. Embassy- Lilongwe, *unclassified telegram no. 909*, August 2003.

2713 The International Confederation of Free Trade Unions (ICFTU) and the International Union of Foodworkers signed an agreement with the International Association of Tobacco Producers to eradicate child labor on plantations. The Malawi Congress of Trade Unions (affiliated with the ICFTU) and the Tobacco Tenants and Allied Workers Union signed a similar agreement with the Tobacco Association of Malawi at a national level. See International Confederation of Free Trade Unions, *Report for the WTO General Council Review of Trade Policies of Malawi*, online, Geneva, February 6-8, 2002; available from http://www.icftu.org/displaydocument.asp?Index=991214742&Language=EN&Printout=Yes.

2714 The Policy and Investment Framework has been updated several times since 1995. Although the needs of girls have been featured in revisions, children with special needs such as street children out of school youth, orphans, and poor children continue to be neglected. See Esme Kadzamira and Pauline Rose, *Educational Policy Choice and Policy Practice in Malawi: Dilemmas and Disjunctures*, IDS Working Paper 124, Institute of Development Studies, 2001, 8-9; available from http://www.ids.ac.uk/ids/bookshop/wp/wp124.pdf.


organizations, and foreign donors such as UNICEF, Save the Children-US, USAID, PLAN Malawi and the World Bank.

Incidence and Nature of Child Labor

A 2000 Malawi Demographic and Health Study (DHS) found that 27 percent of children ages 5 to 14 were working. Children work mainly in farming, domestic service, and, to a lesser extent, in informal sector jobs such as street-side welding, bicycle repair, furniture making, and work in brick kilns. Children in the agricultural sector work alongside their parents in fields. Children are used in crop production on tea estates and on commercial tobacco farms, where the incidence of working children has been particularly high. Bonded labor has been common among tobacco tenants and their families, including children. A 1999 study estimated the number of children on the streets of three major cities to be roughly 2,000. An


2717 PLAN Malawi, an NGO and subsidiary of PLAN International, has established a “Schools Improvement Project” to improve school buildings, buy school supplies and provide teacher training in ten pilot schools. See ILO-IPEC, Baseline Survey Report, 53.


2719 Fourteen percent of children 5 to 9 and 42 percent of children 10 to 14 were working. The survey was conducted with assistance from USAID, DFID, UNICEF Malawi, and ORC Macro (DHS). See The Republic of Malawi, Malawi Demographic and Health Survey 2000, National Statistical Office, Zomba, Malawi, August 2001, 17; available from http://www.nso.malawi.net/data_on_line/demography/dhs/main_report.html.


2722 PLAN Malawi, an NGO and subsidiary of PLAN International, has established a “Schools Improvement Project” to improve school buildings, buy school supplies and provide teacher training in ten pilot schools. See ILO-IPEC, Baseline Survey Report, 53.


2727 PLAN Malawi, an NGO and subsidiary of PLAN International, has established a “Schools Improvement Project” to improve school buildings, buy school supplies and provide teacher training in ten pilot schools. See ILO-IPEC, Baseline Survey Report, 53.


2730 PLAN Malawi, an NGO and subsidiary of PLAN International, has established a “Schools Improvement Project” to improve school buildings, buy school supplies and provide teacher training in ten pilot schools. See ILO-IPEC, Baseline Survey Report, 53.
estimated 470,000 children in Malawi have been orphaned by the HIV/AIDS pandemic and may have no choice other than to seek work.\textsuperscript{2731}

According a recent IOM report, Malawi is believed to be a country of origin for children trafficked regionally and internationally for purposes of forced labor and commercial sexual exploitation. Children are recruited in Malawi by businesswomen and by Nigerian traffickers, by long distance truckers along major transportation routes, and by tourists at holiday resorts along Lake Malawi. They are lured by promises of jobs, marriage, and educational opportunities and then trafficked to Europe and other cities in Southern Africa.\textsuperscript{2732}

Primary education is free under the Constitution.\textsuperscript{2733} Although the Minister of Education issued a statement saying that primary education is compulsory, Parliament has not endorsed this policy.\textsuperscript{2734} In 2000, the gross primary enrollment rate was 136.9 percent and the net primary enrollment rate was 100.6 percent.\textsuperscript{2735} In the same year, the gross primary attendance rate was 106.8 percent, and the net primary attendance rate was 78.2 percent.\textsuperscript{2736} In 1999, 62.8 percent of children enrolled in primary school reached grade 5.\textsuperscript{2737} Indirect costs of education, family illnesses and lack of interest in education are decreasing the demand for school. Insufficient numbers of teachers and teaching materials, poor sanitation, poor teaching methods, and inadequate classrooms have also contributed to the government's inability to provide quality education.\textsuperscript{2738}

**Child Labor Laws and Enforcement**

The Employment Act of 2000 sets the minimum age for employment at 14 years, but makes exceptions for work done in vocational technical schools, other training institutions or unpaid work in homes.\textsuperscript{2739} The Act also allows children between the ages of 14 and 18 to engage in non-hazardous work that is not prejudicial to their attendance at school or any other vocational or training program.\textsuperscript{2740} The Constitution of Malawi protects children against economic exploitation as well as treatment, work or punishment that is hazardous, interferes with


\textsuperscript{2734} ILO-IPEC, Targeting the worst forms of child labour in commercial agriculture Kenya, Tanzania, Malawi, Uganda, Zambia, technical progress report,, RAF/00/P51/USA, Geneva, March 31, 2003, 3.

\textsuperscript{2735} World Bank, World Development Indicators 2003 [CD-ROM], Washington, D.C., 2003. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.

\textsuperscript{2736} The Republic of Malawi, Malawi Demographic and Health Survey 2000, 14.


\textsuperscript{2738} Al-Samarrai and Zaman, The Changing Distribution of Public Education Expenditure in Malawi, 4. See also Kadzamira and Rose, Educational Policy Choice and Policy Practice in Malawi, 8, 10, 16.


\textsuperscript{2740} Ibid.
their education or is harmful to their health or physical, mental or spiritual and social development.\footnote{Constitution of the Republic of Malawi, Chapter IV, Human Rights, 23-24 a, b, c. However, the Constitution defines children as under 16 years old. See Constitution of the Republic of Malawi, Chapter IV, Human Rights, 23.-5.} There is no legal restriction on the number of hours children may work.\footnote{U.S. Department of State, Country Reports- 2002: Malawi, Section 6d.} In 2003, a commission was established to review laws pertaining to children.\footnote{ILO-IPEC, Targeting the worst forms of child labour in commercial agriculture, technical progress report, March 2003. See also Statement at the UN Special Session on Children, 11.} Employers are required to keep a register of all employees under the age of 18, and violation of the law can result in a fine of Malawi Kwacha (MK) 20,000 (USD 223) and 5 years of imprisonment.\footnote{Employment Act, Part IV-Employment of Young Persons, 21-24. For currency conversion see Expedia, Currency Converter, [online] 2003 [cited August 12, 2003]; available from http://www.expedia.com/pub/agent.dll.} Both the Constitution and the Employment Act prohibit forced and compulsory labor. Violators are liable for penalties of MK 10,000 (USD 112) and 2 years imprisonment under the Employment Act.\footnote{Constitution of the Republic of Malawi, Chapter IV, Human Rights, 27. -1.,2.,3.,4. See also Employment Act, Part II-Fundamental Principles, 4. (1)- (2). For currency conversion see Expedia, Currency Converter.}

The trafficking of persons is not specifically prohibited by law.\footnote{U.S. Department of State, Country Reports- 2002: Malawi, Section 6f.} However, the Penal Code does prohibit the procurement of any girl under the age of 21 to have unlawful sexual relations, either in Malawi or elsewhere.\footnote{Government of Malawi, The Penal Code, as cited in The Protection Project Legal Library, 140; available from http://209.190.246.239/ protectionproject/statutesPDF/UgandaF.pdf. In 2000, the MGYCS announced plans to patrol pubs, drinking places and other entertainment areas in search of underage female barmaids working as prostitutes. See Raphael Tenthani, “Malawi to Crack Down On Teenage Barmaids”, allAfrica.com, [previously online], December 14, 2000; available from http://allafrica.com/stories/printable/200012140082.html [hard copy on file].} The promotion, management and transport of a woman or girl with the intention of making her a prostitute carries a 14-year sentence.\footnote{The Protection Project, “Malawi,” in Human Rights Report on Trafficking in Persons, Especially Women and Children: A Country-by-Country Report on a Contemporary Form of Slavery Washington, D.C., 2002; available from http://209.190.246.239/ver2/cr/Malawi.pdf. See also U.S. Department of State, Trafficking In Persons Report- 2003: Malawi.} The age of consent is 14 years,\footnote{U.S. Department of State, Country Reports- 2002: Malawi, Section 6f.} and marriage of children under 15 is discouraged.\footnote{Constitution of the Republic of Malawi, Chapter IV, Human Rights, 22-28.} There is no government funding for NGO services to victims of trafficking or training for government officials to combat trafficking.\footnote{Ibid., Section 6d.}

The MOLVT and the police are charged with enforcing child labor laws, but enforcement is minimal.\footnote{The MOLVT’s budget equals less then one third of 1 percent of Malawi’s 2002-2003 national budget. See U.S. Embassy- Lilongwe, unclassified telegram no. 909.} Fifty-five labor inspectors investigate child labor cases. Although complaints concerning child labor are regularly recorded, only one-third are investigated due to lack of funding.\footnote{ILO, Ratifications by Country, in ILOLEX, [database online] [cited August 26, 2003]; available from http://www.ilo.org/ilolex/english/newratframeE.htm.}

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Mali has been a member of ILO-IPEC since 1998. Mali is one of nine countries participating in the USDOL-funded ILO-IPEC project to combat the trafficking of children for exploitative labor in West and Central Africa. In 2003, USDOL funded a USD 3 million education initiative to increase access to quality, basic education to children at risk of child trafficking in Mali.

In June 2002, the U.S. State Department’s Africa Bureau announced its West Africa Regional Strategy to Combat Trafficking in Persons, which includes Mali. As part of this strategy, U.S. missions in the region will focus U.S. Government resources to support efforts by host governments to prosecute traffickers, protect and repatriate victims, and prevent new trafficking incidents. The strategy will be implemented through improved coordination among donors, funding of regional and international organizations, and direct funding for host government or local NGOs.

In January 2002, the Government of Mali, in collaboration with INTERPOL, organized a meeting that was attended by officials from Benin, Burkina Faso, Gabon, Côte d’Ivoire, Niger, and several UN agencies and NGOs, to discuss child trafficking in West and Central Africa. Issues that were covered included prevention of trafficking, rehabilitation of victims, and the implementation of a September 2000 agreement between Côte d’Ivoire and Mali to combat child trafficking. In the resulting declaration, the Yamoussoukro Declaration, the conference participants pledged to conduct coordinated information campaigns on child trafficking. The September 2000 agreement between Côte d’Ivoire and Mali included provisions for the two countries to develop national plans of action covering the prevention of child trafficking, controlling and monitoring child trafficking, and repatriating and rehabilitating children who have been trafficked.

The Government of Mali has established welcome centers that offer support to victims of trafficking, including shelter and medical and psychological services. In 2001, over 300 children trafficked from Mali to Côte d’Ivoire were returned to their families through assistance at Malian welcome centers. In coordination with Malian authorities, UNICEF, IOM, Save the Children/Canada, and ILO-IPEC are supporting anti-trafficking efforts through sensitization, rehabilitation, and reintegration initiatives.

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2758 The strategy is intended to encourage governments in the region to develop and implement laws that allow for the prosecution of traffickers. See U.S. Embassy - Abuja, unclassified telegram no. 1809, June 2002.


2760 ILO-IPEC, Combating the Trafficking of Children (Phase II), project document, 8


In January 2002, the President of Mali, the African Football Confederation, the Organizing Committee of the Cup of African Nations, and ILO-IPEC launched an awareness raising campaign on child labor to coincide with the 2002 African Cup of Nations, a popular soccer tournament.2764 Currently, the government is in the preparation stage of conducting a national child labor survey, with technical assistance from ILO-IPEC’s SIMPOC, to measure the nature and extent of child labor at a national level.2765

In 1998, the Government of Mali developed a 10-year education sector policy that aims to reach a primary enrollment rate of 75 percent by 2008 and improve educational quality and outcomes.2766 In 2000, the World Bank provided the Government of Mali with a USD 45 million loan for education sector improvements, including measures to improve the quality of schooling, increase access through the construction of new schools, and build the capacity of local government systems and personnel.2767 The World Bank is also providing a USD 3.8 million loan to the Government of Mali to increase the provision of bilingual schooling.2768 Through a USD 62.5 million bilateral agreement with the Government of Mali signed in 2002, USAID is working with the Ministry of Education to improve the quality of learning, particularly that of girls, by training teachers, improving the national curriculum, and increasing community and parent participation in schooling. Through the U.S. government’s Africa Education Initiative, USAID will also assist the Ministry of Education to reach teachers in remote rural areas through a radio education program.2769 UNICEF is implementing a basic education program that focuses on construction and rehabilitation of school infrastructures; the provision of school equipment and teacher training.2770 UNICEF will also be working closely with the government of Mali to reduce gender imbalances in primary and secondary school through a targeted girls’ education initiative.2771

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 50.5 percent of children ages 10 to 14 years in Mali were working.2772 Children work in the agricultural sector, in mining and gold washing, and as domestic servants in urban areas.2773 In some cases, children work as street beggars for marabouts as part of their education at Koranic schools.2774


Mali is a source of trafficked children, most of whom are sold into forced labor in Côte d’Ivoire to work on coffee, cotton, and cocoa farms or to work as domestic servants. Organized networks of traffickers, promising parents that they will provide paid employment for their children, reportedly sell the children to commercial farm owners for between 14,500 to 29,000 CFA (USD 25 to 51). Mali is also reported to be a transit country for children trafficked to and from neighboring countries and to Europe.

Primary education is compulsory and free through the age of 12; however, students must pay for their own uniforms and school supplies to attend public schools. The Malian education system is marked by extremely low rates of enrollment, attendance, and completion. In 1996, only 10 percent of the population ages 15 years and older had completed primary school. In 2000, the gross primary enrollment rate was 61.2 percent, and in 1998, the net primary enrollment rate was 43.3 percent. A significant gender disparity exists among students participating in primary school. Attendance rates are unavailable for Mali. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. The quality of education services in Mali is also poor, due to a lack of adequate infrastructure and trained teachers, as well as the use of curriculum that has little relevance for students’ lives.

**Child Labor Laws and Enforcement**

Article 187 of Labor Code of 1992 sets the general minimum age for employment and apprenticeship at 14 years. However, Decree No. 96-178 of 1996 establishes more detailed regulations with regard to children’s work. It allows children from the ages of 12 to 14 to work in certain occupations, including domestic or seasonal work, although they may not be employed for more than four and a half hours per day (two hours a day, if they are in school), or without the authorization of a parent or tutor. The decree prohibits children under 16 from working in certain strenuous occupations, including mining. Finally, it prohibits children under 18 years from...
engaging in work that threatens their safety or morals; from working more than eight hours per day, or from working at night. The Labor Code prohibits forced or obligatory labor. Penalties for violations of the minimum age law are established in the Labor Code, and range from a fine of 20,000 to 200,000 F (USD 35 to 351). Legislation passed in 2001 made the trafficking of children punishable by 5 to 20 years imprisonment. The government also requires that Malian children under 18 years of age carry travel documents in an attempt to slow cross-border trafficking. Article 183 of the Criminal Code establishes penalties for the sexual exploitation and sexual abuse of children.

Labor inspectors from the Ministry of Employment and Civil Service conduct surprise and complaint-based inspections but operate only in the formal sector and lack resources to effectively monitor child labor. The frontier police, INTERPOL, and territorial and security authorities are responsible for enforcing the cooperative agreement to curb cross-border trafficking signed between Côte d’Ivoire and Mali.


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2787 Decret no 96-178/P-RM, Article 189/14-16.
2788 Code du Travail, Article 6.
2789 Ibid., Article 326. For currency conversion see FXConverter.
2793 U.S. Department of State, Country Reports-2002: Mali, Section 6d.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 2000, the Government of Mauritania began working with the ILO to raise awareness on worker rights, including child labor. Key efforts to eradicate child labor have taken place that include the passage of a 2002 regulation prohibiting children from working in the streets of the capital city of Nouakchott, and government-funded magazine and TV ads on child labor. The government has also provided training to police and border guards on trafficking and human rights issues.

In 1999, the Government of Mauritania adopted its current educational plan, which is intended to run for 15 years and aims to provide all children with 10 years of basic schooling (elementary plus the first secondary level), followed by training opportunities tailored to the requirements of the labor market. New emphasis is being placed on pre-school education that prepares children for basic education and on creating incentives to encourage private investment to promote private education. The goals for elementary school education are to achieve universal access by 2005, raise the retention rate from 55 percent to 78 percent by 2010, eliminate gender and regional disparities, improve the quality and relevance of education, and lower the pupil-teacher ratio. The government is currently implementing a school meals program designed to improve attendance and children’s health. In addition, the Girls’ School Enrollment Support Fund was created in 1997 as part of the government’s Basic Education Department. The fund has conducted 13 multimedia campaigns aimed at increasing girls’ attendance in five of the least-developed regions in Mauritania.

In June 2002, the Government of Mauritania became eligible to receive funding from the World Bank and other donors under the Education for All Fast Track Initiative, which aims to provide all children with a primary school education by the year 2015. The World Bank is assisting the government to achieve education sector goals through a USD 49.2 million education loan project aimed at increasing enrollment, particularly among girls and in low-performing regions. In 2000, the African Development Bank provided loan for a five-year education project...
sector improvement project, including the promotion of women’s education and literacy, and increased
government capacity. In 2001, several UN agencies began implementation of a girls’ education project that
supports infrastructure development, gender-neutral curriculum development, and increased income-generation
opportunities among the target population.

**Incidence and Nature of Child Labor**

In 2001, the ILO estimated that 21.7 percent of children ages 10 to 14 years in Mauritania were working. Children traditionally work on family subsistence farms as a means of survival. They also perform a wide range of other informal activities, such as working as cashiers, street workers, dishwashers in restaurants, car washers, domestic workers, fishermen, herders, and apprentices in garages. In addition, children living with marabouts, or Koranic teachers, assist with domestic work. In 2002, there were two reported arrests of traffickers recruiting young boys to work in the Middle East as camel jockeys. Mauritania abolished slavery in 1981; however, due to the lack of economic and social opportunities for former slaves, their children are at risk of abject poverty, which may serve as an impetus for child labor.

In 2000, the gross primary enrollment rate was 83.0 percent, and the net primary enrollment rate was 64.0 percent. Primary school attendance rates are unavailable for Mauritania. In July 2001, the government announced that school attendance would become compulsory between the ages of 6 and 14. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. Public school is free, but other costs such as books and lunches make education unaffordable for many poor children. Ongoing challenges to the provision of quality education in Mauritania include the high dropout and repetition rates, a shortage of teachers, an inadequate curriculum, and poor national infrastructure which prevents children from traveling to and from schools.

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2808 Dina, interview, August 15, 2002.

2809 Nahah, Secretary General, Confederation General des Travailleurs de Mauritanie, interview with USDOL official, August 14, 2002.


2811 Nahah, interview, August 14, 2002.

2812 Sow, interview, August 15, 2002.


2814 Ibid.

2815 Samory O. Beye, Secretary General, Confederation Libre des Travailleurs de Mauritanie, interview with USDOL official, August 14, 2002.

2816 World Bank, *World Development Indicators 2003*.


2819 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

2820 Ely Samake, interview, August 15, 2002.


2822 Ely Samake, interview, August 15, 2002.
Child Labor Laws and Enforcement

An amendment to the Labor Code sets the minimum age for employment at 16 years.2823 The Labor Law also prohibits forced labor2824 and sets 18 years as the minimum age for work requiring excessive force, or that could harm the health, safety, or morals of children.2825 The Criminal Code, which follows Islamic criminal law, establishes strict penalties for engaging in prostitution or procuring prostitutes, ranging from fines to imprisonment for two to five years for cases involving minors.2826 Article 3 of the law against trafficking in persons, passed on July 17, 2003, expands the scope of trafficking for cases involving children.2827 In addition, the Criminal Code sets a penalty of 5 to 10 years imprisonment for the use of fraud or violence to abduct minors.2828

According to the government, no cases of child labor have been reported.2829 However, the government reportedly lacks the resources to effectively monitor compliance with child labor laws.2830


2823 Government of Mauritania, Written Replies to the Committee on the Rights of the Child, 9.
2825 Ibid., Livre Deuxième, Article 47.
2829 Cheikhna, interview, August 14, 2002.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Mauritius created the National Children’s Council in 1990 to coordinate ministry and NGO efforts to combat child abuse, neglect, and exploitation. Since 1999, the Council has participated in the National Action Plan to Combat Commercial Sexual Exploitation of Children. Plan activities include conducting workshops in schools and women’s associations, creating special police groups to encourage more reporting of sexual exploitation, and using social welfare and community centers to raise awareness about commercial sexual exploitation. In 2000, the government released a comprehensive study on child prostitution, which was carried out in cooperation with UNICEF and the World Health Organization (WHO). The government is currently working with social partners to develop a comprehensive policy on child labor.

In the 2002-2003 school year, spending on primary education was roughly 1.4 million rupees (USD 48,000), or 31 percent of the overall education budget. The government announced an education reform plan in 2001 to provide additional secondary schools, increase access to secondary school education, and eventually increase the mandatory education age to 16. Through the Priority Zone educational project, 22 secondary schools are being constructed in economically disadvantaged areas. The government assigns a social worker to truant children and their families to reduce school absenteeism. Based upon the country’s economic performance and government achievements in improving the well being of children and young people, UNICEF announced its intention to close out funding allocations in Mauritius in 2003.

Incidence and Nature of Child Labor

In 2001, ILO estimated that 1.8 percent of children ages 10 to 14 years in Mauritius were working. The 2000 Census of Occupations found that 763 children aged 12 to 14 were working. Children are usually found

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2835 ILO, Individual Observation- Convention 29.

2836 N. Nababsing, survey questionnaire response to USDOL official, September 2001, 3. UNICEF has agreed to fund a new study on child labor in the informal sector for the Ministry of Labour and Employment. The research will be conducted by specialists in the University of Mauritius and will be used to develop strategies to combat child labor. See U.S. Embassy- Port Louis, unclassified telegram no. 658, August 18, 2003.

2837 U.S. Embassy- Port Louis, unclassified telegram no. 658. For currency conversion, see FXConverter, [online] [cited August 27, 2003]; available from http://www.carosta.de/frames/convert.htm.


2839 U.S. Embassy- Port Louis, unclassified telegram no. 658.

2840 In 1997, the UNICEF Executive Board decided to gradually phase out funding allocations for countries that had achieved established threshold levels for gross national product (USD 2,895 per capita) and under 5 mortality rates (30 deaths per 1000). In the 1990s, Mauritius reached these thresholds. See UNICEF, At a Glance: Mauritius, UNICEF, [online] August 13, 2003 [cited August 14, 2003]; available from http://www.unicef.org/infobycountry mauritius.html.


working on the streets, in small businesses, and in agriculture. On the island of Rodrigues, children reportedly work in homes, on farms, and in shops. In 1998, the UNICEF/WHO study on commercial sexual exploitation of children indicated that children as young as 13 are engaged in prostitution in several districts in Mauritius. Although there had been reports in previous years of children being trafficked from Madagascar to Mauritius for prostitution, there were no such reports in 2002.

The Education Act provides for compulsory and free primary schooling until the age of 12. In addition, the government provides subsidies for the school fees of each 4-year old to ensure that children start primary school with at least one year of preschool experience. In 1998, approximately 96 percent of the children entering primary school had completed at least one year of pre-primary schooling. In 2000, the gross primary enrollment rate was 108.6 percent, and the net primary enrollment rate was 94.7 percent. Attendance rates are not available for Mauritius. While enrollment rates indicate a level of commitment to education, they do not necessarily reflect children’s participation in school.

**Child Labor Laws and Enforcement**

The Labor Act of 1975 set the minimum age for employment at 15 years. Under the Occupational Safety, Health, and Welfare Act of 1989, young persons between the ages of 15 and 18 are not allowed to work in activities that are harmful to health, dangerous, or otherwise unsuitable for a young person. The Criminal Code contains provisions prohibiting child prostitution, and the sale, trafficking, and abduction of children.

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2848 Children begin primary school at the age of 5 and are expected to complete primary education at age 12. See Nababsing, Child Labor Questionnaire response, September 2001, 3, 10.
2851 World Bank, *World Development Indicators* 2003. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.
2852 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
2853 Nababsing, Child Labor Questionnaire response, September 2001, 1. The country’s child labor laws cover all sectors.
2854 Ibid., 2. Children are allowed to work on some dangerous machines, provided they are trained to operate machinery and are supervised by an experienced operator. They are not required to clean machinery if this would expose them to the risk of injury. In addition, children under 18 are not permitted to work more than six hours per day between the hours of 6 P.M. and 6 A.M. See U.S. Embassy- Port Louis, *unclassified telegram no. 658*.

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penalties for persons convicted of the sale, trafficking or abduction of a child are a fine of least 10,000 rupees (USD 343) or a prison sentence not to exceed five years. 2856 Forced and bonded labor by children is illegal. 2857

The Ministry of Labor and Industrial Relations enforces child labor laws. In 2002, labor inspectors conducted 4,728 inspections and found 19 instances of child labor. 2858 When an instance of child labor is found, inspectors warn violators before applying fines not to exceed 2,000 rupees (USD 69) to repeat offenders. 2859 The police enforce laws on child prostitution. According to a June 2000 report by the Working Group on Contemporary Forms of Slavery, the existing legal provisions on child prostitution were inadequate to effectively prosecute child sexual exploitation, and there was insufficient police resolve, capacity, and sensitivity to intervene in cases of child prostitution. 2860


2858 U.S. Embassy- Port Louis, unclassified telegram no. 658.

2859 Ibid.

2860 ILO, Individual Observation- Convention 29.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In June 2003, the Government of Moldova adopted the National Strategy for Child and Family Protection, which gives responsibility to the Ministries of Education and Labor to apply child labor legislation.2862 In November 2001, the Government of Moldova established a National Committee for Combating Trafficking in Human Beings and adopted a National Plan of Action to address the problem.2863 Also in 2001, the Parliament passed additions to the Criminal Code that include protection of children, with provisions against trafficking, forced labor, and sexual exploitation.2864 Moldova participates in the Southeastern European Cooperative Initiative Human Trafficking Task Force, which is intended to coordinate regional efforts by governments to combat trafficking in persons.2865 In December 2002, the government signed a joint declaration with other Southeastern European nations to assist victims of trafficking.2866 The government has cooperated with Belarus, Ukraine, and Russia to investigate trafficking cases.2867 In addition, the government has established and trained an anti-trafficking unit in the police force. Despite these efforts, due to a lack of funds at the national level, as well as corruption and linkages between government officials and organized crime, the majority of trafficking protection and awareness raising measures are being implemented by Moldovan NGOs.2868

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 37.1 percent of children ages 5 to 14 years in Moldova were working.2869 Moldova is a primarily agricultural country, and it is common for children in rural areas to work on family farms or help with household chores.2870 Street children in Chisinau and Belti are reported to work as prostitutes as a means of survival.2871 Moldova is a source country for trafficking of women and girls for prostitution to the Middle East, Balkans, and other countries.

2862 U.S. Embassy Chisinau, unclassified telegram no. 0959, August, 2003. The Government will be responsible for implementing the strategy.
2864 Ibid., 29.
2868 Ibid., 30–32. IOM is implementing a trafficking awareness raising campaign; UNICEF assists girls at risk of trafficking and prostitution; and other NGOs, including La Strada and Association for Women Lawyers, are working on the issue. For the most part, these activities are planned and implemented independently; however, the government is planning to cooperate with La Strada to implement an awareness raising campaign in schools. Save the Children Moldova has a program to provide assistance to victims of trafficking, including repatriation assistance, psychological counseling, and vocational training. See Program for Social Assistance to Trafficked Human Beings, Save the Children Moldova, [online] [cited June 16, 2003]; available from http://sccd.ngo.moldnet.md/trafic.html.
2869 The total number of “working” children included “children who have done any paid or unpaid work for someone who is not a member of the household or who did more than four hours of housekeeping chores in the household or who did other family work.” Ten percent of children ages 5 to 14 had unpaid jobs for someone other than a household member, and 2 percent were engaging in paid work. See Government of Moldova, Multiple Indicator Cluster Survey (MICS) 2, UNICEF, 2000; available from http://www.childinfo.org/MICS2/newreports/moldova/moldova.pdf.
2871 Jean Philippe Chauzy, Moldova - Rehabilitation Centre for Victims of Trafficking, IOM, [online] October 22, 2002 [cited June 16, 2003]; available from http://www.iom.int/en/archive/PBN221002.shtml. Save the Children Moldova provides services to street children, including residential care and reintegration with their families. See “Ashchiuta” Center, Save the Children Moldova, [online] [cited June 16, 2003].
in Europe. UNICEF reports that trafficking of children from Moldova is on the rise due to the extreme poverty faced in the country. Youn gly women in rural areas are frequently the target population for traffickers who offer transportation to jobs overseas, but upon arrival, confiscate passports and require payments earned through prostitution. According to information gathered by IOM through its assistance projects, some girls as young as 12 years old are trafficked to other countries.

Education for children is compulsory for 9 years, beginning at age 7. While the Constitution guarantees free public education, families face significant additional expenses, including supplies, clothes, and transportation fees. The most recent primary school enrollment and attendance statistics indicate that most children are receiving a basic education, with very little variation by gender or regional distribution. In 2000, the gross primary enrollment rate was 83.8 percent, and the net primary enrollment rate was 78.4 percent. The net primary school attendance rate was more than 98.0 percent. Press reports indicate that attendance may be lower in rural areas.

**Child Labor Laws and Enforcement**

The Labor Law sets the minimum age for employment at 16 years. In exceptional cases and with permission of the Trade Union Committee, minors may be employed at age 15. In addition, the Law on Children's Rights allows children to work at age 14, but only with parental authorization and providing that the work will not interfere with the child's education. Employees who are children must pass a medical exam every year until they reach 18 to be eligible to work. Children under 18 years are prohibited from participating in hazardous work, including work underground, work related to alcoholic beverage production, transportation, and sales, and

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2678 U.S. Embassy– Chisinau, unclassified telegram no. 1400.


2680 While the official age to enter primary school is 7 years, a number of children go to school before the age of 7. To account for these children, the primary school attendance rate includes all children of primary school age who were currently attending school in the school year immediately preceding the survey. See Government of Moldova, MICS2, 14.

2681 According to 2001 Moldovan press reports, the Ministry of Education estimated that 25 percent of children in rural areas were not attending school. See U.S. Department of State, *Country Reports– 2002: Moldova*, Section 5.

2682 Article 46 of the Labor Law, as cited in U.S. Embassy Chisinau, unclassified telegram no. 0959.

2683 Article 181 of the Labor Law, as cited in U.S. Embassy– Chisinau, unclassified telegram no. 1499, October 2002. Articles 96 and 100 of the Law states that children between the ages of 15 and 16 can only work a maximum of 24 hours a week, and no more than 5 hours in a day. See U.S. Embassy Chisinau, unclassified telegram no. 0959.

2684 Article 11 of the Law on Children's Rights as cited in U.S. Embassy– Chisinau, unclassified telegram no. 1499.

2685 Article 152 of the Labor Law, as cited in U.S. Embassy Chisinau, unclassified telegram no. 0959.
work with heavy metals. Legal remedies, civil fines and criminal penalties exist to enforce labor legislation, with prison terms of up to three years for repeat offenses. The Constitution prohibits forced labor and the exploitation of minors. A new Criminal Code came into force in June 2003, and provides for 10 to 15 years imprisonment for trafficking and the use of children in the worst forms of child labor. The Law on Children’s Rights protects children under 18 years of age from prostitution or sexual exploitation.

In January 2002, Moldova introduced a restructured Labor Inspection Office, which is responsible for enforcing all labor laws, including those pertaining to child labor. While child labor violations are known to occur, they have not been formally reported or uncovered. Various government agencies and units have jurisdiction to address trafficking, including a police unit within the Ministry of Internal Affairs, the Justice Service, the Police Academy, the General Prosecution Office, and the Ministries of Justice, Labor, Security, and Economy. The recently-established police anti-trafficking unit is reportedly understaffed and poorly funded.


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2886 Article 255 of the Labor Law, as cited in Ibid. The Government approved a list in 1993 of hazardous work that children cannot participate in, including mining, metal work, and well drilling.

2887 Article 183 of the Labor Law, as cited in U.S. Embassy- Chisinau, unclassified telegram no. 1499.

2888 Constitution of the Republic of Moldova, Articles 44 and 53.

2889 U.S. Embassy Chisinau, unclassified telegram no. 0959.


2891 U.S. Embassy- Chisinau, unclassified telegram no. 2236, August 2000. Prostitution is also illegal under Article 105-1 of the Criminal Code, and punishable by imprisonment from six months to one year. See Barbara Limanowska, Trafficking in Human Beings in Southeastern Europe, 29.

2892 U.S. Embassy Chisinau, unclassified telegram no. 0959.

2893 Ibid.

2894 According to UNICEF, the unit consists of only a few police officers; it lacks equipment, telephones and gas, and staff did not receive payments for several months. See Barbara Limanowska, Trafficking in Human Beings in Southeastern Europe, 30.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Mongolia has been a member of ILO-IPEC since 1999. The National Council for Children, established in 1994 and led by the Prime Minister, reviews policies and mobilizes resources for the protection of children. The National Children’s Committee, under the Minister for Social Welfare and Labor, oversees the implementation of the government’s policies on children, provides training to child specialists, and provides operational assistance to NGOs working on children’s issues. In 1999, an ILO-IPEC country program funded by USDOL began to build capacity among institutions to combat child labor, raise awareness, and sponsor activities to remove children from work in mining, prostitution, livestock herding, and the informal sector (including scavenging in dump sites). In September 2002, a second phase of the ILO-IPEC country program was funded by USDOL. With funding from the ADB, and technical assistance from ILO-IPEC’s SIMPOC, the Mongolian National Statistical Office is integrating a child labor module into the national labor force survey. In February 2003, the Government of Mongolia officially launched its National Programme of Action for the Development and Protection of Children, which includes provisions to combat the worst forms of child labor, the improvement of working conditions and wages for adolescents, and access to education and health services.

The government provides funds to shelters for vulnerable children. In conjunction with local and national government agencies, Save the Children UK works with vulnerable children, such as working children, nomad children, and street children, by supporting shelters, providing services, and building capacity. USAID has supported vocational education for disadvantaged teenagers, and the World Bank initiated a project to provide microfinance to vulnerable rural families.
In 1997, the government established a Non-Formal Education Center to provide assistance and training on non-formal education techniques, materials and curricula. Since 2000, the government has provided school materials to children from poor families to encourage them to stay in the formal school system. The ADB is supporting a program to make the education sector more effective, cost efficient and sustainable. The program will also assist the government to implement a Second Education Development Project that will improve access to and quality of education at the basic, non-formal, and secondary levels, and create a technical education and vocational training program. The World Bank approved a USD 8 million loan for a project to support the Government of Mongolia’s Economic Growth Support and Poverty Reduction Strategy. The strategy aims to efficiently deliver high quality basic social services such as health care and education to all Mongolians.

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 1.2 percent of children ages 10 to 14 years in Mongolia were working. Children herd livestock and work as domestic servants. Other children sell goods, polish shoes, act as porters, scavenge for saleable materials, beg, and act as gravediggers. Children also work in informal coal mining, either in the mines or scavenging for coal outside, as well as in informal gold mining. There are increasing numbers of children living on the streets in the capital, Ulaanbaatar, who may be at risk of engaging in hazardous work. Urban children often work in small enterprises such as food shops or in light industry. To a lesser extent, children are engaged in commercial sexual exploitation. While comprehensive information about the
nature and extent of trafficking in Mongolia is not available, it is reported that Mongolia is a source and transit point for teenage trafficking victims for the purpose of commercial sexual exploitation.\(^{2921}\)

Article 16 of the Mongolian Constitution provides for free basic education.\(^{2922}\) The Educational Law was revised in May 2002 to expand compulsory education for children ages 8 to 15, lower the age of enrollment to 7 years, and formally define the non-formal educational structure. The revised Law on Primary and Secondary Education of May 2002 directs local governments to cover the costs of non-formal education.\(^{2923}\) Children who enroll in non-formal education are entitled to take the formal school exams in order to receive primary or secondary school certifications.\(^{2924}\) The Law on Vocational Education, also adopted in May 2002, provides public funds to cover the cost of primary level vocational courses and dormitory costs for students. The law also allows students to join short-term skills training courses without providing a certificate of completion for compulsory schooling.\(^{2925}\) The National Programme of Action for the Development and Protection of Children has as an objective to increase the number of children attending pre-school, primary school, and basic education.\(^{2926}\) In 2002, the gross primary enrollment rate was 96.6 percent.\(^{2927}\) In 2000, the net primary enrollment rate was 88.8 percent.\(^{2928}\) In 2000, at the national level, 75.6 percent of children ages 7 to 12 attended school at the primary level,\(^{2929}\) and 68.6 percent of children enrolled in primary school reached grade 5.\(^{2930}\) In rural areas education levels are lower\(^{2931}\) since young boys often leave school to assist their families with livestock.\(^{2932}\) Because Mongolia is largely rural, the government subsidizes dormitories to allow children to stay near schools.\(^{2933}\)

### Child Labor Laws and Enforcement

Article 109 of the Labor Law sets the minimum age of employment at 16 years, although children aged 15 may work with the permission of a parent or guardian. Children aged 14 may be engaged in vocational training or employment with the permission of both the parent or guardian and the Ministry of Social Welfare and Labor. The Labor Law prohibits minors from being required to work overtime, on holidays or on weekends, and limits


\(^{2924}\) ILO-IPEC, *National Program in Mongolia, Phase II, project document*, 11.


\(^{2926}\) Government of Mongolia, *National Programme of Action*, 16-17, objectives 8,9.


\(^{2930}\) Ibid., 18.


\(^{2932}\) About 40 percent of students at the secondary level are males, whereas only 20 percent at the tertiary level are males. See ADB, *Country Assistance Plans- Mongolia*, Section I.C.1, “Gender Issues,” item 19. See also U.S. Department of State, *Country Reports- 2002: Mongolia*, Sections 5 and 6d.

the hours of legal employment based on the age of the minor. In 1999, the government developed a list of prohibited hazardous employment activities for minors. Article 16 of the Constitution of Mongolia guarantees the right to favorable work conditions, rest, remuneration, and free choice of employment. The revised Criminal Code of Mongolia, which became effective on September 1, 2002, prohibits forced child labor and trafficking in persons. Trafficking of children is punishable by a prison term of 10 to 15 years, and violations of forced child labor provisions are punishable with a fine or up to 4 years imprisonment. The Criminal Code also prohibits prostitution of individuals under the age of 16, and penalties apply to facilitators, procurers, and solicitors of prostitution. Penalties range from monetary fines to imprisonment of up to 5 years. The production and dissemination of pornographic materials is also illegal under the Criminal Code, with imprisonment of up to 2 years or correctional work for a maximum of 1.5 years, or a monetary fine. In accordance with the National Program of Action, provisions prohibiting child trafficking, slavery, and forced child labor have been recently inserted into the Law on the Protection of the Rights of the Child. In addition, the Law on Temporary Detention of Children without Supervision is designed to protect unaccompanied children whose life or health is at risk.

The State Labor and Social Welfare Inspection Agency under the Ministry of Social Welfare and Labor is responsible for enforcing child labor laws, and now collects data on children engaged in hazardous work. However, there is only a small number of labor inspectors, and labor inspectors rarely inspect medium and small enterprises. Reports indicate that trafficking has been facilitated by corruption and weak border controls.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Morocco became a member of ILO-IPEC in 2000 and launched its first program with ILO-IPEC in July 2001. In January 2003, the Government of Morocco signed a Letter of Agreement with the Government of the United States to collaborate on reducing child labor and providing education alternatives for children vulnerable to child labor. As a result, USDOL is supporting a USD 3 million project executed by Management Systems International that aims to eliminate the practice of selling and hiring child domestic workers and to create educational opportunities for child laborers and those vulnerable to child labor. In addition, USDOL provided USD 2 million to fund an ILO-IPEC child labor project in Morocco, which aims to strengthen national efforts against the worst forms of child labor in Morocco and to remove and prevent children from work in rural areas of the country. In March 2003, the Ministry of Employment, Social Affairs, and Solidarity collaborated with the ILO and Morocco’s foremost public service association AFAK (or “Horizon”), to place a public service announcement in Morocco’s leading newspapers urging Moroccans to unite in fighting child labor.

In October 1999, the Government of Morocco established national and sectoral action plans to combat child labor, especially its worst forms. The focus of the national plan includes improving implementation and raising awareness of child labor laws, and improving basic education. Sectoral plans target children in agriculture and herding, the industrial sector (carpets and stitching), metal and auto work, construction, the hospitality industry, and food production, as well as children working in informal sector. Between February 1998 and April 2001, the government held awareness raising campaigns for the general public conducted by labor, safety, and health inspectors, and in April 2001, inspectors began holding child labor awareness raising and training sessions for employers. In 2000, the government began a pilot program focusing on girls who work as domestic servants to provide them with education, health care, and recreation. In 2003 the government took a number of measures...

2958 U.S. Consulate – Casablanca, *unclassified telegram no. 1830*.
2959 U.S. Consulate– Casablanca, *unclassified telegram no. 1157*.
2960 Ibid.
to address child labor by strengthening legal protections for children [see Child Labor Laws and Enforcement below] and by signing accords with artisans to define conditions of work for young persons.2961

The government has taken steps to improve the quality of primary education by reforming the curriculum, training and hiring more teachers, and assigning teachers to their hometowns to reduce absenteeism.2962 The Ministry of National Education and Youth (MNEY) also runs programs for out-of-school children under its Non-Formal Education Program.2963 In June 2003, MNEY announced that the government was increasing the number of schools and classrooms.2964 In September 2003, the government initiated coursework in the Berber language within 317 primary schools serving primarily a Berber population, with plans to expand the program throughout the country by 2008 should it result in reduced drop-out rates among such children.2965 The Government of Morocco continues to work with international organizations and local partners to increase school attendance. MNEY is implementing a World Bank-funded program to strengthen institutional capacity, improve teaching quality and build or rehabilitate rural schools.2966 MNEY contracts with over 40 local NGOs to provide non-formal education.2967 In cooperation with the Ministry of Health and with the support of UNICEF, MNEY is also pursuing a strategy to ensure basic education and healthcare for child workers.2968

Incidence and Nature of Child Labor

According to the 2000 National Survey of Activity, Employment and Unemployment, approximately 3.4 percent of children in Morocco under the age of 15 were engaged in child labor.2969 More than 85 percent of these children were in rural areas where 6.6 percent of boys under the age of 15 and 5.1 percent of girls are engaged in work.2970 The majority of child labor is found in the agricultural sector.2971 Boys and girls work as shepherds and

2961 For a detailed discussion see U.S. Consulate - Casablanca, unclassified telegram no. 1257, August 3, 2003.
2962 U.S. Consulate- Casablanca, unclassified telegram no. 1157. The teacher-student ratio is still high with 52.5 students per class in urban schools and 38.2 in rural schools. See U.S. Consulate - Casablanca, unclassified telegram no. 1830.
2963 Kingdom of Morocco Ministry of National Education, Education non-formelle: L’école de la deuxième chance. Since its inception in 1997, the Ministry’s non-formal education program has given remedial instruction to 164,076 children and is working to adapt the curriculum to make it more relevant to the needs of older students. See U.S. Consulate - Casablanca, unclassified telegram no. 0091, January 15, 2003, U.S. Consulate - Casablanca, unclassified telegram no. 1257.
2964 U.S. Consulate- Casablanca, electronic communication to USDOL official, June 12, 2003. In 2003 the Ministry of Education planned to open 32 new primary schools and 50 junior highs. Another 380 schools are being built in poor neighborhoods. See U.S. Consulate - Casablanca, unclassified telegram no. 1257.
2965 U.S. Consulate- Casablanca, electronic communication to USDOL official, February 15, 2004. See also U.S. Consulate - Casablanca, unclassified telegram no. 1257.
2970 Ibid.
2971 U.S. Consulate- Casablanca, unclassified telegram no. 1157. See also U.S. Consulate - Casablanca, unclassified telegram no. 1257. A Ministry of Finance and Planning labor force study by the Statistics Directorate concluded that nearly 9 out of 10 child workers are found in rural areas, and 84 percent of these are engaged in farm work. See U.S. Consulate - Casablanca, unclassified telegram no. 1830.
are paid with cash or in kind. Children are also known to work as carpet weavers, metalworkers, mosaic-makers, mechanics, porters, tour guides, and street vendors. A 2001 study on street children found that they engage in diverse forms of work including selling cigarettes, begging, shining shoes, and other miscellaneous occupations. Additionally, children work as laborers in small family-run workshops that produce ceramics, jewelry, woodwork, and leather goods. Many children work as apprentices before they reach 12 years of age, particularly in the informal handicraft industry. In urban areas, girls can be found working as domestic servants, often in situations of unregulated “adoptive servitude.” In these situations, girls from rural areas are trafficked, “sold” by their parents, and “adopted” by wealthy urban families to work in their homes. Girls and boys working as domestic servants and street vendors are increasingly targets of child sex tourism, particularly in the cities of Marrakech and Casablanca.

Education is free and compulsory for children ages 7 to 15 years as a result of a truancy-school attendance act adopted in January 2000. In 2000, the gross primary enrollment rate was 94.4 percent, and the net primary enrollment rate was 78.0 percent. Attendance rates are not available for Morocco. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. Morocco has high dropout rates, particularly for rural girls who often do not complete primary school.


2973 U.S. Department of State, Country Reports on Human Rights Practices-2002: Morocco, Washington, D.C., March 31, 2003, Section 6d; available from http://www.state.gov/g/drl/rls/hrrpt/2002/index.htm. UNICEF estimates that 5,000 to 10,000 children work in the artisan carpet industry, and it is estimated that up to 3,000 are producing carpets for export. A Ministry of Employment and ILO-IPEC investigation found that 98 percent of children in this sector are 12 years old or younger. See U.S. Consulate - Casablanca, unclassified telegram no. 1830.

2974 Kingdom of Morocco, Ministry in Charge of the Condition of Women, the Protection of the Family, Childhood, and the Integration of the Handicapped, Synthèse d’une étude préliminaire sur les enfants de la rue, Rabat, October 2001.


2976 A study of the artisan sector in the city of Fez found that 45 percent of workers were less than 15 years of age. See U.S. Consulate- Casablanca, unclassified telegram no. 1157. See also U.S. Department of State, Country Reports- 2000: Morocco, Section 6d. See also International Working Washington File Group on Child Labour, Forgotten on the Pyjama Trail, 15. See also U.S. Consulate - Casablanca, unclassified telegram no. 1830.


2980 U.S. Embassy Morocco official, Electronic communication to USDOL official, March 8, 2004. See also U.S. Consulate – Casablanca, unclassified telegram no. 1257.


2982 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

2983 The
government does not enforce the compulsory education law consistently and, in 1999, an estimated 80 percent of working children were not in school.

**Child Labor Laws and Enforcement**

Morocco has recently updated legislation relating to child labor. A new labor code was published in the Official Bulletin on December 8, 2003 and will take effect on June 7, 2004. The new Labor Code raises the minimum age for employment from 12 to 15 years. The minimum age restriction applies to the industrial, commercial, and agricultural sectors and also extends to children working in apprenticeships and family enterprises. However, the new amendments do not apply to the informal sector or domestic service, where working children are particularly prevalent. According to the Labor Code, children under the age of 16 are prohibited from working more than 10 hours per day, including at least a 1-hour break. Children under the age of 18 are not permitted to work in hazardous occupations or at night between the hours of 9:00 p.m. and 6:00 a.m. in non-agricultural work. The law also sets limits on the weights that children may push, bear, or pull as part of their work, according to their age and gender.

The Labor Code prohibits forced or compulsory labor, including by children; however, there are reports that such practices occur. A law was enacted in 1993 for the protection of abandoned children in Morocco. According to this law, persons younger than 18 and unable to support themselves economically are identified as abandoned if their parents are unknown, unable to be located, or incompetent of assuming a parental role. There has been some concern that girls are being fostered at higher rates than boys, and that some girls are being adopted into circumstances equivalent to forced domestic servitude.

The prostitution of children, corruption of minors, and involvement of children in pornography are prohibited under the Criminal Code. Soliciting for the purposes of prostitution, as well as aiding, protecting, or profiting

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2984 U.S. Consulate - Casablanca, unclassified telegram no. 1830.
2985 Kingdom of Morocco, Plans national et sectoriels d’action, 3.
2986 Law No. 65-99 relative to the Labor Code, (December 8, 2003), as cited in the Bulletin Officiel.
2987 Ibid., Article 143.
2988 U.S. Department of State, Country Reports- 2002: Morocco, Section 6d.
2990 U.S. Consulate- Casablanca, unclassified telegram no. 1157.
2991 Hazardous work includes work that involves operating heavy machinery and exposure to toxic materials or emissions. Ibid. Children are also prohibited from performing night work in agriculture between 8:00 p.m. and 5:00 a.m. See Labor Code, Article 172.
2992 U.S. Consulate- Casablanca, unclassified telegram no. 1157.
2993 Labor Code. The work of child maids is difficult to monitor because it falls outside the jurisdiction of the Ministry of Labor. Courts can take action once two witnesses file a complaint, but few employers of child maids have been prosecuted. See U.S. Consulate - Casablanca, unclassified telegram no. 1830.
2995 Ibid., para. 43.
from the prostitution of others, are also banned by the Criminal Code. In December 2003 Parliament changed the Code to make child sexual abuse a crime and to increase penalties against those who hire children under age 18 for purposes of sexual exploitation. Under Criminal Code Article 497 (revised), anyone who incites a minor under age 18 to commit a vice or who contributes to the corruption of a minor is subject to a prison sentence of 2 to 10 years, and a fine of up to 200,000 dirhams (USD 21,739).

In 2003, the Moroccan Council of Ministers announced that it had adopted a law that will increase punishments against traffickers. There are several statutes under which traffickers can be prosecuted, including laws on kidnapping, forced prostitution, and coercion. Law enforcement agencies actively investigate, prosecute, and convict traffickers.

The Ministry of Employment, Social Affairs, and Solidarity is responsible for implementing and enforcing child labor laws and regulations. The Labor Code provides for legal sanctions against employers who recruit children under the age of 15. Legal remedies to enforce child labor laws include criminal penalties, civil fines, and withdrawal or suspension of one or more civil, national, or family rights, including denial of residence for a period of 5 to 10 years. However, with only a small number of labor inspectors, limited investigative powers, limited awareness of the issue, and a lack of resources, the Ministry's application of these remedies is severely constrained. In addition, inspectors have no jurisdiction to monitor the working conditions of children working in the informal sector or in cottage industries. The work of child maids is particularly difficult to monitor because it falls outside the jurisdiction of the Ministry of Employment. Courts can take action once two witnesses file a complaint, but few employers of child maids have been prosecuted. In the few cases where legal sanctions for child labor violations are applied, they are generally insufficient to act as effective deterrents.


2999 See U.S. Consulate - Casablanca, unclassified telegram no. 0077, January 8, 2004. The same penalties apply in cases where an attempt was made to commit such offenses or when part of the offense was committed outside Morocco. See U.S. Consulate-Casablanca, electronic communication to USDOL official, March 25, 2004.
3001 U.S. Department of State, Trafficking in Persons Report- 2003: Morocco. According to Articles 472-478 of the Penal Code, any person who uses violence, threats, or fraud to abduct (or attempt to abduct) a minor under 18 years of age, or facilitate the abduction of a minor may be imprisoned for up to 5 to 10 years. If the minor is under the age of 12, the sentence is doubled, from 10 to 20 years. See UN Committee on the Rights of the Child, Consideration of Reports Submitted by States Parties: Morocco, Second periodic reports of States parties due in 2000, CRC/C/93/Add.3, pursuant to Article 44 of the Convention on the Rights of the Child, February 12, 2003, para. 665.
3003 U.S. Consulate- Casablanca, unclassified telegram no. 1157. See also U.S. Department of State, Country Reports- 2002: Morocco, Section 6d.
3004 Employers who hire children under age 15 may be punished with a fine of 25,000 to 30,000 dirhams (USD 2,759 to 3,311). See Labor Code, Article 151. In the past, legal penalties were only applied in cases in which child workers had lodged a complaint of abuse or maltreatment against an employer. See ILO, UNICEF, and World Bank, Understanding Children's Work, 38.
3005 UN Committee on the Rights of the Child, Consideration of Reports: Morocco, para. 647.
3006 U.S. Consulate- Casablanca, unclassified telegram no. 1157.
3008 UN Committee on the Rights of the Child, Consideration of Reports: Morocco, para. 647.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1999, the Government of Mozambique began working with UNICEF to implement a rapid assessment survey of child labor. Following the completion of the survey, the Ministry of Labor worked with UNICEF to develop a Draft Strategy for the Eradication of Child Labor. The government is collaborating with UNICEF and ILO-IPEC to implement a plan of action developed at a national child labor conference held in July 2001. The plan calls for the prevention of child labor and for the protection and rehabilitation of child workers. In 2002, the government sponsored a “Child Parliament,” during which children had the opportunity to express their views on problems affecting them and to propose solutions.

Government policies to assist the poor and most vulnerable, such as child laborers, include a Poverty Alleviation Action Plan (PARPA), decentralized planning, and a multi-sectoral approach to HIV/AIDS where the disease forces children to drop out of school in order to work. In August 2002 the Government of Mozambique and UNICEF signed a Master Plan of Operations to improve the living conditions of the country’s children through the PARPA. The government’s Poverty Reduction Strategy for 2001-2005, includes an education investment component.

Since 1997, the government has worked on a campaign against child prostitution and sexual abuse, including such activities as disseminating pamphlets and flyers and issuing public service announcements. The government has trained the police about child prostitution and pornography and initiated a rehabilitation program for children in prostitution by providing education referrals and training opportunities. In June 2000, the Ministry of Women and Social Action launched a campaign against the sexual exploitation of children and is educating hotel employees about child prostitution. The Prime Minister launched a multi-sectoral anti-child trafficking campaign with a number of public and religious personalities.

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2012 Government of Mozambique, Labor, and UNICEF, Child Labour Rapid Assessment: Mozambique (Part I), 96. The Ministry of Labor is currently undertaking a global review of all relevant laws and regulations for future consolidation, harmonization, and modernization. The Ministry is also drafting new regulations prohibiting most street and market vending activities by children. See also U.S. Embassy- Maputo, unclassified telegram no. 2817, October 12, 2001.

2013 U.S. Embassy- Maputo, unclassified telegram no. 2817.


2018 Statement at UN Special Session on Children, 3.

2019 U.S. Embassy- Maputo, unclassified telegram no. 2817.

2020 Ibid.


The government has established a scholarship program to cover the costs of school materials and fees for children, with a focus on the needs of girls. The government also is working with international donors to expand the primary school network.\textsuperscript{3023} The Government of Mozambique has an education sector strategic plan that includes policy support to improve girls’ access and retention, improving school quality, creating and enabling environment for peer education and communication among young people, and building capacity for contingency planning in response to emergencies.\textsuperscript{3024} In an effort to reduce the number of children dropping out of school, UNICEF has distributed education kits to students and teachers in support of the government’s policy to provide school textbooks and supplies to 70 percent of children from poor families by 2007.\textsuperscript{3025}

\section*{Incidence and Nature of Child Labor}

In 2001, the ILO estimated that 32.1 percent of children ages 10 to 14 years in Mozambique were working.\textsuperscript{3026} A rapid assessment child labor survey of children under 18 conducted by the Ministry of Labor and UNICEF estimated that approximately 50 percent of children begin working before the age of 12.\textsuperscript{3027} Eighty percent of working children are 12 to 15.\textsuperscript{3028} The HIV-AIDS epidemic and climatic disruptions, including droughts, push children to work at an early age.\textsuperscript{3029}

Children work in the informal sector on family farms, in factories, forestry, and small-scale mining.\textsuperscript{3030} Over 40 percent of children work as traders and hawkers.\textsuperscript{3031} In urban areas children wash and guard cars, and collect scrap metal.\textsuperscript{3032} Large numbers of children in the informal sector work in transport, where they are employed as conductors, collecting fares in minibus taxis known as “chapas.”\textsuperscript{3033} In rural areas, they work on commercial farms alongside their parents or as independent workers, often picking cotton or tea.\textsuperscript{3034} Children, mostly girls, also work as domestic servants.\textsuperscript{3035} In some cases, children are forced to work in order to settle family debts.\textsuperscript{3036}

\begin{footnotesize}
\begin{enumerate}
\item U.S. Embassy- Maputo, \textit{unclassified} telegram no. 2817.
\item UNICEF, \textit{Latest News, November 15, 2002}, [previously online].
\end{enumerate}
\end{footnotesize}
number of children in prostitution is growing in both urban and rural regions such as the Maputo, Beira, and Nacala areas. Many child victims of commercial sexual exploitation have been infected with HIV/AIDS. Street children also work and are reported to suffer from police beatings and sexual abuse. There have been reports of trafficking of children.

Education is compulsory and free through the age of 12, but there is a matriculation fee for each child, and children are responsible for purchasing books and school supplies. Enforcement of compulsory education laws is inconsistent, because of the lack of resources and the lack of schools in the upper grades.

In 2000, the gross primary enrollment rate was 91.5 percent, and the net primary enrollment rate was 54.4 percent. Primary school attendance rates are unavailable for Mozambique. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school. In 1995, the latest year for which figures are available, 46 percent of students who entered primary school reached grade five. Girls have lower enrollment rates and higher dropout rates than boys, although in 1999 the dropout rate for boys exceeded that of girls. Floods in 2000 destroyed a number of schools and prevented more than 105,000 primary school students from attending classes. More recently, drought conditions have placed pressure on families to withdraw children from school in order to save money for food. In 2003 it was estimated that almost 350,000 children in Mozambique are suffering from the combined effect of HIV/AIDS and the drought. It is also estimated that AIDS could lead to a 17 percent decline in teacher numbers by 2010.

3037 Ibid.
3038 Ibid., Section 6f. For information on how young prostitutes in Mozambique choose to have unprotected sex to increase their income, see HIVdent, Child Laborers at Risk for AIDS, July 25, 2001; available from http://www.hivdent.org/pediatrics/pedclarfa072001.htm. See also chapter on Mozambique in UNICEF, Child Workers in the Shadow of AIDS, 49–60.
3040 Ibid., Section 6f. See also ECPAT International, Mozambique, [database online] [cited January 6, 2004]; available from http://www.ecpat.net/eng/Ecpat_international/projects/monitoring/online_database/index.asp.
3042 U.S. Embassy- Maputo, unclassified telegram no. 2817. About one half of the country's schools were destroyed in the 1980s and early 1990's during the war launched by RENAMO rebels against the government. The education system began to be rebuilt after the 1992 peace agreements. See Agencia de Informação de Moçambique, Chissano Launches Literacy Decade, allAfrica.com, April 30, 2003; available from http://allfrica.com/stories/200304300611.html. UNICEF notes that in the 1990s almost half of Mozambique's 3,200 primary schools were destroyed, and learning materials were in short supply. See UNICEF, Child Workers in the Shadow of AIDS, 55.
3043 World Bank, World Development Indicators 2003.
3044 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
3045 World Bank, World Development Indicators 2003.
3046 In 1999, the gross primary enrollment rate was 86.3 percent for boys and 64.8 percent for girls, and the net primary enrollment rate was 47.4 percent for boys and 39.8 percent for girls. Ninety percent of boys who entered primary school in 1995 reached grade 2, and 52 percent reached grade 5. The rates for girls were 79 and 39 percent, respectively. See World Bank, World Development Indicators 2002 [CD-ROM], Washington, D.C., 2002. See also UNESCO, World Education Report 2000: The Right to Education, Towards Education for All throughout Life, Geneva, 2000, 144. See also UNICEF, Child Workers in the Shadow of AIDS, 55.
3050 UN Committee on the Rights of the Child, CRC Initial Report of Mozambique, 3.
Child Labor Laws and Enforcement

Law 8/98 sets the minimum age for employment at 15 years, but in exceptional cases, allows for children below 15 to work with the joint approval of the Ministries of Labor, Health, and Education. The Law sets restricted conditions on the work minors between the ages of 15 and 18 may perform, limits the number of hours they can work, and establishes training, education, and medical exam requirements. Children between the ages of 15 and 18 are prohibited from being employed in unhealthy or dangerous occupations or occupations requiring significant physical effort, as determined by the Ministry of Labor. According to Article 79 of the Labor Law, employers are required to provide children between 12 and 15 with vocational training and offer age appropriate work conditions. The Constitution prohibits forced labor, except in the context of penal law.

The offering or procuring of prostitution of any form, including that of children, is illegal under the Penal Code. In May 1999, the National Assembly passed a law prohibiting the access of minors to bars and clubs in an effort to address the problem of child prostitution. Some provisions of the Penal Code can also help protect minors against exploitation, incitement, or compulsion to engage in illegal sexual practices. There is no law against trafficking, but some police have been trained on how to recognize and investigate trafficking cases. Three pilot police stations to assist trafficking victims have also been set up in the provinces. The age for conscription and voluntary recruitment into the military is 18 years. In times of war, however, the minimum age for military conscription may be changed.

The Ministry of Labor has the authority to enforce and regulate child labor laws in both the formal and informal sectors. Labor inspectors may obtain court orders and use the police to enforce compliance with child labor legislation. There has not been any specialized training for labor inspectors on child labor. The police are responsible for investigating complaints relating to child labor offenses punishable under the Penal Code. The Labor Inspectorate at the Ministry of Labor is responsible for investigating complaints about violations of child

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3051 U.S. Embassy- Maputo, unclassified telegram no. 2817. See also U.S. Department of State, Country Reports- 2002: Mozambique, Section 6d.
3052 U.S. Embassy- Maputo, unclassified telegram no. 2817. See also U.S. Department of State, Country Reports- 2002: Mozambique, Section 6d.
3053 U.S. Embassy- Maputo, unclassified telegram no. 2817.
3054 UN Committee on the Rights of the Child, CRC Initial Report of Mozambique. UNICEF estimates that only about 14 percent of employers paid for school fees for boys employed in trade. See UNICEF, Child Workers in the Shadow of AIDS, 53.
3059 U.S. Department of State, Trafficking in Persons Report- 2003: Mozambique. Prosecution of cases of sexual assault and rape, some which are trafficking-related have increased.
3060 Ibid.
3061 Ibid.
3062 Ibid.
3064 U.S. Embassy- Maputo, unclassified telegram no. 2817.
labor laws; however, the Labor Inspectorate and police lack adequate staff, funds, and training to investigate child labor cases, especially in areas outside the capital.\textsuperscript{3066} In theory, violators of child labor laws would be subject to fines ranging from 1 to 10 times the minimum wage.\textsuperscript{3067}

The Government of Mozambique ratified ILO Conventions 138 and 182 on June 16, 2003.\textsuperscript{3068}

\textsuperscript{3066} U.S. Department of State, \textit{Country Reports- 2002: Mozambique}, Section 6d.

\textsuperscript{3067} U.S. Embassy- Maputo, \textit{unclassified telegram no. 2817}.

\textsuperscript{3068} ILO, \textit{Ratifications by Country}, in ILOLEX, [database online] [cited November 5, 2003]; available from http://www.ilo.org/ilolex/english/newratframeE.htm. During the ratification debate several opposition deputies argued that child labor would continue as long as families are mired in poverty, and that enforcement of universal education could not be enforced without school infrastructure and teachers. U.S. Embassy- Maputo, \textit{unclassified telegram 0551}. 
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Namibia is an associated country of ILO-IPEC. The Government of Namibia collaborated with ILO-IPEC and UNICEF on a national child labor survey in 1999. In 2001, the tripartite Labor Advisory Council, comprised of government, union, and private sector representatives, sponsored a series of awareness-raising workshops on child labor regulations for employers. Police and immigration officials received training in combating trafficking in persons in 2001. The Ministry of Health and Social Services is running a Street Children Program that seeks to place street children in shelters and register their parents in income-generating programs. The Ministry of Women's Affairs and Child Welfare works with USAID to build community capacity to assist orphans and vulnerable children. In addition, the government is planning an Orphan and Vulnerable Children Fund, financed by a tax on the population. The Ministry of Women Affairs and Child Welfare will be responsible for finding foster parents for child-headed houses.

The Ministry of Basic Education, Sport, and Culture is building and renovating school facilities, and working to improve access to basic education for children from marginalized groups. Specific efforts include the creation of community-based curricula, mobile schools, and school feeding programs.

UNICEF’s country program for the 2002-2005 cycle includes a focus on children’s health, care, and development. It also provides more educational opportunities for girls from marginalized groups.

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 16.5 percent of children ages 10 to 14 years in Namibia were working.

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3072 Ibid., Section 6f.  
3076 Ibid.  
Approximately 95.4 percent of working children live in rural areas, with 77.8 percent of those children working in agriculture, hunting, and forestry.\textsuperscript{3081} Child work is almost entirely a rural phenomenon in Namibia.\textsuperscript{3082}

Education is compulsory in Namibia. Children are required to be in school until they complete their primary education or until the age of 16.\textsuperscript{3083} Although the Constitution mandates that primary education shall be free, in practice there are numerous fees for such items as uniforms, books, and school improvements that prevent some poor children from attending school.\textsuperscript{3084} In 2000, the gross primary enrollment rate was 112.2 percent, and the net primary enrollment rate was 81.6 percent.\textsuperscript{3085} Attendance rates for Namibia are not available. While enrollment rates reflect a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{3086} In 1999, 92.3 percent of children enrolled in primary school reached grade 5.\textsuperscript{3087}

**Child Labor Laws and Enforcement**

The Labor Act sets the minimum age for employment at 14 years. The Act also prohibits the employment of children under the age of 15 in any mine, industrial, or construction setting, and prohibits children under the age of 16 from working underground and children under the age of 18 from engaging in night work.\textsuperscript{3088} The Constitution provides that children under 16 are entitled to be protected from economic exploitation and are not to be employed or required to perform work that is likely to be hazardous, harmful to their health or physical, mental, spiritual, moral, or social development, or to interfere with their education.\textsuperscript{3089}

The Constitution prohibits slavery and forced labor, but does not specifically prohibit child trafficking.\textsuperscript{3090}

The Ministry of Labor is responsible for enforcing the Labor Act.\textsuperscript{3091} In the past year, the Ministry has hired more inspectors and also revised inspection checklists to include inquiries of child labor.\textsuperscript{3092}

The Government of Namibia ratified ILO Convention 138 and ILO Convention 182 on November 15, 2000.\textsuperscript{3093}

\textsuperscript{3082} Ibid., 5.
\textsuperscript{3085} World Bank, *World Development Indicators 2003*. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report. As a consequence of the HIV-AIDS epidemic, government policymakers face a budgetary choice between training replacement teachers or using those resources to assist HIV-AIDS affected children to pay school fees. See U.S. Embassy- Windhoek, unclassified telegram no. 0315, April 2002.
\textsuperscript{3086} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
\textsuperscript{3087} World Bank, *World Development Indicators 2003*.
\textsuperscript{3089} Constitution of the Republic of Namibia, 1990, Article 15.
\textsuperscript{3090} Ibid., Article 9. See also U.S. Department of State, *Country Reports- 2002: Namibia*, Section 6f.
\textsuperscript{3091} ILO, *The Effective Abolition of Child Labour*, 322.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Nepal has been a member of ILO-IPEC since 1995. An initial national child labor survey conducted in 1996 by the government with technical assistance from ILO-IPEC’s SIMPOC. In 2001, five rapid assessments on various areas of child labor were undertaken and completed. In 1995, the Ministry of Labor and Transport Management of Nepal instituted a National Steering Committee for IPEC, and in 2001, coordinated a national Master Plan on Child Labor for 2001-2010. With funding from USDOL, Nepal became one of three initial countries to launch a comprehensive ILO-IPEC Timebound Program. The government has taken action to rescue and rehabilitate recently freed bonded laborers and has established a Freed Kamaiya Rehabilitation and Monitoring Committee to promote this work at the district level.

The government has a National Plan of Action to Combat Trafficking and has established a 16-member National Coordination Committee with a National Task Force that provides policy direction and coordinates activities on child trafficking. Nepal is also part of an ILO-IPEC sub-regional project to combat trafficking in Asia. As a

3094 ILO-IPEC estimates that 13,500 working children and 6,160 families have benefited from programs implemented in 29 districts of Nepal. IPEC child labor programs support awareness raising, educational programs, capacity building, income generating activities, and research. See Kamal Banskota, Bikash Sharma, and Binod Shrestha, Study on the Costs and Benefits of the Elimination of Child Labor in Nepal, Study for the International Labor Office International Program on the Elimination of Child Labor (IPEC), Kathmandu, 2002, 7-8.


3096 These assessments were funded by USDOL with technical assistance from ILO-IPEC’s SIMPOC as part of a project that conducted 38 rapid assessments of the worst forms of child labor in 19 countries and one border area. Themes include trafficking of girls, child rag pickers, domestic child laborers in Kathmandu, bonded child labor, and child porters. To view the rapid assessments, see ILO-IPEC, Child Labor Statistics: Rapid Assessments, [online] October 25, 2002 [cited June 16, 2003]; available from http://www.ilo.org/public/english/standards/ipec/simpoc/ra/index.htm.

3097 ILO-IPEC, Supporting the Timebound Program in Nepal: The IPEC Core TBP Project, project document, NEP/01/P50/USA, Geneva, September 2001, 14. The National Master Plan on Child Labor calls for eliminating the worst forms of child labor in five years and all forms of child labor in ten years. It identifies 16 worst forms of child labor; the IPEC Core Timebound program will target seven worst forms of child labor in 35 districts of Nepal in two phases (totaling seven years). Targeted children are porters, rag pickers, domestic workers, laborers in the carpet industry and in mines, bonded laborers, and children trafficked for sexual or labor exploitation. See Ministry of Labor and Transport Management, National Master Plan on Child Labor, 2001-2010, Kathmandu, 2001, 2-3. See also ILO-IPEC, Supporting the Timebound Program in Nepal.


3099 The Committee is chaired by the District Development Committee and members include representatives from offices of the police, education, administration, forest, land reforms, labor, welfare, agricultural development, banking, and trade unions, as well as peasant organizations, NGOs and a freed Kamaiya laborer. See Government of Nepal, The Kamaiya Labor (Prohibition) Act, (2002), Section 8 and preamble. In 2000, USDOL funded a project to support former bonded laborers and their families. See ILO-IPEC, Sustainable Elimination of Bonded Labor in Nepal, project document, NEP/00/P51/USA, Geneva, December 2000. The Kamaiya system, now outlawed, is one form of bonded labor concentrated in five Terai districts: Kanchanpur, Kailali, Barda, Banke, and Dang. However, other bonded labor practices exist in other areas of Nepal. See ILO-IPEC, Bonded Labor in Nepal, project document, 3. See also ILO-IPEC, Working for Nepalese Children: An Overview of Child Labor Related Programs in Nepal, Geneva, 2001, 5.


3101 This project is funded by USDOL. See ILO-IPEC, Combating Child Trafficking for Labor and Sexual Exploitation (TICSA Phase II), project document, RAS/02/P51/USA, Geneva, February 2002, 8.
member state of the South Asian Association for Regional Cooperation, Nepal signed the Convention on Preventing and Combating Trafficking in Women and Children for Prostitution in January 2002. The Governments of Nepal and India agreed to form a Joint Cross Border Committee Against Trafficking to collaborate on investigations and share information.

In 2001, 29 child labor related programs were carried out in Nepal by 18 international development agencies for action designed to benefit Nepalese children. The private sector, specifically the carpet manufacturers association, is making efforts to eradicate child labor; nearly 65 percent of carpet production capacity is monitored through a system that certifies carpets are made without child labor.

The Seventh Education Amendment was passed in 2002, which began the government’s commitment to decentralization of the education system. The Community School Support Project received funding in 2003 from the World Bank in support of the government policy of providing communities incentives to take over the management of government-funded schools. The Basic and Primary Education Project has been underway since 1993 and works to improve quality, access and retention of students, and institutional capacity. The Primary Education Development Project has been underway since 1992 and prepares new primary school teachers and constructs schools. Under the Tenth Development Plan (2002-2007), the government planned to increase

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3104 In addition, there are 240 local NGOs registered throughout the country with the objective of child development, with several hundred community-based organizations, research and media groups working to eliminate child labor. The 29 child labor related programs contain some 400 to 500 projects. See ILO-IPEC, *Working for Nepalese Children*, 3, 5 and 7.


education expenditures by 63 percent; however, due to the instable political situation in Nepal, the government’s priority has been improving the security situation in the face of a Maoist insurgency.

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 41.4 percent of children ages 10 to 14 years in Nepal were working. The majority of economically active children participate in the agriculture sector, while a small percentage work in the service sector, in transportation, and in communication. According to ILO-IPEC, most working children do not receive wages. They often work under exploitative and hazardous conditions. An estimated 5,000 children are living on the streets throughout the country. Statistics on trafficking victims vary widely, with one local NGO estimating that over 200,000 Nepalese girls are residing in Indian brothels. The government reports a finding that more than 20 percent of sex workers in Nepal are under 16 years, with some as young as 11 years old. In 2001, a local NGO recorded 265 cases of girl trafficking, of which 34 percent were below 16 years of age. While trafficking of children often leads to their sexual exploitation, there is also demand for trafficked boys and girls to work in the informal labor sector. There are reports that Maoist insurgents use children as soldiers, cooks, and messengers.

Although education is not compulsory, the government provides free primary education for all children between the ages of 6 and 12. Still, public primary schools commonly charge non-tuition fees to offset their

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312 According to the National Child Labor Study, 50 types of paid economic activities outside the home have been recorded where children are involved. See Banskota, Sharma, and Shrestha, Costs and Benefits, 5-6. Nepali people are heavily dependent on agriculture, with over 80 percent supporting themselves with subsistence agriculture. See U.S. Department of State, Country Reports-2002: Nepal, Introduction.


314 The hazards children face when engaged in the 16 worst forms of child labor are described in the National Master Plan on Child Labor. For example, children working in small restaurants, bars and in domestic service lack rest, work long hours, are under the control of their employers and are at risk of sexual exploitation. When making bricks or in carpet factories, children inhale dust and risk bodily deformation from work posture or carrying heavy loads. See Ministry of Labor and Transport Management, National Master Plan on Child Labor, Annex 1.7.


321 The Nepal Constitution states that it is a fundamental right for each community to operate primary schools and education children in their mother language. It is government policy to raise the standard of living of the population through development of education and other social investments, making special provisions for females, economically and socially disadvantaged groups, and by making arrangements for free education. See Constitution of the Kingdom of Nepal, (November 9, 1990), Part 3, Article 18(3) and Part 4, Articles 26(1, 7-10); available from http://www.oefre.unibe.ch/law/icl/np00000_.html.
expenses, and families frequently do not have the money to pay for school supplies and clothing. In 2000, the gross primary enrollment rate was 118.2 percent, and the net primary enrollment rate was 72.4 percent. Attendance rates are not available for Nepal. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

**Child Labor Laws and Enforcement**

The Labor Act of 1992 and the Children’s Act of 1992 set the minimum age for employment at 14 years. The Child Labor Prohibition and Regulation Act of 2000 consolidates child labor provisions in the Labor and Children’s Acts and lists different occupations in which children below 16 years cannot be employed, calls for penalties for those who do not comply, and calls for establishment of a Child Labor Elimination Committee and Child Labor Elimination Fund. The Act only covers formal sectors of employment, leaving the majority of child laborers who work in the informal sectors without legal protection. Moreover, the Act has not been effectively implemented because necessary regulations to accompany the law have not been passed. On July 17, 2000, the Government of Nepal made a landmark decision to outlaw the Kamaiya system, one form of bonded labor. The Constitution of Nepal (Article 20) prohibits the employment of minors in factories, mines or other hazardous work. Section 55 of the Labor Act allows for fines to be levied against employers in violation of labor or child labor laws. The primary anti-trafficking law is the Human Trafficking Control Act of 1986.

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3122 ILO-IPEC, Bonded Labor in Nepal, project document, 1.
3124 There are wide disparities between primary school enrollment rates of girls and boys. In 2000, gross enrollment rates were 108 percent and 127.7 and net enrollment rates were 67.7 percent and 77.3 percent for girls and boys respectively. See World Bank, World Development Indicators 2003. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.
3125 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
3126 The Labor Act defines a child as anyone below that age of 14 years and a minor as anyone between the ages of 14 and 18 years. See Government of Nepal, Labor Act, 1992, Chapter 1, Section 2 (b) and (i); available from http://natlex.ilo.org/txt/E92NPL01.htm. The Children’s Act identifies a child as below the age of 16 years. See Government of Nepal, Children’s Act, 2048, (1992), Chapter 1, Section 2(a); available from http://www.labournepal.org/labourlaws/child_act.html.
3127 Ministry of Labor and Transport Management, National Master Plan on Child Labor, 8. The Child Labour Prohibition and Regulation Act defines children as below the age of 16 years, and permits the employment of children 14 years and older. See Government of Nepal, Child Labor (Prohibition and Regulation) Act (No. 14), (2000), Chapter 2, Section 2(a) and Section 3(1); available from http://natlex.ilo.org/txt/E00NPL01.htm. Children can work up to 6 hours a day and 36 hours a week, between 6 a.m. and 6 p.m. See Labor Act (1992), Chapter 2, Section 5(2).
3131 Currently, persons in violation of this Act may be subject to fines between 1,000 and 5,000 Nepalese Rupees (USD 14 and 70). Labor Act (1992), Article 55. For currency conversion, see FXConverter, [online] [cited July 28, 2003]; available from http://www.oanda.com/convert/classic. See also U.S. Embassy- Kathmandu, unclassified telegram no. 1963, October 2001.
3132 The Act prohibits the selling of a human being for any purpose, taking a person to foreign territory with intent to sell that person, involving any woman in prostitution, or assisting in carrying out any of these acts. However, the Act is flawed in that it does not criminalize the separation of a minor from his or her legal guardian with the intent of trafficking the minor. No crime occurs until the victim and the perpetrator are out of Nepalese jurisdiction. See U.S. Embassy- Kathmandu, unclassified telegram no. 537, March 2002.
Despite these legal protections, resources devoted to enforcement are limited and the Ministry of Labor has a mixed record in this area.\footnote{U.S. Department of State, \textit{Country Reports-2002: Nepal}, Section 6d.} The Ministry of Labor and Transport Management’s Child Labor Section and labor offices are responsible for enforcing child labor issues.\footnote{See Ministry of Labor and Transport Management, \textit{National Master Plan on Child Labor}, 8.} The Central Child Welfare Board and Child Welfare Officers have the responsibility of enforcing child rights legislation.\footnote{\textit{Children’s Act}, 2048, Sections 32 and 33.} The Nepal Police reported only 92 cases of trafficking in 2001-2002, a decline attributed to inaccessibility of law enforcement due to the Maoist insurgency.\footnote{U.S. Department of State, electronic communication to USDOL official, February 26, 2004.} The Attorney General’s Office reported that in 2001-2002, 244 new trafficking cases were filed, of which 91 resulted in convictions and 43 acquittals, while 110 remained undecided.\footnote{U.S. Department of State, electronic communication.}

Government Programs and Policies to Eliminate the Worst Forms of Child Labor

The Government of Nicaragua has been a member of ILO-IPEC since 1996. In 1997, the government created the National Commission for the Eradication of Child Labor (CNEPTI). Through CNEPTI, the Government of Nicaragua, in collaboration with international organizations, NGOs and the private sector, has developed a strategic plan for addressing child labor in the country and organized programs to eradicate child labor. The government also created the National Council for the Integral Attention and Protection of Children and Adolescents (CONAPINA). CONAPINA is responsible for the implementation of national policies on children and adolescents and for the application of the Child and Adolescent Code. In response to concerns about increases in child prostitution, a National Forum against the Sexual and Commercial Exploitation of Children and Adolescents was established in 1999 to raise awareness and advocate for children’s rights. CONAPINA has also been actively working on this issue, most notably by promoting policies against the commercial sexual exploitation of children and adolescents. The Ministry of Family has consolidated its work with urban youth at risk under the Program for Children and Adolescents at Risk (PAINAR), and coordinates the Social Protection Network for disadvantaged rural youth.

During 2003, the Ministry of Labor (MOL) worked with ILO-IPEC on several USDOL-funded projects to eliminate child labor, including projects for children working as garbage scavengers; on coffee farms; in

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3143 Law number 351 provides for the organization of the CONAPINA and lists responsibilities. See Ley núm. 351 de organización del Consejo Nacional de atención y protección integral a la niñez y la adolescencia y la Defensoría de las niñas, niños y adolescentes, (May 29, 2000); available from http://ilis.ilo.org/cgi-bin/lstbna/natlexe?wq_fld=B380&wq_val=Nicaragua&wq_rel=AND&wq_fld=B50&wq_val= adolescencia&wq _rel=AND&wq_fld=B520&wq_val=&wq_rel=AND&wq_fld=B30&wq_val=&wq_rel=AND&wq_fld=B380&wq_val= . See also Xanthis Suarez Garcia, Labor de CONAPINA. CONAPINA oversees the National Policy on Integral Attention for Children and Adolescents, considered public policy due to multi-sector involvement. See ILO-IPEC, Evaluación rápida sobre niños, niñas, y adolescentes trabajadores/as urba nos/as en República Dominicana, Santo Domingo, December 2002. As of Spring 2003, three controversial initiatives have been presented to the National Congress to revise the Child and Adolescent Code, which has interfered with the Code’s implementation. See ILO-IPEC, Elimination of Child Labor in the Dump Yard, technical progress report, March 2003, 2.


3146 U.S. Embassy- Managua, unclassified telegram no. 3312.

3147 The project targets children and families working in La Chureca dump yard in Managua. See ILO-IPEC, Elimination of Child Labor in the Dump Yard, technical progress report, March 2003, 1.

3148 This project focuses on children working in the rural areas of Matagalpa and Jinotega. It is scheduled for completion at the end of December 2003. See ILO-IPEC, Prevention and Progressive Elimination of Child Labour in the Coffee Industry in Nicaragua (Phase I), technical progress report, NIC/99/05/P050, March 25, 2003, 3.
farming and stockbreeding;\textsuperscript{3149} and in commercial sexual exploitation.\textsuperscript{3150} In addition, the Ministry of Labor, with technical assistance from ILO-IPEC’s SIMPOC and funding from USDOL, has just completed and published a national child labor survey.\textsuperscript{3151} Other ILO-IPEC projects in which the Government of Nicaragua is participating include action programs in the mining, tobacco and domestic service sectors.\textsuperscript{3152}

In 2000, the Ministry of Education, Sport and Culture announced a 15-year National Education Plan.\textsuperscript{3153} However, budget constraints have prevented sufficient funding for children’s programs and primary education.\textsuperscript{3154} In February 2002, the Government of Nicaragua and representatives from local and international NGOs launched a UNICEF-sponsored project to promote the rights of children, emphasizing a child’s right to education and freedom from labor exploitation.\textsuperscript{3155} Nicaragua’s Extra Edad program targets children over 14 years old who wish to complete primary school.\textsuperscript{3156} A Bilingual Education program supports students at 120 schools.\textsuperscript{3157} International

\textsuperscript{3149} This project targets children working in farming and stock breeding in the Chontales Department. See ILO-IPEC, \textit{Prevention and Elimination of Child Labor in the Farming and Stockbreeding Sectors in the Department of Chontales}, technical progress report, NIC/00/05/050, ILO-IPEC, Geneva, March 24, 2003. The project was renewed in FY2003 for a second phase. See ILO-IPEC, \textit{Prevention and progressive elimination of child labour in agriculture in Central America, Panama and the Dominican Republic (Phase II)}, project document, RLA/03/P50/USA, ILO-IPEC, Geneva, September 17, 2003.

\textsuperscript{3150} ILO-IPEC, “\textit{Stop the Exploitation}” (“\textit{Alto a la explotacion}”) \textit{Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic}, project document, RLA/02/P51/USA, June 30, 2002, 13. Prior to the regional commercial sexual exploitation project, ILO-IPEC implemented a child prostitution project in Leon, which was completed in March 2001. See ILO-IPEC, \textit{Elimination of Child Labor and the Risk of Sexual Exploitation of Girls and Teenagers in the Bus Station in the Municipality of Leon (Phase I)}, technical progress report, 090.73.204.064, March 8, 2001.

\textsuperscript{3151} Ministry of Labor, ILO-IPEC, and CNEPTI, \textit{Encuesta Nacional de Trabajo Infantil y Adolescente}, 3, 16.

\textsuperscript{3152} Carmen Moreno, Sub-Regional Coordinator Central America, ILO-IPEC, electronic communication to USDOL official, September 22, 2002. See also Maria Chamorro, ILO-IPEC official, electronic communication to USDOL official, September 10, 2002.


\textsuperscript{3154} Education received 14.7 percent of the National Budget in 2003. However, six percent of the annual budget is automatically allotted to university education. See U.S. Embassy- Managua, \textit{unclassified telegram no. 3312}.


\textsuperscript{3157} Ministry of Public Education, \textit{Bilingue Intercultural}, Managua, no date given.
organizations and donors such as USAID, the World Bank, UNICEF and the WFP have also supported education projects in Nicaragua. In June 2002, the Government of Nicaragua became eligible to receive funding from the World Bank and other donors under the Education for All Fast Track Initiative, which aims to provide all children with a primary school education by the year 2015.

**Incidence and Nature of Child Labor**

In 2000, a Ministry of Labor Survey on Child Labor estimated that 17.7 percent of children in Nicaragua between the ages of 5 to 17 years had worked at one time in their lives. The agriculture, forestry and fishing sectors constitute the largest employers of child workers, followed by work in business, restaurants and hotels, community and social services and manufacturing. Specifically, children work in the production of export crops such as coffee, bananas, tobacco, and sugar, as well as in fishing, stockbreeding and mining. Sixty percent of working children work in the informal sector. In Managua, children work on city streets, selling merchandise, cleaning car windows, or begging. Some children are forced by their parents to work as beggars and street vendors, and

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3158 USAID supports basic education by funding teacher training, the development of new materials and teacher training modules. USAID has also made funds available for education reform and the expansion of the model school program. It is encouraging private donations through a matching funds program. See USAID, *Nicaragua: Data Sheet*, USAID, Washington, D.C., 2003.


3163 Forty-four percent of children, who worked at one time in their lives, are under the age of 14 and 36.5 percent began working before they turned 10. According to the survey, 71.5 percent of children who have worked are boys and 28.5 percent are girls, although the survey acknowledges that these numbers may not present an accurate picture of the gender balance among working children due to the invisibility of work commonly done by girls. The total number of working children in Nicaragua is just over 314,000. See Ministry of Labor, ILO-IPEC, and CNEPTI, *Encuesta Nacional de Trabajo Infantil y Adolescente*, 16.

3164 The most common economic activities involving children include agriculture, forestry and fishing (53.1 percent), business, restaurants and hotels (19.2 percent), community, social and personal services (11.1 percent), industrial manufacturing (10.7 percent), construction (3.7 percent), transport (1.6 percent), financial establishments (0.3 percent) mines and quarries (0.2 percent) and electricity, gas and water (0.1 percent). Most children working in these sectors begin work when they are 5 and 6 years old. However, children working in mines and quarries begin work at 13. See Ibid., 60, 17.


3167 A 1996 study by the National Commission against Child Labor found 6,219 children working urban areas as beggars, car washers and parking attendants. See U.S. Department of State, *Country Reports- 2002: Nicaragua*, Section 6d.
some are “rented” out by their parents to organized groups of beggars. Child prostitution is reported to have increased in Nicaragua, particularly in Managua, port cities, rural areas, along the Honduran and Costa Rican borders, and near highways. Nicaragua is considered to be a source and transit country for trafficking. 

The Labor Code of 1996 sets the minimum age for employment at 14 years. Under the Labor Code, children cannot work over 6 hours a day or 30 hours a week. Children 14 to 16 years old cannot work without parental permission. The Labor Code prohibits young people under the age of 18 from engaging in work that endangers their health and safety, such as work in mines, garbage dumps and night entertainment venues. It also prohibits any employment of children or adolescents that could adversely affect normal childhood development or interfere with schooling. On October 15, 2003, Articles 130 through 135 of the 1996 Labor Code were amended in an effort to strengthen protections against hazardous child labor. The Child and Adolescent Code prohibits any employment of children or adolescents that could adversely affect normal childhood development or interfere with schooling.

## Child Labor Laws and Enforcement

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3169 A 1998 study found that 40 percent of the prostitutes in Managua were under 14 years. UNICEF has also noted an increase in prostitution among children between the ages of 12 and 16 in towns where taxi drivers serve as middlemen. OAS noted an increase in prostitution among girls as young as 10. See U.S. Department of State, *Country Reports– 2002: Nicaragua,* Sections 5, 6d and 6f. See also The Protection Project, “Nicaragua,” in *Human Rights Report on Trafficking in Persons, Especially Women and Children: A Country-by-Country Report on a Contemporary Form of Slavery, 2002*; available from http://www.protectionproject.org/main1.htm.


3175 *Código del Trabajo,* Ley. No. 185, Article 131; available from http://natlex.ilo.org/txt/S96NIC01.htm#l1t6c1. See also *Código de la Niñez y la Adolescencia,* Article 73.

3176 *Código del Trabajo,* Article 134. However, 13 percent of working children have been found to work more than eight hours a day. See Ministry of Labor, ILO-IPEC, and CNEPTI, *Encuesta Nacional de Trabajo Infantil y Adolescente,* 17.

3177 *Código del Trabajo,* Article 133. Recent amendments to the Labor Code expand the list of conditions under which adolescents are forbidden to work and grant CNEPTI the authority to further amend the list. See U.S. Embassy– Managua, *unclassified telegram no. 3312.*

3178 *Código del Trabajo,* Article 132.

3179 The amendment eliminates the legal loophole previously allowing children under 14 to work under special circumstances and strengthens provisions for adolescent workers. U.S. Embassy– Managua, *unclassified telegram no. 3312.*
prohibits adolescents from engaging in work in unsafe places, work that endangers their life, health, or physical, psychological, or moral integrity, work in mines, underground, in garbage dumps, night clubs, work with dangerous or toxic objects, or night work in general.\textsuperscript{3181} An inter-ministerial resolution on the Minimum Forms of Work Protection prohibits contracting children under 16 for work in the ocean and another Ministerial Regulation prohibits contracting work with children under 14 years in the Free Trade Zones.\textsuperscript{3182} The Constitution prohibits slavery and servitude and also provides protection from any type of economic or social exploitation.\textsuperscript{3183} Penalties for violating the rights of child workers include a fine of between Nicaragua Cordoba Oro 500 (NIO 500) (USD 33.11) and NIO 5000 (USD 331.13).\textsuperscript{3184}

The Penal Code prohibits the promotion of prostitution and assigns the maximum penalty for those who recruit children under 14 into prostitution.\textsuperscript{3185} In addition, Article 69 of the Children and Adolescents’ Code forbids any person from promoting, filming or selling child pornography.\textsuperscript{3186} A statute specifically prohibits trafficking and imposes 10 years imprisonment on those found in violation of the statute.\textsuperscript{3187} The Public Prosecutor of the Republic is responsible for initiating criminal action for the crimes of rape, procuring and trading in persons, and sexual abuse.\textsuperscript{3188}

The government established a Child Labor Inspector’s Office within the MOL’s Inspector General’s Office in 2001.\textsuperscript{3189} A total of 31 labor inspectors operate nationwide, including 4 child labor inspectors.\textsuperscript{3190} Although there is no specific evidence of corruption in regard to trafficking, corruption in government is a problem and trafficking victims often carry false documents obtained through legitimate processes.\textsuperscript{3191}

The Government of Nicaragua ratified ILO Convention No. 138 on November 2, 1981, and ILO Convention No. 182 on November 6, 2000.\textsuperscript{3192}

\textsuperscript{3181} The Code also threatens sanctions for those who exploit children (and especially those who profit from the exploitation of children), reinforces restrictions against involving children under 14 years old in work, and reaffirms the responsibility of the Ministry of Labor to ensure compliance with these laws. See Código de la Niñez y la Adolescencia, Ley. No. 287, October 4, (publicado en la Gaceta No. 97, 27 Mayo 1998), Articles 26, 74, and 75; available from http://www.asamblea.gob.ni/frameserviciosinformacion.htm.

\textsuperscript{3182} Ministry of Labor, ILO-IPEC, and CNEPTI, Encuesta Nacional de Trabajo Infantil y Adolescente, 43. See also U.S. Department of State, Country Reports- 2002: Nicaragua, Section 6d.


\textsuperscript{3184} Código del Trabajo, Article 135. See also FXConverter, [online] [cited August 18, 2003]; available from http://www.carosta.de/frames/convert.htm. After fining businesses in violation of child labor laws three times, inspectors have the authority to close offending businesses. Revenues for fines are assigned to CNEPTI. See U.S. Embassy- Managua, unclassified telegram no. 3312.

\textsuperscript{3185} Although prostitution is legal for persons 14 years and older, laws prohibit the promotion of prostitution. See U.S. Department of State, Country Reports- 2002: Nicaragua, Section 6f. The Penal Code also penalizes forced prostitution of females who are 12 years or older with 1 to 5 years imprisonment. See U.S. Embassy- Managua, unclassified telegram no. 2462, September 2000.

\textsuperscript{3186} Código de la Niñez y la Adolescencia, Article 69.

\textsuperscript{3187} Penal Code, Article 205; available from http://209.190.246.239/protectionproject/statutesPDF/NicaraguaEpdf.pdf.

\textsuperscript{3188} The office currently has 4 child labor inspectors. Thirty-one general labor inspectors also investigate child labor violations. Inspectors focus almost exclusively on the formal sector. See U.S. Embassy- Managua, unclassified telegram no. 3312. The Ministry of Labor has initiated a pilot project to monitor nightclubs and other businesses where children are sexually exploited. See International Human Rights Law Institute, Modern Bondage, 63.

\textsuperscript{3189} U.S. Embassy- Managua, unclassified telegram no. 3312.

\textsuperscript{3191} Trafficking north from Nicaragua is made easier by the free transit agreement between Central American countries and weak border controls. See International Human Rights Law Institute, Modern Bondage, 44, 48. See also U.S. Department of State, Trafficking in Persons Report- 2003: Nicaragua.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Niger has been a member of ILO-IPEC since 2000. In 2000, with the support of UNICEF, the government conducted a Multiple Indicator Cluster Survey on the Situation of Children, of which child labor and education were essential components. The Government of Niger is working with other West African countries to combat child trafficking. In January 2002, government officials attended a seminar with officials from Burkina Faso, Côte d’Ivoire, Gabon, Mali, Togo, Senegal, and several UN agencies and NGOs to discuss child trafficking and exploitation in West and Central Africa. In the resulting Yamoussoukro Declaration, the conference participants pledged to conduct coordinated information campaigns on child trafficking. Accordingly, the Government of Niger has conducted anti-child trafficking information campaigns. The government’s Child Protection and Survival of Children division also furthered its efforts against child trafficking in 2002 by publicizing the rights of children through seminars, workshops, television broadcasts, and other media. In addition to coordinating public awareness raising activities in the region, the participating countries also pledged to harmonize anti-trafficking legislation. In 2000, the Minister of Justice formed a commission with the Association of Traditional Chiefs and an international organization to investigate the problem of child brides. In the same year, the Association of Traditional Chiefs signed an agreement with UNICEF to support programs against early childhood marriages and forced child labor.

Since 2000, ILO-IPEC has launched several projects, with funding from France, aimed at ending child labor on grain farms, in gold mines, and at the slaughterhouse in Niamey, and reintegrating child workers and street children into schools. In 2001, the Ministry of Labor organized a national workshop with UNICEF and ILO-IPEC to set the foundation for the formulation of child labor laws and regulation.
The Government of Niger is also working with various agencies and NGOs to improve its primary education sector. In late 2001, the government set aside USD 4.2 million for the purchase of school supplies to promote primary schooling.\textsuperscript{3204} Education is a cornerstone of the country’s Poverty Reduction Strategy Paper under the IMF’s Enhanced Highly Indebted Poor Countries Initiative.\textsuperscript{3205} The goals of this initiative include increasing primary school enrollment and completion rates, especially among girls, as well as enrollment in secondary rural schools.\textsuperscript{3206} In July 2002, the World Bank launched a fast-track program to support Education For All (EFA) in 18 countries considered the most in need, including Niger. EFA aims to provide universal primary education by 2015.\textsuperscript{3207} The Ministry of National Education dedicated an office to promoting girls’ education in 2000.\textsuperscript{3208} UNICEF is also supporting government education efforts through its Basic Education and African Girls’ Education Initiative programs, which aim to improve school enrollment rates, promote literacy particularly among girls, and improve the quality of primary education.\textsuperscript{3209} WFP is also active in Niger, implementing activities to increase enrollment and attendance in primary schools through a school canteen program.\textsuperscript{3210}

**Incidence and Nature of Child Labor**

In 2000, UNICEF estimated that 70.1 percent of children ages 5 to 14 years in Niger were working.\textsuperscript{3211} Children work primarily in the informal and agricultural sectors.\textsuperscript{3212} Children in rural areas mainly work on family farms gathering water or firewood, pounding grain, tending animals, or working in the fields.\textsuperscript{3213} Children as young as 6 years old are reported to work on grain farms in the southwest.\textsuperscript{3214} Children also shine shoes; guard cars; work as apprentices for artisans, tailors, and mechanics; perform domestic work; and work as luggage porters and street beggars.\textsuperscript{3215} Hazardous employment of children is known to occur in a number of industries and regions, including


\textsuperscript{3211} According to the UNICEF survey, 60.9 percent of children ages 5 to 9, and 82.6 percent of children ages 10 to 14 years work. The statistics include children working only, children working and studying, and children that carry out household chores for more than 4 hours per day. Republic of Niger, *Enquête a indicateurs mulitile de la fin de la décennie (draft) (MICS2)*. In 2001, the ILO estimated that 43.3 percent of children ages 10 to 14 years were working. (This estimate is based on the definition of the economically active population.) See World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003.


\textsuperscript{3213} U.S. Department of State, *Country Reports- 2002: Niger*, Section 6d.

\textsuperscript{3214} Integrated Regional Information Networks, “Niger: Child Labour Project Launched”.

the mining of gold in Tillabery, trona in Gosso, salt in Dosso, gypsum in Tahoua, and meat packing, processing, and rendering at the main slaughterhouse in Niamey.

Niger serves as a source, transit, and destination country for trafficking victims, including children. Victims are trafficked to Niger primarily from Benin, Togo, Nigeria, and Ghana. Most of these children end up either in domestic work or prostitution. Children from Niger are trafficked within the country from rural to urban areas and within the West African region for the purpose of forced labor, particularly in domestic service. It is also reported that religious teachers exploit young boys who are sent to them for education by coercing them to beg in the streets. The commercial sexual exploitation of children for prostitution and pornography is a problem in Niger.

Primary education is compulsory for six years. In 2000, the gross primary enrollment rate was 35.5 percent, and the net primary enrollment rate was 30.5 percent. Primary school attendance rates are also low, particularly for girls. About 60 percent of children who finish primary schools are boys, as the majority of girls rarely attend school for more than a few years. In 1998, the gross primary attendance rate was 33.1 percent, and the net primary attendance rate was 26.2 percent. Girls’ limited access to education may be attributed, in part, to traditional practices, conservative religious beliefs and extreme poverty. Children are often forced to work

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3216 In 2000, the ILO estimated that 57 percent of the workers in small mines and quarries in Niger were children. In the shanty-towns that spring up around the mines, there are reports that girls as young as 12 are involved in prostitution and that both boys and girls are exploited in drug trafficking. See Soumaira Alfa, *Child Labour in Small-Scale Mines in Niger*, working paper, ILO, Geneva, September 28, 2000; available from http://www.ilo.org/public/english/dialogue/sector/papers/childmin/137e1.htm#Niger.


3224 There is significant gender disparity in gross primary enrollment rates between boys (42.2 percent) and girls (28.6 percent) for 2000. See World Bank, *World Development Indicators 2003*.

3225 According to results from a MICS survey in 2000, among children ages 5 to 12, only 25.2 percent of girls attended school in Niger, compared to 35.4 percent of boys. See Republic of Niger, *Enquête a indicateurs multiples de la fin de la décennie (draft) (MICS2).*

3226 The U.S. Department of State reported in 2002 that the female literacy rate was 7 percent, compared with 21 percent for men. See U.S. Department of State, *Country Reports- 2002: Niger*, Section 5.

3227 In 1998, the gross primary attendance rate was 26.8 percent for girls and 39.2 percent for boys, while the net primary attendance rate was 21.1 percent for girls and 31.1 percent for boys. See USAID, *Global Education Database 2000* [CD-ROM], Washington, D.C., 2000.

rather than attend school, particularly during planting or harvest periods. In addition, nomadic children in northern parts of the country often do not have the opportunity to attend school.\footnote{U.S. Embassy- Niamey, unclassified telegram no. 2219, July 2000.}

Among the challenges faced by the Nigerien education system are primary teaching methodologies that date back to pre-independence times; pre-school education that is restricted primarily to urban areas; a reticence by parents to send their children to school due to inefficiencies in the educational system and mediocre results among students; inadequate infrastructure; lack of motivated teachers due to delayed disbursement of salaries; lack of supplies; and an economic crisis that makes it difficult for parents to cover the costs of schooling.\footnote{UN Committee on the Rights of the Child, Rapports initiaux, para. 302, 03, 05, 06.}

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 14 years, although children under 14 may work with special authorization. Children 14 to 18 years old may not work for more than 4.5 hours per day or in industrial jobs.\footnote{U.S. Embassy- Niamey, unclassified telegram no. 0822, February 1998.} The Labor Code prohibits forced and compulsory labor, except for work by convicted prisoners.\footnote{In addition to the existing prohibition of forced labor in the Labor Code, a new law was passed in May 2003 to outlaw all forms of slavery and to assign prison sentences of 10 to 30 years for those in violation. Despite these legal proscriptions, a traditional caste system is practiced by some ethnic minorities, which promotes slave-like relationships between the upper and lower castes. See U.S. Department of State, Country Reports- 2002: Niger. See also International Confederation of Free Trade Unions (ICFTU), Core Labour Standards in Niger and Senegal, 8-9.} The law also requires that employers guarantee minimum sanitary working conditions for children.\footnote{U.S. Department of State, Country Reports- 2002: Niger, Section 6c.} Nigerien law does not specifically prohibit child prostitution or trafficking, although the Penal Code criminalizes the procurement of a minor for the purpose of prostitution.\footnote{The penalty for procuring a minor is 2 to 5 years imprisonment and a fine of 50,000 to 5,000,000 francs (USD 85.58 to 8,558.03). See Government of Niger, Criminal Code. For currency conversion, see Universal Currency Converter, in XE.com, [online] [cited September 9, 2003]; available from http://www.xe.com/ucc/convert.cgi.} As of 2003, there were eight Ministry of Labor inspectors charged with enforcing child labor laws at a regional level, one inspector per region.\footnote{No accurate figures exist as to the number of labor complaints investigated. See U.S. Embassy- Niamey, unclassified telegram no. 1166. See also U.S. Department of State, Country Reports- 2002: Niger, Section 6c.} However, children mainly work in unregulated sectors, and there is virtually no child labor in the formal sector.\footnote{Children work in the informal agricultural, artisan and commercial sectors. Some children, particularly foreign-born children, are hired as domestic laborers for low pay. Most rural children work for their families. See U.S. Department of State, Country Reports- 2002: Niger, Section 6c.}

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Nigeria became a member of ILO-IPEC in 2000. The government participated in the implementation of a USDOL-funded ILO-IPEC national program to eliminate child labor and in a USDOL-funded ILO-IPEC regional project to combat the trafficking of children. The Nigerian Federal Office of Statistics is completing a USDOL-funded national child labor survey with technical assistance from ILO-IPEC. The government is participating in a program funded by USDOL and the Cocoa Global Issues Group that will seek to withdraw children from hazardous work in the cocoa sector, provide income generation and economic alternatives, and promote education.

The Federal Ministry of Women Affairs and Youth Development has developed a National Plan of Action on child trafficking, and exploitation and, as a member state of the Economic Community of West African States adopted a regional Plan of Action against trafficking in Human Beings in December 2001. In addition, the USAID-supported Sustainable Tree Crops Program is incorporating elements into its program and is coordinating with the USDOL-funded ILO-IPEC program to address child labor in cocoa sector. In July 2002, the International Institute of Tropical Agriculture and national research collaborators completed a study of child labor in the cocoa industry in Cameroon, Côte d’Ivoire, Ghana, and Nigeria. The Government of Nigeria is working with the Global Program against Trafficking in Human Beings of the UN Office on Drugs and Crime to strengthen anti-trafficking efforts. The UN Office is providing technical assistance in areas such as research, law enforcement training, and the creation of regional anti-trafficking networks. The government supports school-based child rights clubs, and, through the human trafficking unit of the Nigerian Immigration Service, also sponsors information campaigns on trafficking. With involvement of the government, UN agencies, and civil societies, IOM is leading an awareness-raising project against trafficking.
In July 2003, UNICEF announced its intention to cooperate with the government to ensure equal access to education for girls.\(^{3251}\) UNICEF also works to improve enrollment and retention in primary school by focusing on improved teaching and learning practices.\(^{3252}\) In September 2002, the Government of Nigeria was approved to receive USD 101 million in funding from the World Bank to support the Universal Basic Education Project, which will improve the quality of schools, work to increase access to education, and strengthen the management and planning of the education system.\(^{3253}\) The World Bank continues to support the Second Primary Education Project, approved in May 2000, to improve the quality of primary education and provide teacher training, improve educational environment by setting up focus schools, improve quality and availability of curriculum materials, and develop an information base for decision making.\(^{3254}\) USAID supports teacher training, community participation and policy planning on schooling in three states (Lagos, Kano, and Nasarawa), as well as youth skills development for unemployed youth in Delta, Lagos, and Kano. USAID has also supported the government’s Education Baseline survey, which was completed in 2002.\(^{3255}\)

**Incidence and Nature of Child Labor**

In 2000, the ILO estimated that 23.5 percent of children ages 10 to 14 years in Nigeria were working.\(^{3256}\) Most children work in agriculture, usually on family farms, in fishing, and as cattle herders.\(^{3257}\) Children also work on commercial farms.\(^{3258}\) Within the non-agricultural informal sector, children work in domestic service and in public markets and streets as hawkers, vendors, stall minders, beggars, car washers, scavengers, shoe shine boys, bus conductors, and head-loaders.\(^{3259}\) Children work in cottage industries as mechanics, metal workers, carpenters, tailors, weavers, barbers, and hairdressers.\(^{3260}\) Child begging is especially widespread in northern Nigeria.\(^{3261}\)

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8. Ibid.
11. As poverty increases in Nigeria, the almajiranci system of semi-formal Koranic education has come to rely on child pupils engaging in begging to support their mallam, or Islamic teacher. UNICEF Nigeria reports that the Nigerian government has done little to address the problem of child begging. See Ibid., 209.
Commercial sexual exploitation of children is common in many cities in Nigeria. Nigeria is a source, transit, and destination country for trafficking in children. Children from Benin and other African countries are trafficked to Nigeria, where some are forced to work as domestic workers, prostitutes or in other forced labor conditions. Children are trafficked from Nigeria for domestic labor to West and Central Africa, and are trafficked internally. Girls are sometimes sold into marriage.

Education in Nigeria is compulsory for 9 years. In 1996, the gross primary enrollment rate was 81.9 percent. In 1999, the net primary attendance rate was 55 percent. Girls are particularly affected by lack of access to education, and families often direct their girls into work, such as domestic activities or street vending, if unable to send them to school.

**Child Labor Laws and Enforcement**

The Labor Act sets the minimum age at 12 years for employment and apprenticeships, except for light agricultural or domestic work performed for the family. The law prohibits children under 12 years from lifting or carrying any load likely to inhibit physical development, and establishes a minimum age of 15 years for industrial work and maritime employment. The law prohibits children under 16 years from working underground, on machines, at night, more than 4 consecutive hours, or more than 8 hours a day. The law also prohibits children under 18 years from any employment that is dangerous or immoral. The law does not apply to domestic service. In July 2003, a comprehensive anti-trafficking law, the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, was passed, which established a national agency to enforce the Act and coordinate counter-trafficking work. Section 11 of the Act stipulates life prison terms for any persons who traffic children into or out of Nigeria. The Act also provides for prison terms for any persons who procure, either for themselves or others, any children under the age of 18, or for any persons who commit children in their care under age 18 to prostitution or

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3262 Ibid., 209-10. The average age of commercial sex workers is reportedly 16 years. See ECPAT International, Nigeria.
3264 ILO-IPEC, *Combating the trafficking of children in West & Central Africa (Phase I)*, 1.
3266 Ibid. There have been allegations of women and children trafficked to Europe. See U.S. Department of State, *Country Reports* 2002: Nigeria, Section 6f.
3267 See also U.S. Department of State, *Country Reports* 2002: Nigeria, Section 5.
3270 Hodges, *Children’s and Women’s Rights in Nigeria*, 146.
3273 Ibid., Articles 59 and 61.
3274 Ibid., Articles 59 and 60.
3275 Ibid., Article 59.
3276 Ibid., Articles 59 and 65.
indecent assault. The Act also prohibits forced labor, trafficking in slaves, pornography, drug trafficking, or forced or compulsory recruitment into armed conflict. The Act applies to all residents of Nigeria, and to Nigerians who are convicted outside of Nigeria for trafficking-related offenses. It also provides for the rights of victims of trafficking, including the right to access health and social services while a temporary resident, protection of identity, and the right to press charges against the trafficker. See *Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003*, (July 2003), Sections 11-19, 21, 25-26, 36-38. See U.S. Department of State, *Trafficking in Persons Report: Nigeria*.

The Ministry of Employment, Labor and Productivity is responsible for enforcing legal provisions regarding work conditions and protection of workers. However, there are few labor inspectors, and inspections are conducted only in the formal business sector where there are few occurrences of child labor. Enforcement provisions have not deterred violations. As of November 2002, no recent child labor inspections had resulted in fines, penalties, or convictions. Investigations of child trafficking are hampered by corruption among government officials.


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3277 The Act also prohibits forced labor, trafficking in slaves, pornography, drug trafficking, or forced or compulsory recruitment into armed conflict. The Act applies to all residents of Nigeria, and to Nigerians who are convicted outside of Nigeria for trafficking-related offenses. It also provides for the rights of victims of trafficking, including the right to access health and social services while a temporary resident, protection of identity, and the right to press charges against the trafficker. See *Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, 2003*, (July 2003), Sections 11-19, 21, 25-26, 36-38. See U.S. Department of State, *Trafficking in Persons Report: Nigeria*.


3279 U.S. Embassy- Abuja, *unclassified telegram no. 2976*.


Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In conjunction with UNESCO, the Government of Oman participated in the Education For All 2000 Assessment. Through its Basic Education Initiative, the Ministry of Education is also working to increase net enrollment among children and improve the education curriculum through support for the development and implementation of an educational management database for policy planning; curriculum reform in math, science, and life skills for grades 1 through 10; training to support the national education reform process; and monitoring learning achievements of students in grades 7 through 10. As of the 2003-2004 academic year, 288 of the 1,020 public schools in Oman are implementing the Basic Education program, with 40 schools added each year. Of the 288, 152 have completed Phase I (grades 1-4), 107 have completed Phase II (grades 5-10), and 29 have completed both phases.

Incidence and Nature of Child Labor

In 2001, the ILO estimated that less than one percent of children ages 10 to 14 years in Oman were working. The Sultanate of Oman prohibits children under the age of 15 from working and child labor is not known to exist in any formal industry.

Education is free but not compulsory for all children ages 6 to 18. A new educational system introduced in the Muscat Governorate makes education compulsory through Grade 10. Due to budgetary constraints, however, this system will gradually be adopted nationwide over the next 10 to 15 years. In order to achieve the goal of education for all, the government provides free transportation to and from school. In 2000, the gross primary enrollment rate was 72.3 percent (70.8 percent for girls and 73.7 percent for boys). The net enrollment rate for that year was 64.7 percent (64.5 percent for girls and 64.8 percent for boys). Attendance rates are not available for Oman. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.

Child Labor Laws and Enforcement

The Oman Labor Law of 2003 establishes the minimum age for employment at 15 years. A minor is defined as anyone aged 15 to 18. The employment of minors is permitted between the hours of 6 a.m. and 6 p.m., and

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minors are prohibited from working overtime, during holidays, or on official days of rest. In addition, child laborers cannot be compelled to stay at the workplace beyond their specified working hours, with a maximum of 6 hours per day mandated by the law. A company employing minors is required to post the following items for display in the workplace: a copy of the regulations pertaining to non-adult workers; a schedule of work hours, periods of rest, and weekly holidays; and a list of minors employed. The Ministry of Manpower is responsible for enforcing child labor laws. While restrictions on youth employment are generally followed, enforcement often does not extend to some small family enterprises, particularly in the agricultural and fisheries sectors.

Bonded child labor is prohibited by law and it is not recognized as a problem. The penal code assigns a penalty of at least five years imprisonment for individuals found guilty of enticing a minor into an act of prostitution. Trafficking in persons is not prohibited by law; however, there were no official reports of trafficking incidents in the country.


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3293 Ibid.
3294 Ibid.
3295 Ibid.
3296 U.S. Department of State, Country Reports- 2002: Oman, Section 6d.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Pakistan has been a member of ILO-IPEC since 1994. In 1990, Pakistan was a signatory to the Declaration of the South Asian Association for Regional Cooperation (SAARC), which urged member countries to eliminate all forms of child labor by the year 2010. As a member state of the SAARC, Pakistan also signed the Convention on Preventing and Combating Trafficking in Women and Children for Prostitution in January 2002.

In March 1998, the government established a Task Force on Child Labor to formulate policies and strategies for the elimination of child labor and bonded labor in Pakistan. In May 2000, the Federal Cabinet approved the National Policy and Action Plan to Combat Child Labor, which defines the policies, strategies, activities and responsibilities of different agencies as well as the time frame and funding resources for the elimination of child labor. Pakistan Bait ul-Mal, a government welfare agency, operates 68 non-formal education centers throughout the country, targeting children aged 14 and younger who have been exposed to hazardous labor.

A number of ILO-IPEC Action Plans have further formalized activities to combat child labor. These action plans have coordinated the various efforts to eliminate child labor on the part of government organizations, NGOs, trade unions, employers’ bodies, and other interested parties. From August 1997 to the present, a USDOL-funded project has been underway to remove child workers from the soccer ball stitching industry in the Sialkot district and rehabilitate them. Since the project began, the incidence of child labor in the soccer ball stitching industry in Sialkot has been significantly reduced, and the ILO-IPEC monitoring system established has been replicated in other industries that rely heavily on labor from child workers, including carpet-weaving and surgical instruments.
manufacturing. ILO-IPEC has also begun implementing a USDOL funded Time-Bound Program to assist the Government of Pakistan in its efforts to eliminate the worst forms of child labor. The program aims to remove and rehabilitate child workers in the most hazardous sectors over the next 5 to 10 years. As of August 2003, ILO-IPEC was supporting over 20 active projects in Pakistan. Among the ongoing ILO-IPEC projects, three of the largest projects continue to focus on the elimination of child labor in the carpet weaving and soccer ball stitching industries. Other projects target the prevention, withdrawal, and rehabilitation of child laborers as well as education and vocational training.

The Government of Pakistan signed a collaborative education agreement with USDOL on January 23, 2002. As a result, USDOL awarded a USD 5 million grant for a project designed to withdraw children from the worst forms of child labor in the Punjab, and to provide formal and informal education and training for working children and their younger siblings. As part of the education policy objective of universal education, the government’s policy emphasizes vocational training and technical education, as well as the creation of literacy programs for school dropouts and new programs targeting working children. To this end, the collaborative education project with the USDOL will address issues linking child labor and barriers to education within the Government of Pakistan’s existing National Policy and Action Plan and the Education Sector Reforms Action Plan. Due to critical needs in its education system, the Government of Pakistan is receiving intensified support from the World Bank in order to expedite its eligibility for fast track financing for the Education for All program. The Education for All Fast Track Initiative, which is funded by the World Bank and other donors, aims to provide all children with a primary school education by the year 2015. The World Bank has provided assistance to several major projects targeting the improvement of primary education, with special emphasis on increased access and better retention for girls, in the north and in Pakistani-controlled Jammu and Kashmir. In addition, ADB has supported multiple education projects in the Southern Punjab and the Sindh Province to promote the attendance, access and quality of educational programs, including incentives to keep girls in school.
Incidence and Nature of Child Labor

In 2001, the ILO estimated that 14.9 percent of children ages 10 to 14 years in Pakistan were working.\textsuperscript{3319} A recent ILO survey indicated that agriculture was the largest sector in which children work in Pakistan; followed by the informal sector, which included domestic work, street vending, illegal work, and family businesses; and hazardous work, such as in leather tanneries, surgical instruments manufacturing, coal mining, deep sea fishing, and brick kilns. The report also noted that when programs were developed to eliminate child labor in one industry, parents often shifted their children to work in other industries.\textsuperscript{3320} In addition, bonded child labor is still used in agriculture, the brick kiln industry, and in the production of carpets.\textsuperscript{3321} The problem of children working in the informal sector remains sizeable, as there are no laws to monitor employment in illegal or illicit economic activities. Although precise numbers are difficult to ascertain, it is likely that, excluding agriculture, the majority of child workers are employed in the informal sector.\textsuperscript{3322} More specifically, the exploitation of children in the sex and drug industries, are growing problems in Pakistan.\textsuperscript{3323} Afghan refugee children residing in urban Pakistan are among the most vulnerable to hazardous and exploitative labor conditions.\textsuperscript{3324}

Pakistan is a source, transit, and destination country for child trafficking victims.\textsuperscript{3325} Children are often trafficked internally and into Pakistan, primarily from Bangladesh, India, and Nepal, for the purposes of sexual exploitation and bonded labor.\textsuperscript{3326} Young boys continue to be trafficked from Pakistan to the Persian Gulf region to work as

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\textsuperscript{3320} U.S. Department of State, \textit{Country Reports- 2002: Pakistan}, Section 6d. See also U.S. Embassy- Islamabad, unclassified telegram no. 6012, 2.
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camel jockeys, despite recent efforts to dispel this practice. Adolescent boys are vulnerable to forced recruit-
ments from local madrasas (Islamic schools) by armed groups fighting in neighboring Afghanistan, Jammu, and Kashmir. It is also reported that some armed groups within Pakistan have children in their ranks.

Education is not yet compulsory at the national level in Pakistan. However, in 1998 the Ministry of Education set a goal for universal basic education as part of the National Education Policy. In 2001–2002, the gross primary enrollment rate was 72 percent (61 percent for girls and 83 percent for boys), and the net primary enrollment rate was 42 percent (38 percent for girls and 46 percent for boys). Primary school attendance rates are unavailable for Pakistan. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.

**Child Labor Laws and Enforcement**

The Employment of Children Act of 1991 prohibits the employment of children in a variety of occupations, except for family-run enterprises or in schools. The Act defines “child” as anyone below the age of 14 years and “adolescent” as anyone who has reached 14 but not 18 years of age. The law limits the workday of a child to seven hours, including a one-hour break after three hours of labor, and the work must be carried out between the hours of 8 a.m. and 7 p.m. A working child must be given at least one day off per week. It is illegal to require or allow a child to work overtime. Employers are required to maintain an employment register of working children, which labor inspectors examine. This law also prohibits the employment of children in specified occupations and processes that are dangerous or hazardous to the health of child workers. The Employment of Children Rules, 1995, modified the requirements for employers to maintain a minimum standard of health and safety in a child's working environment. Violations of these provisions can result in a maximum 1-year prison term and/or a fine of 20,000 rupees (approximately USD 350) for the offender.

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3330 World Education Services- Canada, *Pakistan*, [database online]; available from http://www.wes.org/ca/wedlb/pakistan/pkfacts.htm. While not compulsory, the Constitution, which was fully restored following the 2002 election of President Pervez Musharraf, stipulates that the government “shall remove illiteracy and provide free and compulsory education within a minimum possible period.” See *The Constitution of the Islamic Republic of Pakistan*, Part II, Chapter 2, 37h; available from http://www.pakistani.org/pakistan/constitution/part2.ch2.html.

3331 The policy states that by the year 2003, 90 percent of children in the primary age group shall be enrolled in school. However, enforcement of the compulsory primary education policy is not scheduled to go into effect until 2005 at the earliest. See Child Labour Unit, *National Policy and Action Plan*, 18.


3333 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

3334 *Employment of Children Act*, (June 4, 1991), Parts II and III; available from http://natlex.ilo.org/txt/E91PAK01.htm. The list of hazardous occupations includes work on trains, in the construction of railways, explosives, carpet weaving and manufacturing where toxic chemicals are used.


3336 *Employment of Children Act, Section 14*. For currency conversion see FXConverter, [database online] [cited August 6, 2003]; available from http://www.oanda.com/convert/classic.
Forced labor is prohibited by the Constitution and the Bonded Labor System (Abolition) Act of 1992, which was meant to abolish the bonded labor system, emancipate bonded laborers, and cancel remaining debts. Those found in violation of these provisions can face 2 to 5 years imprisonment and fines of 50,000 rupees (approximately USD 901). Trafficking in persons is prohibited by law. In August 2002, the Government of Pakistan passed the Prevention and Control of Human Trafficking and Smuggling Ordinance, which prohibits trafficking and assigns strict penalties for individuals or groups found guilty of engaging in or profiting from such activities.

Despite the existence of laws on child and bonded labor and the government’s commitment to eliminating these forms of labor, the government has been relatively unsuccessful at enforcing existing laws.


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3338 Bonded Labour System (Abolition) Act. For currency conversion, see FXConverter, FX Converter.


3341 U.S. Department of State, Country Reports- 2002: Pakistan, Section 6d. See also U.S. Embassy- Islamabad, unclassified telegram no. 6012, 1.

Government Programs and Policies to Eliminate the Worst Forms of Child Labor

The Government of Panama has been a member of ILO-IPEC since 1996. With funding from USDOL, the Department of Statistics and Census of the General Audit Office of Panama conducted a national child labor survey with technical assistance from ILO-IPEC's SIMPOC. ILO-IPEC, with USDOL funding, supported a baseline survey on child labor in the coffee sector in Panama that was completed in 2002. Panama is also participating in a USDOL funded ILO-IPEC program aimed at institutional capacity building, strengthening of law enforcement mechanisms, awareness raising, and combating child labor in the rural and urban informal sectors, as well as a regional project aimed at combating commercial sexual exploitation. A Canadian-funded ILO-IPEC project gathered information on child domestic labor in Panama. Under this project, the National Committee for the Eradication of Child Labor and Protection for Working Minors and the Ministry of Labor are coordinating with ILO-IPEC to develop action programs aimed at raising awareness and removing children from domestic work.

The Committee for the Eradication of Child Labor and Protection for Working Minors was established in 1997 by the Government of Panama in order to create a National Plan for the Progressive Elimination of Child Labor. The Ministry of Youth, Women, Children, and Family has created training and assistance centers for children living in urban areas such as Panama City and Colón, and for those living in rural areas including Chiriquí, Veraguas, and Coclé. The centers provide health care, education opportunities, and vocational and social skills training to children and their families in an effort to prevent child labor. Members of the Ministry of Labor’s Child Labor Unit, NGOs, and other government agencies have participated in courses and workshops aimed at raising awareness on domestic labor, commercial sexual exploitation, data measurement on child labor, the development of a plan of action to prevent child work on Panama City streets, and forced child labor. In July 2003, the Panamanian Declaration Against the Commercial Sexual Exploitation and Non-Commercial Exploitation of Children and Adolescents was signed by government agencies, NGOs, international organizations, and other public and private institutions.


3352 Declaración de Panamá Contra la Explotación Sexual Comercial y No Comercial de la Niñez y la Adolescencia, (July 23-24).
Through its Education for All efforts and its 10-year strategy for education (1997-2006), the government seeks to provide greater opportunity, access and services to groups such as marginalized rural and urban populations, indigenous populations and the disabled. In 2000, the World Bank approved a loan of USD 35 million to help the government improve the quality and efficiency of basic education in a project that is expected to benefit about 60 percent of Panama’s children attending primary and secondary school. The funds are being used to upgrade, expand and rehabilitate run-down or inadequate school buildings; provide textbooks and instructional materials and poverty-based scholarships at public schools, including scholarships targeted toward indigenous children; enhance teacher training in rural and marginal urban communities; expand early childhood and pre-school education programs; and strengthen the Ministry of Education’s capacity and decentralization efforts. In 2002, the Ministry of Education’s Basic Education Unit developed a plan and programs of study for its primary education centers and is working to improve the quality of basic education. The Ministry of Youth, Women, Children, and Family began a small program of roving classrooms in an effort to educate rural children during the harvest.

### Incidence and Nature of Child Labor

In 2000, the National Child Labor Survey results estimated that 57,524 children ages 5 to 17 years in Panama were working (7.6 percent of this age group). Children are found working in rural areas during the harvesting periods for sugar cane, coffee, bananas, melons, and tomatoes. While most working children in Panama are engaged in agricultural activities, especially among the indigenous population, such work is usually dismissed as part of the local culture. Children from indigenous communities in Panama also accompany their parents to work in Costa Rica during the coffee harvest. Children in Panama also work as domestic servants. Child labor exists in urban areas, especially in the informal sector. A 1998 study of Panama City’s juvenile detention center found that the vast majority of detainees had been working as street vendors, car washers, and supermarket packers when they were arrested for delinquency. Urban supermarkets reportedly allow children as young as 9

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3358 See also “Indígenas sostienen cosechas de caña,” *La Nación* (San José, Costa Rica), January 20, 2002.

3359 Commission on Women’s Issues, the Rights of Children, Youth, and Family, *Condición del trabajo infantil y juvenil en las cañaverales de las provincias Cocle y Veraguas*, Panama, 2000, 16.

3360 Commission on Women’s Issues, the Rights of Children, Youth, and Family, *Condición del trabajo infantil y juvenil en las cañaverales de las provincias Cocle y Veraguas*, Panama, 2000, 16.


3366 Commission on Women’s Issues, the Rights of Children, Youth, and Family, *Condición del trabajo infantil y juvenil en las cañaverales de las provincias Cocle y Veraguas*, Panama, 2000, 16.


3369 U.S. Embassy- Panama, *unclassified telegram no. 1934*. 


years old to bag groceries in return for tips. Although not formally employed by a firm, these children conform to schedules, wear uniforms, comply with codes of conduct, and take orders from supermarket employees. The commercial sexual exploitation of children has been reported, and child trafficking within Panama is a problem.

In Panama, education is free and compulsory through the equivalent of ninth grade. In 2000, the gross primary enrollment rate was 111.6 percent, and the net primary enrollment rate was 100.2 percent. Attendance rates are not available for Panama. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. In 1999, 92 percent of children enrolled in primary school persisted to grade 5.

The proportion of primary school dropouts is higher in rural and indigenous areas combined, than in urban areas. Many rural areas do not have access to secondary education and the government does not cover transportation costs. Children from poor families often do not attend school due to lack of transportation and the need to migrate with their families during the harvesting season. School attendance is a particular problem in the Darien province and in indigenous communities. About one-third of children from the indigenous communities miss the first 3 months of the academic year to work in the coffee harvest. According to the Ministry of Youth, Women, Children and Family, 82 percent of the children in rural areas are absent from school during the harvest season.

**Child Labor Laws and Enforcement**

The Labor Code and the Constitution set the minimum age for employment at 14 years of age. However, the Labor Code allows children less than 15 to work only if they have completed primary school. According to the

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3369 The available net enrollment statistic is higher than 100 percent, although this is not theoretically possible. The World Bank attributes this abnormality to discrepancies between estimates of the school-age population and repeated enrollment data. See World Bank, *World Development Indicators 2003*. See also USAID, *Global Education Online Database*, Washington, D.C., 2003; available from http://qesdb.cdie.org/ged/index.html. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.

3370 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

3371 World Bank, *World Development Indicators 2003*.


3373 U.S. Embassy- Panama, unclassified telegram no. 3473.


1995 Law on Education, no child under 15 years of age is allowed to engage in work that interferes with his or her school attendance.  Further, Article 119 of the Labor Code permits minors aged 12 to 15 to perform farm or domestic labor as long as the work is light and does not interfere with schooling. The Labor Code also stipulates that minors under the age of 18 are prohibited from working in nightclubs, bars or other places where the consumption of alcoholic beverages is allowed; in transportation and electric energy; underground work; and the handling of explosives and flammables. With the exception of work in nightclubs, these provisions may be waived if a minor performs the job as part of vocational training and work is conducted under the supervision of competent authorities. Children younger than 16 may work no more than six hours a day or 36 hours per week, and children under 18 may work no more than seven hours a day or 42 hours per week. Children under the age of 18 may not work between the hours of 6 p.m. and 8 a.m.

The Labor Code also prohibits forced labor by children. Article 501 of the Family Code and Article 215C of the Penal Code criminalize child prostitution and child pornography for minors. Trafficking in children is prohibited under the Penal Code. The Penal Code calls for prison sentences of two to six years for the promotion or facilitation of entry or exit of a person to or from Panama for the purpose of prostitution.

The Superior Tribunal for Minors and the Superior Tribunal for Families are the judicial bodies responsible for overseeing the protection and care of children. The Ministry of Youth, Women, Children, and Family proposes and reviews laws and monitors government performance with regard to children’s issues. The Ministry of Labor has 12 staff members, including seven newly hired child labor inspectors. The Ministry of Labor responds to child labor complaints and has the authority to order the termination of unauthorized employment; however, it lacks sufficient staff to enforce some child labor provisions in rural areas. Businesses that employ an underage child are subject to civil fines, while employers who endanger the physical or mental health of a child can face imprisonment. Although Panama has developed a strong legal framework to combat the worst forms of child labor and

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3379 Government of Panama, Texto Unico de la Ley 47 de 1946, Orgánica de Educación, con las adiciones y modificaciones introducidas por la Ley 34 de 6 de Julio de 1995, Artículo 46.
3380 Código de Trabajo, Articles 119 and 23.
3381 Código de Trabajo, Article 118.
3382 Ibid.
3383 Ibid., Article 122.
3384 Ibid., Article 120.
3386 Código de la familia, Article 501.
3387 U.S. Embassy- Panama, unclassified telegram no. 3133, August 2000. See also ILO-IPEC, La explotación sexual comercial de niños, niñas, y adolescentes en Panamá, 77-78.
3389 Ibid.
3390 Ibid., Section 5.
3391 U.S. Embassy- Panama City, unclassified telegram no. 2286.
3392 U. S. Department of State, Country Reports- 2002: Panama, Section 6d.
3393 U.S. Embassy- Panama City, unclassified telegram no. 3286, October 2001.
has conducted several child labor inspections in the coffee, sugar, melon, and tomato sectors, child labor violations continue to occur, especially on commercial coffee and sugar farms and in the informal sector.


3394 Ibid. See also U.S. Embassy- Panama, unclassified telegram no. 3615. See also Icaza, letter, September 23, 2002.
3395 U.S. Embassy- Panama City, unclassified telegram no. 3286. See also U. S. Department of State, Country Reports- 2002: Panama, Section 6d.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Papua New Guinea has established a “National Child Protection Service” to raise awareness about commercial sexual exploitation of children. The government’s National Education Plan (NEP) 1995 to 2002 promoted reforms of the country’s educational system, including universal access to 3 years of elementary education, completion of 6 years of primary school, and an increase in the number of students who continue into secondary school. The plan also aimed to improve equity in enrollments between boys and girls and urban and rural inhabitants, as well as improve the quality of education. Information on the results of the plan, however, are not available at this time. In 2002, UNICEF pledged to support efforts to increase the enrollment of girls in the country.

AusAID has provided support for Papua New Guinea’s education reform efforts through various projects since 1996, and is currently supporting basic education projects that aim to improve teacher training, develop and distribute new curriculum, provide educational materials, and provide youth with vocational training.

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 16.8 percent of children ages 10 to 14 years in Papua New Guinea were working. Children work in family subsistence agriculture and family businesses. Although it is not reported to

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be widespread, children are said to be involved in commercial sexual exploitation. Children fought with both government and opposition forces during the secessionist war during the 1990s.

Education is not compulsory or free in Papua New Guinea. In 1999, both the gross primary enrollment rate and the net primary enrollment rate were 83.8 percent. Primary school attendance rates are unavailable for Papua New Guinea. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school. According to the most recent data, only 59 percent of children complete primary school, and many drop out after the first grade. Lack of access to schools reportedly leads to low enrollment levels in rural areas.

**Child Labor Laws and Enforcement**

The Employment Act establishes the minimum age for employment at 18 years, but children ages 11 to 18 may work in family businesses with parental permission, medical clearance, and a work permit from the labor office. The Constitution prohibits forced labor. The Criminal Code prohibits procuring, luring, or abducting women or girls for sexual relations or for confinement in a brothel.


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3405 ECPAT International, *Papua New Guinea*. The commercial sex sector, while still relatively undeveloped, is expanding, particularly in urban areas. See John C. Caldwell and Geetha Isaac-Toua, *AIDS in Papua New Guinea: Situation in the Pacific* (Canberra: National Centre for Epidemiology and Population Health of Australian National University, 2002), 104–11. There is very limited information on trafficking in Papua New Guinea. While it does not appear to be a problem (i.e. there was no evidence of trafficking during 2002), there is a concern that the country may be used as a route for trafficking to Australia. See also U. S. Department of State, *Country Reports 2002: Papua New Guinea*, Section 6f. Some sources suggest that lack of economic opportunities in Papua New Guinea leads youth to consider prostitution as a viable source of income. See ADB, *Millennium Development Goals in the Pacific: Relevance and Progress*, March 2003, 25; available from http://www.adb.org/documents/books/MDG_Pacific/mdg.pdf#page=22.


3409 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


3414 The section on abduction specifies that this applies to girls under the age of 18. See *Papua New Guinea Criminal Code*, as cited in The Protection Project Legal Library, [database online], Chapter 262, Sections 18–21; available from http://209.190.246.239/protectionsproject/statutesPDF/PapuaNewGuineaEd.pdf.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Paraguay has been a member of ILO-IPEC since 1998 and created the National Commission on Child Labor in 1999. In 2001, ILO-IPEC began implementing two USDOL-funded projects to address the domestic work of children and adolescents in Asunción and the sexual exploitation of children and adolescents on the country’s border with Argentina and Brazil. In July 2003, the Government of Paraguay published a National Plan of Action for Childhood and Adolescence (2003 – 2008), which includes activities to integrate national sectoral plans, such as those that address sexual exploitation and child labor, into national policy. In addition, the Government of Paraguay and the other MERCOSUR member governments, the Government of Chile, and ILO-IPEC have developed a 2002 – 2004 regional plan to combat child labor in the region.

In July 2000, the Ministry of Education and Culture initiated a five-year program to strengthen basic education reform. The Ministry also implements an innovative, community-based bilingual education program in the first and second cycles of rural and urban schools. The program also aims to improve school management and pedagogical training. The Ministry of Public Health’s Social Welfare Office has developed on-going programs that offer financial help to vulnerable groups including street children. The government also provided funds to all regional departments in 1999 and 2000 to establish school feeding programs. The Ministries of Education and Culture and Public Health, along with the Institute of Well-Being and the Social Action Secretariat of the President’s Office, support projects that provide at-risk children with social services. In July 2003, the IDB

3421 IBF, Program to Strengthen Basic Education Reform, [online], [cited September 1, 2003]; available from http://www.iadb.org/exr/doc98/apr/pr1254e.pdf.
supported a government program to achieve universal preschool and early education, in particular targeting children at social and educational risk.  

**Incidence and Nature of Child Labor**

In 2001, the ILO estimated that 5.4 percent of children in Paraguay aged 10 to 14 years were working. Data from the National Census indicates that nearly two-thirds of child workers are boys. The largest percentage of working children are found in the agricultural sector. Children sell newspapers and sundries, clean car windows, and work in family enterprises and alongside their parents in fields. Poor families often send their daughters to work as domestic servants in the homes of friends or relatives in exchange for room, board and financial support for schooling. There are reports of children working as prostitutes in Asunción, Ciudad del Este and smaller cities and border regions. Paraguay is a country of destination for girls trafficked from other countries in the South America region for purposes of commercial sexual exploitation. There have been allegations that adolescents from rural areas have been forced to enlist in the armed forces. Many rural families, however, have encouraged their underaged sons to enlist as a means of securing housing, sustenance, livelihood, basic education, and health care.

The General Education Law establishes free and compulsory basic education for nine years. However, due to inadequate resources, the government was not able to provide universal basic education through the ninth grade. In 2000, the gross primary enrollment rate was 111.2 percent, and the net primary enrollment rate was 92.1 percent. In 1999, 76.4 percent of children enrolled in primary school reached grade five. A 2000/
2001 national child labor survey indicated that 65 percent of working children aged 5 to 17 years attended formal school. Girls have less access to education than boys, especially in rural areas. The Ministry of Labor and Justice reports that only 50 percent of children who start the first grade complete the primary level. In rural areas, the completion rate drops to 10 percent.

Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment in industrial, public or private businesses at 15 years. Minors aged 14 to 18 are permitted to work in non-industrial settings under specific conditions. The Child and Adolescent Code prohibits children aged 14 to 18 from working underground, underwater, or under any other conditions that might be physically, mentally or morally dangerous or harmful to their well being. Children aged 14 to 16 may not work in excess of 4 hours a day and 24 hours a week. Children ages 16 to 18 may not work more than 6 hours a day and 36 hours a week. The Code also makes it unlawful to contract children for domestic work outside of Paraguay.

The Constitution prohibits any form of slavery, repression or trade in human beings. The commercial sexual exploitation of children and adolescents, and the production or distribution of pornographic publications, are prohibited under the Child and Adolescent’s Code. The Penal Code prohibits any individual from putting the life or liberty of another individual in danger by forcing, deceiving or coercing a person to leave the country, and it proscribes legal punishments for individuals who prostitute children under the age of 18. In cases in which a

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3441 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
3444 Government of Paraguay, Código del Trabajo, Ley Núm. 213, que establece el Código del Trabajo, Article 119, [cited September 1, 2003]; available from http://www2.paraguaygobierno.gov.py/gacetaoficial/codigolaboral.PDF.
3445 The conditions include the following: Minors must have completed obligatory education, or work must not impede school attendance; minors must obtain required work certification; work must be light and take place during the day; minors must have legal authorization to work; minors must not work more than 4 hours daily and 24 hours weekly (minors still attending school must not work more than 2 hours a day, and the total number of hours spent on school and work combined must not exceed 7 hours); and the minor must not work on Sundays or holidays. See Ibid., Article 120.
3446 Government of Paraguay, Código de la Niñez y la Adolescencia, Ley No. 1680, Titulo II, de la Protección a los Adolescentes Trabajadores, Chapter II, Article 58.
3447 Ibid., Capítulo II, Artículo 58.
3448 Ibid., Capítulo III, Artículo 67.
3450 Código de la Niñez y la Adolescencia, artículo 31.
crime, such as trafficking in persons, is committed abroad by a Paraguayan national, Paraguay’s criminal law allows for extraterritorial jurisdiction.\textsuperscript{3452} It is an offense to induce a person under 18 years of age into prostitution.\textsuperscript{3453} If the perpetrator acts for profit or if the victim is under 14, the penalty can increase.\textsuperscript{3454}

The Ministry of Labor and Justice’s Director General for the Protection of Minors is responsible for enforcing child labor laws. The government does not have sufficient resources to effectively enforce regulations on the minimum age for employment.\textsuperscript{3455} Child victims of prostitution are often treated as offenders in detention centers and it is rare for clients or individuals who profit from prostitution to be caught or sanctioned.\textsuperscript{3456}

The Government of Paraguay has not ratified ILO Convention 138, but ratified ILO Convention 182 on March 3, 2001.\textsuperscript{3457}

\textsuperscript{3452} In addition, the act must be considered a crime in the country in which it was committed. See ECPAT International, \textit{Paraguay}, in ECPAT International, [database online] [cited September 3, 2002], at “Protection”; available from http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/index.asp.

\textsuperscript{3453} Ibid.

\textsuperscript{3454} Ibid.


\textsuperscript{3456} ECPAT International, \textit{Paraguay in ECPAT International}.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Peru has been a member of ILO-IPEC since 1996. ILO-IPEC programs in Peru include the first and second phase of a USDOL-funded regional program to eliminate child labor in small-scale traditional mining sectors, and a USDOL-funded regional program to eliminate child domestic labor. In addition, a USDOL-funded project to promote access to quality basic education in the small-scale mining zones of the department of Puno was launched in September 2002. ILO-IPEC also provides support to remove children from dangerous work in stone quarries.

In 2003, the Ministry of Education issued a directive to establish night classes and lengthen matriculation periods for youth employed as domestics in private homes. In 2002, the Ministry of Women and Social Development produced the National Action Plan for Children and Adolescents 2002 – 2010. The plan focuses on the elimination of the worst forms of child labor for children aged 6 to 11 years, and promotes control over working conditions for adolescents at or above the legal working age as part of its strategic objectives. Also in 2002, the Ministries of Labor, Health, Energy and Mines, and Education created a system that allows the government to monitor and verify progress in the elimination of child labor in small-scale mining for a 10-year period (2002-2012).

The Ministry of Labor and Employment Promotion offers a program to underprivileged youth aged 16 to 24 years that provides them with vocational training and access to apprenticeships and employment opportunities in the private sector. In July 2002, the Office of Child Protection, Safety and Health in the Workplace was created within the Ministry of Labor and Employment Promotion to protect the rights of minors in the workplace. The National Institute of Family Well-Being has a program that provides a variety of services to working children.

3459 Other regional countries in the mining program are Bolivia and Ecuador. See ILO-IPEC, Program To Prevent and Progressively Eliminate Child Labor in Small-Scale Traditional Gold Mining in South America, project document, P.260.03.202.050, Geneva, May 2000, cover page. See also ILO-IPEC, Prevention and Progressive Elimination of Child Labor in Small-Scale Traditional Gold Mining in South America (Phase II), project document, RLA/02/P50/USA, Geneva, September 2002, cover page. Other regional countries in the domestic labor program include Brazil, Colombia, and Paraguay. See ILO-IPEC, The Prevention and Elimination of Child Domestic Labour in South America, project document, RLA/00/P53/USA, Geneva, September 2000.
3465 U.S. Embassy- Lima, unclassified telegram no. 3996.
youth, including school support, housing, reintegration into the public school system, reintegration into the family, and vocational training. The Ministry of Health's School and Adolescent Health Program provides free medical coverage to children throughout the country beginning at age 5 with the aim of promoting healthy behavior. Since 1995, the National Police has been operating a Division for Matters Concerning Children and Adolescents to address cases concerning the rights of children and adolescents.

The Ministry of Education is implementing a basic education program that aims to improve the quality and infrastructure of education throughout the country and strengthen teacher's skills and technological innovation, especially in rural areas. The Ministry is also implementing a distance-learning program using computer technology to provide children with access to school throughout the country. Since 2002, USAID, in collaboration with the Ministry of Education, has expanded a girls education initiative to provide technical assistance, develop models of education decentralization, and strengthen local capacity for quality education programs. With funds from the OAS, the Ministry of Education's National Office on Pre-primary and Primary Education has developed a program to improve the quality and equity of basic education in rural areas through radio learning.

The Ministry also began a three-year program in 2000 with assistance from the IDB to improve the quality of secondary education and to increase the educational system's relevance and linkage to the labor market. In 2002, the IDB approved a social development loan that includes an infrastructure component for kindergarten and primary education in rural areas. With financing from the World Bank, the Ministry began implementation of a project in May 2003 to extend access to rural pre-and secondary school education, improve teaching quality and motivation in rural areas, and strengthen education management.

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3471 This project includes public schools in marginal urban, rural, border and emergency zones at the pre-school, primary and secondary levels. See Ministry of Education, Programa de educación básica para todos, [cited August 28, 2003]; available from http://www.minedu.gob.pe/secretaria_general/of_administracion/proyectos/educ_basic.html.


government’s school feeding program in three departments in the highlands and promoting gender equity in educational access.3478

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 1.7 percent of children ages 10 to 14 years in Peru were working.3479 A large number of children, however, are working in the country’s informal economy in activities that are not well captured by child labor surveys.3480 Data from the National Household Survey indicate that the working population from 14 to 17 years tripled between 1997 and 2001.3481 Children are employed in the agricultural sector (including coca cultivation), fireworks factories, stone quarries, and the brick-making sector. Children are also found loading and unloading produce in markets, collecting garbage and working in informal mining sites.3482 In urban areas, children often work shining shoes3483 and perform domestic work.3484 It is reported that some children under the age of 15 years are forced to join the military through a system of recruitment called “leva”.3485 These forced recruits often come from border areas or rural areas of the interior.3486 In 2003, there were reports of children serving in the army in the department of Loreto.3487 Children also engage in prostitution.3488 The commercial sex trade flourishes in Cuzco due to high unemployment and high tourism levels in which children are reportedly involved.3489

3479 World Bank, World Development Indicators 2003 [CD-ROM], Washington, D.C., 2003. As noted in the “Data Sources” chapter of this report, estimates on the number of working children are likely to be underestimates because the nature of household surveys do not lend themselves to collecting data on children who are working in the informal or illegal sectors of the economy, particularly children in the worst forms of child labor.
3482 U.S. Department of State, Country Reports - 2002: Peru, Section 6d.
3483 Jesus V. Astete and Isabel R. Baufume, Trabajando en las calles de mi ciudad (Cuzco, Peru: Asociación Qosqo Maki, 1998), 28.
3489 ECPAT International, Peru, “Child Prostitution”.
The General Education Law establishes free and compulsory public education through secondary school.\textsuperscript{3490} In 1999, the gross primary enrollment rate was 127.6 percent and the net primary enrollment was 104.5 percent.\textsuperscript{3491} School attendance is lower in rural and jungle areas, and girls attend at a lower rate than boys.\textsuperscript{3492} Attendance rates are not available for Peru. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{3493} Indigenous children and those from rural areas lack access to the education system.\textsuperscript{3494} The average number of years of schooling and student performance are also sharply lower in rural areas than in urban areas.\textsuperscript{3495} The Child and Adolescent Code provides for special arrangements and school timetables so that working children and adolescents can attend school regularly.\textsuperscript{3496}

**Child Labor Laws and Enforcement**

Within the Ministry of Women and Social Development, the Directorate of Children and Adolescent Affairs is responsible for developing and coordinating national policy on youth, particularly those policies affecting children exposed to violence, extreme poverty, discrimination and social exclusion.\textsuperscript{3497} In 2001, new legislation was passed that modified the Child and Adolescent’s Code of 2000 and raised the legal minimum age for employment from 12 to 14 years.\textsuperscript{3498} However, children aged 12 to 14 may perform certain jobs if they obtain legal permission from the Ministry of Labor and Employment Promotion and can certify that they are attending school. In August 2002, the Ministry reported that it approved 839 of these requests in the first eight months of the year.\textsuperscript{3499} According to the Code, the minimum age for employment in the hazardous industrial, commercial or mining sectors is 15 years, while in the industrial fishing sector it is 16.\textsuperscript{3500} Work that might harm a child’s physical, mental and emotional health and development, including underground work or work that involves heavy lifting and car-

\textsuperscript{3490} Pre-school, primary and secondary education are compulsory. El Presidente de la República, *Ley General de Educación*, 28044, Lima, July 17, 2003, articles 4, 8 and 12. The General Education Law was passed on July 17, 2003 and includes articles on bilingual, intercultural, and vocational education, as well as on regular and alternative basic education for working children and adolescents. See El Presidente de la República, *Ley General de Educación*, articles 20, 36 and 37. At the beginning of the 1990s, basic education was only required for a 6-year period. See UNESCO, *Education for All 2000 Assessment: Country Reports - Peru*, prepared by Ministry of Education, pursuant to UN General Assembly Resolution 52/84, 2000, [cited September 5, 2002]; available from http://www2.unesco.org/wef/countryreports/peru/rapport_1.htm.

\textsuperscript{3491} World Bank, *World Development Indicators 2003*. Net enrollment rates greater than 100 percent indicate discrepancies between the estimates of school-age population and reported enrollment data. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.


\textsuperscript{3493} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


\textsuperscript{3495} World Bank, *Peru-Rural Education, project information document*.


\textsuperscript{3497} Gerenta de Promoción de la Niñez y la Adolescencia, ¿Qué Somos?, Ministerio de la Mujer y Desarrollo Social, [online] [cited August 28, 2003]; available from http://www.mimdes.gob.pe/dgma/dgmaweb1.htm.


\textsuperscript{3499} Popolizio, *Cuestionario sobre Trabajo Infantil*, 3,15. Working adolescents are not required to register with the Ministry of Labor if they are performing domestic or unpaid family work; however, the head of the household for which they work must register them in the municipal labor records. See *Ley que Aprueba el Nuevo Código de los Niños y Adolescentes, Ley no. 27337, Capítulo IV, Régimen para el adolescente trabajador, Artículo 50*; available from http://www.cajpe.org.pe/rij/bases/legisla/peru/ley1.html.

\textsuperscript{3500} Requisitos y formalidades para la contratación laboral de adolescente, [previously online]; available from http://www.mtps.gob.pe/normas/033-2000-tr.htm. [hard copy on file].
rying, or work that might serve as an obstacle to continued school attendance, is prohibited for youth under the age of 18. Children aged 12 to 14 years are prohibited from working more than 4 hours a day, or over 24 hours a week, and adolescents between 15 and 17 years may not work more than 6 hours a day, or over 36 hours a week. Working children must be paid at the same rate as adult workers in similar jobs.

The Child and Adolescent Code prohibits hazardous forms of child labor such as forced and bonded labor, economically exploitative labor, prostitution, and trafficking. Prostitution is legal in Peru, but laws prohibit individuals from profiting by prostituting others. Laws prohibiting kidnapping, the sexual abuse of minors, and illegal employment are enforced, and can be used to sanction individuals who traffic children for exploitative labor. In 2001, amendments to the Penal Code strengthened existing penalties by criminalizing the production, possession and distribution of child pornography. In contrast, other amendments weakened existing penalties for sexual assaults against children.

The Ministry of Labor and Employment Promotion is responsible for enforcing labor laws. As of August 2003, the Ministry had 200 labor inspectors, over two-thirds of whom work in Lima. Inspections are primarily conducted in the formal sector, and enforcement remedies are generally adequate to punish and deter violations. However, many children work in the informal economy where the government does not supervise wages or working conditions. The national police and local prosecutors have law enforcement authority over child labor violations. The Directorate of Children and Adolescent Affairs, an office within, is charged with protecting the rights of children and adolescents. At the municipal level, the Municipal Child and Adolescent Defender Centers work with local governments to supervise investigations, apply punishments, and monitor compliance of child labor laws.


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3502 Síntesis Legal. 7.1.3, Jornadas especiales de trabajo adolescentes, [previously online] [cited October 1, 2002]; available from http://www.mtps.gob.pe/sintesis.htm [hard copy on file].
3503 Ley que Aprueba el Nuevo Código de los Niños y Adolescentes, Ley no. 27337, Capítulo IV, Régimen para el adolescente trabajador, Artículo 59.
3504 Ibid., Libro primero: Derechos y libertades, Capítulo I: Derechos Civiles, Artículo 4.
3506 Ibid., Section 6f.
3507 Penalties for sexual assaults against children were lowered to compensate for overcrowded prisons. See ECPAT International, Peru, “CSE Overview”.
3508 U.S. Embassy- Lima, unclassified telegram no. 3996.
3510 U.S. Department of State, Country Reports - 2002: Peru, Section 6d.
3513 Ley que Aprueba el Nuevo Código de los Niños y Adolescentes, Ley no. 27337, Capítulo V, Contravenciones y Sanciones, Artículo 70.
3514 U. S. Embasy- Lima, unclassified telegram no. 5249.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of the Philippines created the Council for the Welfare of Children in 1974 as the focal point for child welfare issues, and it continues to focus on welfare issues, including exploited children and child laborers. The Government of the Philippines became a member of ILO-IPEC in 1994. The government passed a counter-trafficking law in May 2003 with specific provisions for children and created the Interagency Council Against Trafficking (IACAT). The government has also created strategic action plans on child labor, and for children engaged in armed conflict.

The Government of the Philippines combats child labor in conjunction with national and international organizations. The National Program Against Child Labor serves as the structure to coordinate these activities and identify needs, and is led by the Department of Labor and Employment. In 2003, the government launched a two-year project to combat child labor in tobacco production in Region I (Ilocos Region). In cooperation with ILO-IPEC, community and direct action initiatives are being implemented in the Philippines to target specific occupations utilizing the worst forms of child labor. The Philippine government is a part of the ILO-IPEC interregional child soldiers project funded by USDOL in 2003 to remove and prevent children from becoming involved in armed conflict in the Mindanao region.


3518 In addition to setting out penalties for trafficking offenses, the law also mandates the establishment of various services by specified government agencies, and establishes that certain social services be made available to all trafficking victims. See Anti-Trafficking in Persons Act of 2003, Republic Act 9208; available from Coalition Against Trafficking in Women - Asia Pacific (CATW-AP) at http://www.catw-ap.org/. See also ILO-IPEC, Supporting the Time-Bound Program on the Elimination of the Worst Forms of Child Labor in the Republic of the Philippines, technical progress report, PHI/02/P50/USA, September 12, 2003. See also U.S. Department of State, Trafficking in Persons Report- 2003: Philippines, Washington, D.C., June 11, 2003; available from http://www.state.gov/g/tip/rls/tiprpt/2003/21276.htm#philippines.


3524 The Philippine-ILO Indicative Framework of 1994 established the priority target groups for anti-child labor activity. Through 2001, IPEC had implemented more than 60 anti-child labor programs totaling about USD 3 million, and has built partner capacity to combat child labor. See ILO-IPEC, Supporting the Time-Bound Program, project document, 15-16.

In June 2002, USDOL, the Philippine DOLE, and the Department of Education signed a letter of intent committing all three agencies to collaborate on Timebound initiatives aimed at reducing the number of children participating in the worst forms of child labor, and strengthening the Philippines’ educational systems. The USDOL-funded ILO-IPEC program to support the Philippine Timebound Program was launched, with strong government support, in 2002 with the long-term objective of eliminating specified worst forms of child labor. Under this USD 5.2 million program, sectors to be targeted include commercial sexual exploitation, mining and quarrying, pyrotechnics, deep-sea fishing, domestic service, engagement in armed conflict, and work on commercial sugar cane farms. With funding from USDOL and technical assistance from ILO-IPEC, the Philippine National Statistics Office conducted the second round of a national child labor survey in 2001 to identify the extent and nature of child labor in the Philippines.

Since 1994, DOLE has implemented the “Sagip Batang Manggagawa” (SBM-“Rescue the Child Workers”) Program to monitor suspected cases of child labor and intervene on behalf of children in affirmed cases. In addition, DOLE has a number of social welfare programs targeting working children, including the Working Youth Center and the Bureau of Women and Young Workers’ Family Welfare Program. The Department of Social Welfare and Development is the lead government agency that provides social welfare support for victims of trafficking and also operates programs that provide social services to vulnerable children who have been exploited or abused, or rescued from living on the streets. Numerous government agencies work on prevention of trafficking and other counter-trafficking efforts. Both independently and with UNICEF assistance, the government launched national information and awareness-raising campaigns against child labor.

The Medium-Term Philippine Development Plan for 2001–2004 includes promotion of universal primary education. The government has implemented a number of education programs that benefit vulnerable children, in-

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3526 USDOL committed USD 10 million in support of the initiative, which included an education project and the ILO-IPEC Timebound Program. See Letter of Intent between the U.S. Department of Labor, the Department of Labor and Employment of the Republic of the Philippines, and the Department of Education of the Republic of the Philippines, June 28, 2002, para. 1, 3.
3527 The Timebound Program implementation has been integrated into the National Programme Against Child Labour for 2001–2004. USDOL funded the ILO-IPEC Timebound Program in September 2002. See ILO-IPEC, Supporting the Time-Bound Program, project document, i-iii, 4-5.
3529 U.S. Embassy- Manila, unclassified telegram no. 4103, June 23, 2000. In 2002, the interagency program conducted 106 operations that rescued 363 minors; in the first quarter of 2003, an additional 16 operations were conducted that released 47 minors. See U.S. Embassy- Manila, unclassified telegram no. 4653, August 29, 2003.
3530 The BWYW has conducted training for government officials who enforce child labor laws as well as for companies nationwide. See U.S. Embassy- Manila, unclassified telegram no. 5990, October 10, 2001.
3534 The Philippine Information Service (PIA) campaign includes posters, comic page inserts, and radio and television announcements that are aimed at children, parents and employers. PIA also holds workshops with the assistance of UNICEF, and it works locally to collect baseline data on people’s attitudes and perceptions on child labor. See U.S. Embassy- Manila, unclassified telegram no. 4103.
cluding establishing new elementary schools, school feeding and quality improvement projects.\textsuperscript{3536} DEPED is implementing functional education and literacy programs that provide working children with basic education and skills training. In addition, the government is working in consultation with community groups to implement the National Project on Street Children that provides street children with the financial support to continue their education.\textsuperscript{3537} DEPED’s Bureau of Non-formal Education collaborates with donors and local government bodies to provide non-formal education under the NFE Accreditation and Equivalency System.\textsuperscript{3538}

ADB and the government signed an agreement to work in partnership to fight poverty, including improving the quality of basic education.\textsuperscript{3539} ADB is currently funding projects through DEPED,\textsuperscript{3540} the Technical Education and Skills Development Authority,\textsuperscript{3541} and the Development Bank of the Philippines to improve secondary and vocational education.\textsuperscript{3542} AusAID is also assisting the delivery of quality technical education services through the development authority,\textsuperscript{3543} as well as improving access to basic education in Mindanao.\textsuperscript{3544} UNICEF works actively with the government to promote children’s rights, assist children in need of special protection, including working children, and support educational improvements.\textsuperscript{3545}

### Incidence and Nature of Child Labor

In 2001, the Philippine National Statistics Office estimated that 16.2 percent (4 million) of children ages 5 to 17 years in the Philippines were working. The survey found that of the country’s 24.9 million children ages 5 to 17 years, 2.4 million work under hazardous conditions. Almost half of working children, or 1.9 million, are ages 10 through 14.\textsuperscript{3546} Child labor is more prevalent in rural areas.\textsuperscript{3547} Almost half of all child workers are engaged in ag-


\textsuperscript{3537} U.S. Embassy- Manila, unclassified telegram no. 4103.

\textsuperscript{3538} Department of Education: Bureau of Nonformal Education, \textit{Innovations in Nonformal Education: The Challenge for Teacher Training Institutions}, Pasig City, 2001, 4-8. DEPED is in the process of developing a system to provide alternative education to children ages 6 – 12 who are out of school. See U.S. Embassy- Manila, unclassified telegram no. 4653.

\textsuperscript{3539} Republic of the Philippines - Asian Development Bank Poverty Partnership Agreement, signed in Manila, the Philippines, October 10, 2001 [cited September 2, 02]; available from http://www.adb.org/Documents/Poverty/pa_phi.pdf.


\textsuperscript{3542} The funds are available for private institutions providing technical education to borrow in order to improve services. See ADB, \textit{Fund for Technical Education and Skills Development (LOAN: PHI 23229-02)}, November 29, 2000 [cited June 25, 2003]; available from http://www.adb.org/Documents/Profiles/LOAN/23229023.ASP.


While other children work in informal footwear production, drug trafficking, pyrotechnics production, deep-sea fishing, mining, and quarrying. Children living on the streets engage in informal labor activities such as scavenging or begging. Children are also engaged in domestic service and are involved in the commercial sex industry, including the use of children in the production of pornography and the exploitation of children by sex tourists. Children are reportedly trafficked internally for purposes of commercial sexual exploitation and labor. There are no reports of child soldiers in the government armed forces, but children under the age of 18 are used as soldiers in paramilitary and armed opposition groups such as the Moro Islamic Liberation Front, the Abu Sayyaf Group and the New People’s Army.

The Philippine Constitution mandates six years of compulsory primary education for children, and Republic Act No. 6655 provides for a free secondary education. The Governance of Basic Education Act (Republic Act No. 9155) of 2001 formalized the structure of the Department of Education and outlined the roles and responsibilities of the national, regional and local levels of the administration. The Act also aims to improve the local relevance of education by expanding input into the system. Primary and secondary schooling is free, although families must cover related costs such as transportation and supplies. In 2000, the gross primary enrollment rate was 112.6 percent. The 2000 net primary enrollment rate was 92.7 percent, with 93.4 percent of girls enrolled versus 92.1 percent for boys. The primary attendance rate in 1999 was approximately 86 percent. Many children who enroll in school fail to complete the year, with a 67.1 percent of children who enrolled in school completing the year in 2000.


Children manufacturing footwear from home are exposed to dangerous glue and kerosene fumes, and are at risk of hurting their fingers with the tools used. See Department of Labor and Employment: Occupational Safety and Health Center, Consolidated Report 1998/1999, Manila, 19-21.


ILO-IPEC, Supporting the Time-Bound Program, project document, 4-5.


World Bank, World Development Indicators 2003 [CD-ROM], Washington, D.C., 2003. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.


Child Labor Laws and Enforcement

Republic Act No. 7658 of 1993 and the Labor Code of 1993 prohibit the employment of children under the age of 15, except when working directly with a parent and when the work does not interfere with schooling.\(^{3563}\) Additionally, it is permissible for a child to work as an apprentice at age 14.\(^{3564}\) In December 2003, Republic Act 9231 was signed into law, creating measures to prevent the worst forms of child labor. Specifically, the new law prohibits the employment of children below 15 years of age, unless the Department of Labor grants a special permit. Other landmark features of the bill include limiting the number of working hours for children, formal administration of working children’s income, initiating trust funds to preserve a portion of working children’s income, and guaranteeing access to education and training for working children. Also known as the Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Strong Protection for the Working Child, the act effectively codifies in domestic law the provisions of ILO Convention 182.\(^{3565}\)

In addition to setting the minimum age for work, the Labor Code gives the Secretary of Labor and Employment the authority to limit working hours for children ages 15 to 18 years, and prohibits hazardous work for children less than 18 years of age.\(^{3566}\) The Department of Labor and Employment’s Order No. 4 of 1999 includes in the definition of “hazardous work” the handling of dangerous substances, work hazardous to morals, work that entails exposure to extreme elements of cold, heat, noise, or pressure, and work that is hazardous by its nature.\(^{3567}\) Policy Instruction No. 23 of 1977 prohibits night work for children under the age of 16 years from 6 p.m. to 6 a.m. and forbids children ages 16 to 18 years from working after 10 p.m.\(^{3568}\)

A new counter-trafficking law, Republic Act No. 9208, was also enacted in May 2003.\(^{3569}\) The law criminalizes trafficking for the purposes of exploitation, including trafficking under the guise of arranged marriage, sex tourism, prostitution, pornography, or the recruitment of children into armed conflict.\(^{3570}\) The Act considers the trafficking of children as “qualified,” and sets out higher penalties of life imprisonment and a fine of two million to five million pesos.\(^{3571}\) Those who use the services of trafficked persons are also liable under the law to penalties of 15 years imprisonment and a fine of 500,000 to 1 million pesos.\(^{3572}\) The law also sets out additional penalties for gov-
ernment employees breaking the law, and mandates immediate deportation of foreign offenders following the completion of the sentence.\textsuperscript{3573} Slavery and forced labor are prohibited under Articles 272 and 274 of the Revised Penal Code,\textsuperscript{3574} and the Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act protects children under 18 years from all forms of abuse, cruelty and exploitation and prohibits child prostitution and child trafficking.\textsuperscript{3575} The Revised Penal code also prohibits engaging in, profiting from or soliciting prostitution.\textsuperscript{3576}

The DOLE is responsible for enforcing child labor laws through the labor standards enforcement offices.\textsuperscript{3577} The government has also begun institutionalizing a computer database on children identified as child laborers that includes their needs and identifies appropriate assistance.\textsuperscript{3578} However, child labor enforcement is reportedly weak due to a lack of resources, inadequate judicial infrastructure, low rates of convictions, and legislative shortcomings such as absence of coverage in the informal sector.\textsuperscript{3579} The National Bureau of Intelligence, the Bureau of Immigration and Detention, and the PNP Criminal Investigation and Detection Group are tasked with counter-trafficking.\textsuperscript{3580}

The Government of the Philippines ratified ILO Convention 138 on June 4, 1998, and ILO Convention 182 on November 28, 2000.\textsuperscript{3581}

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\textsuperscript{3573} Ibid., Section 6, 10. The Government has a joint agreement with Malaysia and Indonesia to combat transnational crime, including trafficking in persons. See U.S. Department of State, \textit{Trafficking in Persons Report 2003- Philippines}.

\textsuperscript{3574} Revised Penal Code, as cited in The Protection Project Legal Library, [database online], Act No. 3815; available from http://209.190.246.239/protectionproject/statutesPDF/Philippines.pdf.


\textsuperscript{3576} Revised Penal Code, Articles 202, 341.

\textsuperscript{3577} DOLE maintains inspection statistics that reflect a steady decline in violations of child labor laws from 1997 – 2001. See U.S. Embassy- Manila, \textit{unclassified telegram no. 5729}. In 2002, only 34 children below the age of 18 were identified, through inspections of 39, 811 establishments, of whom 5 were working in hazardous conditions. The total is up slightly from 26 children identified in 2001. See U.S. Embassy- Manila, \textit{unclassified telegram no. 4653}.

\textsuperscript{3578} U.S. Embassy- Manila, \textit{unclassified telegram no. 4653}.


Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In January 2000, the Government of Poland created an Ombudsman for Children’s Rights to guard the rights of children as provided in the Constitution, the Convention on the Rights of the Child and national laws. These rights include the defense against violence, cruelty, exploitation, and actions that undermine a child’s moral sense. The Ombudsman has been active in a public information campaign on the hazards of children working in agriculture. The Ministry of Agriculture, Ministry of Education, State Labor Inspectorate and Roman Catholic Church are working together to increase awareness of the hazards of child labor in rural communities.

In September 2003, the Government of Poland approved a national plan to combat trafficking that coordinates the efforts of the government, the private sector, and NGOs. In cooperation with the Global Program Against Trafficking in Human Beings of the United Nations Office on Drugs and Crime, the government has also started a project against trafficking in persons. The project aims is to strengthen criminal justice responses to trafficking and to enhance the coordination among the criminal justice system, civil society, and other organizations to prevent trafficking and control the involvement of organized crime. An important component of the project is to provide direct services to victims and witnesses of trafficking. The government cooperates with INTERPOL to address the issue of trafficking and organized crime. The government also provided a public building to an NGO to use as a shelter for trafficking victims and gave another organization a grant to build a shelter. However, since the number of shelters remained inadequate, NGOs frequently resorted to impromptu arrangements to shelter victims. The law allows foreign victims with illegal status to remain in the country during the investigation and trial of their traffickers. During 2003, the government provided full assistance to three victims who cooperated in prosecutions.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Poland are unavailable. However, the State Labor Inspectorate reports an increase in the number of children working and an increase in labor violations by employers. Children have been found working in small businesses, factories and restaurants, and on farms. There are also reports that girls are trafficked to and from Poland for the purpose of sexual exploitation. Girls trafficked into the country are generally from the Eastern European region, and include countries such as Belarus, Bulgaria, Romania, Moldova, and Ukraine, and are disproportionately Turkish and Roma minorities. Other European countries, including Italy, Germany and the Czech Republic, tend to be destination states for children who

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3585 Ibid.
3590 Ibid., Section 6d.
are trafficked from Poland.\textsuperscript{3591} The commercial sexual exploitation of boys by males visiting from Denmark, Germany, and Sweden is an increasing concern.\textsuperscript{3592}

Education in Poland is compulsory to 18 years of age, and is free in public schools.\textsuperscript{3593} However, children living in rural areas and small towns are sometimes at a disadvantage when it comes to access to quality education.\textsuperscript{3594} In 2000, the gross primary enrollment rate was 99.6, and the net primary enrollment rate was 97.7 percent.\textsuperscript{3595} Primary school attendance rates are unavailable for Poland. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{3596}

**Child Labor Laws and Enforcement**

Article 190 of the Labor Code sets the minimum age of employment at 15 years.\textsuperscript{3597} Children 13 to 15 years of age may work under temporary, limited contracts with permission from their parents. Minors 15 to 18 years have wider employment possibilities, but they may only be employed upon completion of primary school and under non-hazardous work conditions.\textsuperscript{3598} Polish children below the age of 15 are banned from mining and most types of construction.\textsuperscript{3599} The Penal Code bans work by children under the age of 15 in the production of pornographic films.\textsuperscript{3600}

Polish law prohibits forced and bonded child labor.\textsuperscript{3601} Engaging in a sex act with a person under the age of 15 is a criminal offense in Poland, and carries a penalty of 1 to 10 years imprisonment. Leading an individual into prostitution by means of force, threat or by taking advantage of the dependence of a person is prohibited by Article 203 of the Criminal Code. Encouraging or promoting the prostitution of a person with the purpose of pecuniary gain is also considered criminal.\textsuperscript{3602} Penalties for trafficking or recruiting the prostitution of individuals can impose sentences up to 10 years imprisonment.\textsuperscript{3603}


\textsuperscript{3592} U.S. Embassy- Warsaw, unclassified telegram no. 3336, September 18, 2003.

\textsuperscript{3593} Constitution of Poland, Chapter 2, Article 70, Para. 1 and 2; available from http://www.sejm.gov.pl/english/konstytucja/kon1.htm.

\textsuperscript{3594} Tokarska-Biernacik, *Statement at the United Nations Special Session on Children*.


\textsuperscript{3596} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


\textsuperscript{3599} U.S. Embassy- Warsaw, unclassified telegram no. 4446.


\textsuperscript{3601} U.S. Department of State, *Country Reports- 2002: Poland*, Section 6c.


\textsuperscript{3603} U.S. Department of State, *Country Reports- 2002: Poland*, Section 6f.
The State Labor Inspectorate is responsible for all labor-related complaints, including those related to child labor, and inspectors receive training in handling child labor issues. In 2002, the State Labor Inspectorate conducted 1,450 investigations of underage employment, and levied fines that totaled 121,210 PLN (USD 32,000). Another 116 cases were sent to an administrative tribunal, which can levy steeper fines. During the 2001 harvest, the State Labor Inspectorate found 2,400 children involved in harvesting. Fifty-four percent of these children were working in unsafe and harmful conditions.


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3604 U.S. Embassy- Warsaw, unclassified telegram no. 4446.
3605 U.S. Embassy- Warsaw, unclassified telegram no. 3336.
Government Programs and Policies to Eliminate the Worst Forms of Child Labor

The Government of Romania became a member of ILO-IPEC in 2000. In that year, the government and ILO-IPEC established the National Action Program to Eliminate Child Labor. As part of the national program, child labor units were formed within the Ministry of Labor and Social Solidarity, the Labor Inspectorate, and the National Authority for Child Protection and Adoption. A National Advisory Group on Child Labor was established to mobilize and exchange information. Intersectoral County Teams responsible for developing plans to investigate and monitor the child labor situation were established in 18 counties. The government adopted the National Strategy for Child Protection for 2001-2004 and the Operational Plan for the Implementation of the Strategy, in which child laborers were recognized as a special target group. A National Plan of Action to Eliminate Child Labor was developed in June 2003 and a draft law to eliminate child labor is currently under consideration by the government. The National Institute of Statistics and Economic Studies began implementation of a national survey on child labor in 2000.

In 2001, the government established a National Task Force on Trafficking to coordinate efforts to prevent and combat the trafficking of persons, and an Inter-ministerial Committee on Trafficking of Human Beings. The government also approved a National Plan of Action Against Trafficking of Persons in 2001. The government

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3609 Members of the child labor units, police officers and labor inspectors have been trained on investigating and monitoring child labor activities. See ILO-IPEC, Midterm Review: Country Program on Child Labor in Romania, ROM/99/05/050, Bucharest, July 2001, Annex II, 2.1. The advisory group members include labor inspectors, teachers, social workers, trade unionists, employers and representatives from universities and NGOs. Members are activists and serve as resources on child labor matters. See ILO-IPEC, National Action for the Prevention and Elimination of Child Labor in Romania, technical progress report, ROM/99/05/050, Geneva, September 2002, 7.

3610 The teams include representatives of the Specialized Public Services for Child Protection, Territorial Labor Inspectorates, Country Police Inspectorates, School Inspectorates, NGOs, universities and others. See ILO-IPEC, National Action for the Prevention and Elimination of Child Labor in Romania, technical progress report, 7.


3613 Data collection was finalized in 2002 and results will be available in early 2004. See ILO-IPEC, Statistical Program for Advocacy on the Elimination of Child Labor and the Protection of Working Children in Romania, Technical Progress Report, ROM/99/05/060, Geneva, March 2003. See also ILO-IPEC, Statistical Program for Advocacy on the Elimination of Child Labor and the Protection of Working Children in Romania, Final Technical Report, Geneva, December 10, 2003, 2. Preliminary data indicates that, while the number of hours worked was generally low (almost 90 percent of child respondents worked less than three hours per day), a third of the children worked seven days a week. See ILO-IPEC, IPEC Romania at a Glance, 2000 - 2003, ILO, Bucharest, May 2003, 3-4. A USDOL-funded study of street children in Bucharest was carried out in cooperation with Save the Children Romania in 2000. The survey received technical assistance from ILO-IPEC’s SIMPOC as part of a project that conducted 38 rapid assessments of the worst forms of child labor in 19 countries and one border area. See Gabriela Alexandrescu, Romania: Working Street Children in Bucharest: A Rapid Assessment, ILO-IPEC, Geneva, March 2002; available from http://www.ilo.org/public/english/standards/ipec/simpoc/romania/ra/streetcld.pdf.

3614 The Committee includes representation from the Ministries of Interior, Justice, Education and Research, Labor and Social Solidarity, The Prosecutor’s Office, and international and local NGOs. The National Plan of Action focuses on law enforcement and legal reform, and includes activities and cooperation of all relevant government and NGO institutions in areas of research, prevention, awareness raising and assistance. See UNICEF, UNOHCHR, and OSCE-OHCHR, Trafficking in Human Beings in southeastern Europe, June 2002, 41-42.

provides space for a shelter for victims of trafficking, and works with international organizations and regional networks to implement anti-trafficking programs. The Southeast European Cooperative Initiative Center in Bucharest has undertaken regional technical cooperation activities related to law enforcement and trans-border police to combat trafficking. IOM is the most active international organization supporting trafficking prevention activities, and other organizations such as UNICEF, UNDP and local NGOs are also working to combat trafficking. Romania is part of an ILO-IPEC regional project funded by USDOL in September 2003 to combat child trafficking in the Balkan region.

The government operates a supplementary nutrition program to provide milk and bread for all children attending primary school, and provides school supplies to primary school children from low-income families. In 2003, the World Bank provided a USD 60 million loan to support the Rural Education Project that will improve teaching and learning in rural schools; improve school–community partnerships through a grants program; strengthen the capacity of the Ministry of Education and Research to monitor, evaluate and analyze policy; and strengthen the project’s management capacity. The World Bank has also provided a USD 70 million loan to support Romania’s efforts to rehabilitate schools in 41 districts and strengthen the capacity of educational authorities at the national and local level to maintain the public education infrastructure. The World Bank assisted the government in improving child welfare, including the reintegration of Bucharest street children into society. Since 2001, a portion of the Social Development Fund Project specifically is aimed to give grants to fund community-based social services in poor, rural areas for disadvantaged children such as orphans and abandoned children, and for shelters for street children.

3616 The Ministry of Interior provided the shelter space in November 2001, IOM funded the refurbishment of the shelter and a local NGO, Estuar Foundation, manages the premises. See UNICEF, UNOCHR, and OSCE-ODIHR, Trafficking in Human Beings, 46.

3617 Ibid., 49. SECI member states include Albania, Bosnia-Herzegovina, Greece, Moldavia, FYR of Macedonia, Hungary, Bulgaria, Croatia, Turkey, Slovenia and Romania. See Permanent Mission of Romania to the United Nations Office, Progress Report on the Measures Taken.

3618 UNICEF, UNOCHR, and OSCE-ODIHR, Trafficking in Human Beings, 44-46. IOM’s Counter-trafficking Information Campaign launched in 2000 to raise awareness about the dangers of irregular migration and trafficking has reached more that 1.6 million persons nationwide. See Jean-Philippe Chauzy, Romania-Couter Trafficking Information Campaign Reaches some 1.6 million, [Press Briefing Notes], IOM, [online] April 2, 2002 [cited August 27, 2003]; available from http://www.iom.int/en/archive/PBN020402.shtml. The Ministry of Education and Research, Ministry of Interior, and the Roman Orthodox Church work with the IOM in conjunction with other local NGOs to prevent trafficking and protect and reintegrate victims, especially girls and young women. See IOM, Counter-Trafficking CT, 2000-2001 Program of Assistance to Victims of Trafficking in Human Beings and Prevention of Trafficking in Human Beings in Romania, [online] 2001 [cited July 22, 2003]; available from http://www.oim.ro/en/trafic_stat.php. The IOM also works with the Ministry of Interior in the Czech Republic and Save the Children Romania to provide support to a center where information to prevent irregular migration of children. See IOM, Support to the Child Center in Bucharest and Prevention of Irregular Migration in Minors (CCB), [database online] [cited October 10, 2003]; available from http://www.iom.int/iomwebsite/Project/SerfletSearchProject?event=detail&id=RO1Z015.

3619 ILO-IPEC, Combating Trafficking in Children for Labor and Sexual Exploitation in the Balkans and Ukraine, project document, RER/03/P50/USA, September 2003.


3625 This is funded through a USD 20 million loan from the World Bank. See Ibid.
Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Romania are unavailable. However, children from the Roma community appear to be particularly at risk, where activities of begging and peddling on the street, and washing car windshields are prevalent. The majority of children work in agriculture, with fewer children working in trade and/or services, and outside the family home. In 2000, the NACPA estimated that there were 2,500 to 3,500 street children. According to a study on street children in Bucharest, 62.7 percent of those interviewed dropped out of school. Street children are found begging, washing and parking cars, selling merchandise, performing household work, collecting waste products, loading and unloading merchandise, stealing, and engaging in prostitution. It is estimated that about 30 percent of sex workers in Bucharest are under 18 years of age. There are indications that Romanian teenage boys are involved in the sex trade in the countries of Western Europe. Romania is a country of origin and transit for internationally trafficked women and girls from Moldova and Ukraine to Bosnia, Serbia, Macedonia, Kosovo, Albania, Greece, Italy, and Turkey for the purpose of sexual exploitation. Girls as young as 14 have been trafficked. The majority of trafficking cases in which IOM has assisted involve victims who were trafficked to the Balkans. Forty-six percent of these victims originated from the Moldova region of Romania.

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3628 A 1997 survey by Save the Children Romania revealed that among children living with their families, 8.3 percent of children who attend primary school also work, primarily in agriculture along with their parents. See Save the Children Romania, Child Labor in Romania, 1997, 1.


3630 One-hundred and fifty children were interviewed. See Alexandrescu, Romania: Working Street Children, 27-29.

3631 Ibid., 27-28.

3632 UNICEF, UNOHCHR, and OSCE-ODIHR, Trafficking in Human Beings, 38.

3633 Ibid.


3635 Of 401 cases of trafficked victims receiving assistance from IOM between January 2000 and December 2001, 83 were children between the ages of 15 and 17 years, and six were 14 years old or younger. See IOM, Counter-Trafficking CT. See also Permanent Mission of Romania to the United Nations Office, Progress Report on the Measures Taken.

3636 IOM has assisted both women and girls who had been trafficked. Between January 2000 and December 2001, 29 percent were returned to Romania from Bosnia-Herzegovina, 26 percent from FYR Macedonia, 17 percent from Albania, 14 percent from Kosovo, 6 percent from Italy and other countries, and 2 percent from Cambodia. See IOM, Counter-Trafficking CT.
The Constitution states that children have a right to a free public education.\textsuperscript{3638} The Education Law No. 84/1995 was modified in June 2003 to increase compulsory education to ten years.\textsuperscript{3639} Article 20 of the Education Law stipulates that there is a possibility to organize special classes for children who have not finished the first 4 grades by the age of 14.\textsuperscript{3640} In 2000, the gross primary enrollment rate was 98.8 percent, and the net primary enrollment rate was 92.8 percent.\textsuperscript{3641} There is indication that the dropout rate has decreased since 1997.\textsuperscript{3642} Attendance rates for Romania are not available. While enrollments rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{3643} School participation is significantly lower among ethnic Roma children.\textsuperscript{3644}

**Child Labor Laws and Enforcement**

The Constitution sets the minimum age of employment at 15 years, and the exploitation and employment of children in activities that might be physically or morally unhealthy or put their lives or normal development at risk are prohibited.\textsuperscript{3645} However, the new Labor Code that established the minimum age for employment as 16 years came into force in March 2003.\textsuperscript{3646} Young persons aged 15 can be employed with the consent of their parents or legal guardian on the condition that the work performed is in accordance with their health and abilities and does not interfere with their education.\textsuperscript{3647} According to Article 155 of the General Norms of Labor Protection, children under the age of 16 cannot be used for loading, unloading, and handling operations.\textsuperscript{3648} Children employed under the age of 18 may not be placed in hazardous work places and may not be made to work at night or beyond the legal duration of a working day (8 hours) except in emergencies.\textsuperscript{3649} The Constitution prohibits forced labor.\textsuperscript{3650}

\begin{footnotesize}
\textsuperscript{3638} Constitution of Romania, (December 8, 1991); available from http://www.oefre.unibe.ch/law/icl/ro00000_.html. However, fees are charged for schoolbooks after grade eight, making it difficult for children from low-income families to attend school. See U.S. Department of State, *Country Reports- 2002: Romania*, Section 5.


\textsuperscript{3643} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

\textsuperscript{3644} The Roma constitute a large ethnic minority in Romania. The school enrollment rate for Roma children from age 7 to 16 years was 67.4 percent. The temporary drop out rate was 13.5 percent and those not enrolled in school was 19.1 percent. This data was derived by the from information collected by the National Commission for Statistics for school year 1996 and 1997. See Sorin Cace and Ioan Marginean, *Roma Working Children and their Families: Socio-Cultural Characteristics and Living Conditions*, ILO-IPEC, UNICEF, ECHOSOC Foundation, Ministry of National Education and Research, 2002, 7-8.

\textsuperscript{3645} Constitution of Romania, Article 45 (3) and (4).


\textsuperscript{3648} Government of Romania: Ministry of Labor and Social Solidarity Labor Inspection, *National Legislation on Child Labor*.


\textsuperscript{3650} Constitution of Romania, Article 39 (1).
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Article 19 of the Labor Code\textsuperscript{3651} and Article 191 of the Criminal Code punish forcing an individual to work against their will with 6 months to 3 years imprisonment.\textsuperscript{3652}

Article 191 of the Criminal Code outlaws the act of submitting a person to labor against his or her will, outlaws mandatory labor, and prohibits individuals from prostituting children.\textsuperscript{3653} Law No. 678/2001 on preventing and combating trafficking in human beings protects children under the age of 19 years from being trafficked and applies more severe punishments when the child is under 15 years of age.\textsuperscript{3654} Article 18 of Law 678 also criminalizes child pornography.\textsuperscript{3655} During 2002, a total of 420 people were under investigation for suspected trafficking of humans. As of early December 2002, 164 suspects had been arrested.\textsuperscript{3656}

Enforcement of labor laws that protect children falls under the mandate of the MLSS' Labor Inspectorate (established under Law No. 108/1999).\textsuperscript{3657} The MLSS, the Ministry of Health and Family, the Ministry of Education and Research, and the NACPA are responsible for supervising the observance of norms regarding child protection.\textsuperscript{3658} According to government authorities, from January to June 2003, there were no cases of illegal or dangerous child labor identified.\textsuperscript{3659}

The Government of Romania ratified ILO Convention 138 on November 19, 1975, and ILO Convention 182 on December 13, 2000.\textsuperscript{3660}


\textsuperscript{3652} See the Criminal Code as cited in National Agency for the Protection of Children's Rights on the Romanian Government, \textit{Romania's Periodic Progress Report}, Section 8.3.

\textsuperscript{3653} Ibid.

\textsuperscript{3654} Trafficking of children ages 15 through 18 years carries a prison term of 3 to 12 years; for 2 or more victims, in cases where a victim suffers serious bodily harm, or if the victim is below the age of 15, penalties increase to 5-15 years. If a minor was coercively trafficked, an additional two years of prison time can be added. However, as of December 2002 the government had established no implementing regulations for the law. See U.S. Department of State, \textit{Country Reports- 2002: Romania}, Section 6f. See also Permanent Mission of Romania to the United Nations Office, \textit{Progress Report on the Measures Taken}, 2.

\textsuperscript{3655} Eric Barboriak, electronic communication to USDOL official, May 2, 2002. Traffickers can be prosecuted under the relevant provisions of the Law 678/2001 (article 12 and 13) and under the Criminal Code (Articles 328, 329, 189, 190, 197, 198, 201, 202, and 203). See Permanent Mission of Romania to the United Nations Office, \textit{Progress Report on the Measures Taken}.

\textsuperscript{3656} U.S. Department of State, \textit{Country Reports- 2002: Romania}, Section 6f.


\textsuperscript{3659} U.S. Embassy- Bucharest, unclassified telegram no. 2723.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Russia is an associated member of ILO-IPEC. The Government of Russia has also supported the development of ILO-IPEC working papers on the situation of working street children in St. Petersburg and Moscow. In 2003, ILO-IPEC began to develop a model rehabilitation project for working street children in the Leningrad region, and to work with the government to establish a regional child labor working group. The Ministry of Labor and Social Development is working with UNICEF to establish a number of regional child rights ombudsmen. USAID also assists the government in efforts to prevent child abandonment and strengthen community services for children in the regions of Tomsk, Khabarovsk, and Magadan.

In 2002, President Vladimir Putin called for immediate measures to address the problem of working street children. In response, the Ministry of Labor established a hotline for reporting cases of child abuse, including the problem of street children. In August of the same year, the government initiated a 4-year USD 200 million “Children of Russia” program to improve child welfare, among other goals. The program has expanded the number of institutions serving orphans, street children, and children and families at risk throughout the country. Also in 2002, the Governor of St. Petersburg, a trade union federation, and employers signed an agreement aimed at eliminating the worst forms of child labor.

3662 U.S. Consulate- St. Petersburg, unclassified telegram no. 1504, July 17, 2002.
3663 The action committee consists of trade union, police, academic, employer, religious and other NGO representatives. See Ibid. The project has also established teacher training in schools with high dropout rates, directed families with at-risk children to existing services, and provided rehabilitation to young girls living on the street and food, health care, and other necessities to street children. See U.S. Embassy- Moscow, unclassified telegram no. 15215, October 2002.
3664 U.S. Embassy- Moscow, unclassified telegram no. 15120.
3666 U.S. Embassy- Moscow, unclassified telegram no. 15120.
3667 Such positions have been established in the cities of Moscow, St. Petersburg, and Yekaterinburg, and in the regions of Arzamas, Volkskiy, Novgorod, Chechnya, Ivanovo, and Volgograd. Ombudsmen only have the authority to request enforcement actions from government agencies. See U.S. Department of State, Country Reports on Human Rights Practices- 2002: Russia, Washington, D.C., March 31, 2003, Section 5; available from http://www.state.gov/g/drl/rls/hrrpt/2002/18388pf.htm.
3668 U.S. Embassy- Moscow, unclassified telegram no. 15120.
3669 U.S. Embassy- Moscow, unclassified telegram no. 15215. See also U.S. Embassy- Moscow, unclassified telegram no. 15120.
3670 The program also aims to improve children’s health and prevent juvenile crime. See U.S. Embassy- Moscow, unclassified telegram no. 15215.
3671 The Ministry of Labor estimates, however, that thousands more centers are necessary to meet the demand for services. See U.S. Embassy- Moscow, unclassified telegram no. 15120.
3672 U.S. Embassy- Moscow, unclassified telegram no. 15215.
The government has developed a National Plan of Action on children's rights, and has a federal commission headed by the Minister of Labor and Social Development that focuses on child labor and education issues. Some regional governments, particularly Samara and Novgorod, have given priority to providing assistance to abandoned children, while other regions, such as Primorskiy Kray, have chronically under-funded children's programs. The government has engaged in various awareness-raising efforts on the problem of trafficking, and has begun a project to develop a regional commission against trafficking and to establish a center to assist victims.

In 1997, the World Bank provided a loan to the Russian government for a 7-year project to improve the quality of social science education, strengthen school management, and increase textbook quality and availability in secondary schools. In 2001, the government received World Bank financing for an Education Reform Project to improve general and vocational education and to enhance public educational spending.

**Incidence and Nature of Child Labor**

Recent statistics on the number of working children under the age of 15 in Russia are unavailable. Reports indicate, however, that child labor is a problem in the informal sector. The breakup of the Soviet Union and the transition to a market economy have increased poverty levels in Russia, and in 2002, the World Bank reported that children had a higher poverty rate than the population as a whole. Economic downturn, the deterioration of social services, and the erosion of family protections have led to an increase in the number of street children in the country. Estimates of the number of street children range from 100,000 to 150,000, with possibly 3 million additional children at risk of living on the streets. Experts surveyed by ILO-IPEC in 2001 generally agreed that...
there were between 30,000 and 50,000 street children in Moscow. Children work in informal retail services, perform apprenticeships in small shops, sell goods on the street, wash cars, deliver goods, and collect trash. Children in Russia are engaged in prostitution and pornography. Children are trafficked for sexual exploitation from Russia to various countries, including China, and are trafficked internally generally from rural to urban areas. There are reports that rebel forces in Chechnya recruit and use child soldiers.

Primary education is free until age 15, but the Law on Education allows a child to finish school at the age of 14 with parental and government approval. Most families pay additional fees for books and school supplies. There are no primary school enrollment or attendance rates available for Russia.

Child Labor Laws and Enforcement

The Labor Code sets the minimum age for regular employment at 16 years and regulates the working conditions of children under 18, including bans on overtime, hazardous work, and night work. Children may work at ages 14 and 15 with parental approval, as long as such work does not threaten their health and welfare. The Constitution prohibits forced labor. Articles 132-135 of the Criminal Code prohibit forcing a minor under the age of 14 to engage in sex or any acts of perversion, while Article 151 of the Code prohibits involvement of a minor in prostitution. Although there are no specific legal provisions concerning child pornography, Article

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3684 ILO-IPEC, Analysis of the Situation of Working Street Children in Moscow, 21.
3685 Ibid., 36.
3687 U.S. Department of State, Country Reports- 2002: Russia, Section 6f. See also Hughes, Trafficking for Sexual Exploitation, 24.
3688 U.S. Department of State, Trafficking in Persons Report- Russia. See also U.S. Department of State, Country Reports- 2002: Russia, Section 6f.
3689 Hughes, Trafficking for Sexual Exploitation, 17. See also U.S. Department of State, Trafficking in Persons Report- Russia.
3690 Coalition to Stop the Use of Child Soldiers, Child Soldiers 1379 Report, London, November 2002, 76; available from http://www.child-soldiers.org/cs/childsoldiers.nsf/6be02e73d9bcb8f90256a4d005580ff/6c0b792d962c64c80256c09004b0797?OpenDocument. See also UN Committee on the Rights of the Child, Concluding Observations, para. 56.
3691 Although no law exists to make education compulsory, the Constitution holds parents responsible for ensuring their children receive basic education. See U.S. Embassy- Moscow, unclassified telegram no. 15215.
3692 Ibid.
3693 Overall school enrollment is reportedly high, but truancy is a growing problem in poorer regions of the country. See Ibid.
3694 Labor Code, (February 1, 2002), Article 63.
3696 U.S. Department of State, Country Reports- 2002: Russia, Section 6d.
3698 U.S. Department of State official, electronic communication to USDOL official, October 19, 2003. See also U.S. Embassy- Moscow, unclassified telegram no. 15215.
135 has been used to prosecute child pornographers.\textsuperscript{3700} There are no laws specifically prohibiting trafficking in persons,\textsuperscript{3701} although articles of the Criminal Code may be used to prosecute traffickers.\textsuperscript{3702}

The Ministry of Labor and Social Development and the Ministry of Interior are responsible for the enforcement of child labor laws, but fail to do so effectively.\textsuperscript{3703} The Ministry of Labor reported that 12,000 child labor violations were registered in 2001,\textsuperscript{3704} and that 36 children died in work-related accidents in 2002.\textsuperscript{3705} The government has successfully prosecuted criminals engaged in the production and distribution of child pornography.\textsuperscript{3706} Furthermore, the police attempt to address the issue of street children. In 2001, for example, 253,000 parents were cited for leaving children unsupervised. Some of these children were returned to their families and provided assistance from social workers, while in other cases parents were denied custody or criminal charges were filed against parents.\textsuperscript{3707}

The Government of Russia ratified ILO Convention 138 on May 3, 1979, and ILO Convention 182 on March 25, 2003.\textsuperscript{3708}

\textsuperscript{3700} U.S. Embassy- Moscow, unclassified telegram no. 15215.  
\textsuperscript{3702} U.S. Embassy- Moscow, unclassified telegram no. 15215.  
\textsuperscript{3703} U.S. Department of State, \textit{Country Reports- 2002: Russia}, Section 6d.  
\textsuperscript{3704} Ibid.  
\textsuperscript{3705} U.S. Embassy- Moscow, unclassified telegram no. 15120.  
\textsuperscript{3706} The U.S. Department of State provided assistance in these efforts. See Ibid.  
\textsuperscript{3707} Ibid.  
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Rwanda is an associated country with ILO-IPEC and is one of seven countries participating in a USDOL-funded ILO-IPEC program to prevent the involvement of children in armed conflicts and support the rehabilitation of former child soldiers. In August 2001, UNICEF, along with the International Committee for the Red Cross, the World Food Program, the International Rescue Committee, and Save the Children (UK), set up a rehabilitation center to care for, rehabilitate and reintegrate former child soldiers in Rwanda, which now also serves street children. The Ministry for Local Administration, Information and Social Affairs has opened safe houses for street children in each of the 12 provinces. The government is also in the process of training its soldiers on child rights, and assists street children to receive vocational education. The government has established a list of the worst forms of child labor in Rwanda, and UNICEF is working with the government to address some of these worst forms.

In April 2003, the government effectively eliminated primary school fees by agreeing to provide grants to all primary schools. However, by year’s end, only some districts had benefited from these grants. In 2000, Rwanda’s Ministry of Education, in conjunction with the World Bank, initiated a 6-year, USD 35 million program to build capacity in the education sector. The program includes school construction and components designed to increase access to primary schools, enhance the quality of education, improve teacher training and curriculum development, provide more textbooks, and strengthen the administration of and community involvement in the educational system. Since 1999, USAID has supported Rwandan girls to continue their secondary school education through the Ambassador’s Girls Scholarship Program. UNICEF, in cooperation with other donors, is supporting the establishment of the government’s National Education Statistical Information System, which will


3712 U.S. Embassy- Kigali, unclassified telegram no. 1473.


3714 This is a requirement upon ratification of ILO Convention 182. The list includes domestic work outside the family; agricultural work on specified plantations; work in brickyards and quarries; stone crushing and commercial sex. The list is contained in the 2003 Plan of Action Report by the Ministry of Labor and Public Service. See U.S. Embassy- Kigali, *unclassified telegram no. 1473*.

3715 This fulfills stipulations in the Law Relating to Rights and Protection of the Child Against Violence of 2001, which made primary schooling compulsory and free. See Ibid.


facilitate data collection. UNICEF also works to facilitate achievement of universal quality primary education, and has established a national Education For All committee that has taken up the issue of girls’ education. The British Department for International Development also supports teacher training by the Kigali Institute of Education for Distance Learning. The World Food Program, in collaboration with the Ministry of Gender and Family Promotion, supported children in 200 schools in five provinces by providing food for them at school.

**Incidence and Nature of Child Labor**

In 2001, the ILO estimated that 41.3 percent of children ages 10 to 14 years in Rwanda were working. Most children work in the agricultural sector. Many Rwandan children are particularly vulnerable to exploitation because they either live in child-headed households or live on the streets. UNICEF utilizes estimates of 300,000 children living in 65,000 child-headed households, and an additional 7,000 street children in Rwanda. Both children in child-headed households, and children living on the streets tend to lack access to education and basic health care, and households headed by girls are even more vulnerable. Street children often participate in the informal economy as garbage collectors, vendors, or porters. Children are exploited as domestic workers, and often cannot attend school.

Commercial sexual exploitation of children is also a problem. A study by the Ministry of Labor and UNICEF estimated that 2,140 children are engaged in prostitution in urban areas. Children are trafficked internally in small numbers for the purposes of commercial sexual exploitation or labor. While the Government of Rwanda no longer recruits children for the official Rwanda Defense Forces (RDF, formerly the Rwanda Patriotic Army, or RPA), Rwandan children had been deployed as soldiers in several regional conflicts under the RPA, volunteer ci-

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3727 Ibid., 62-64.

3728 Some of these children were taken in by foster families, and given room and board but expected to perform domestic labor for the family. Ibid., 49-50.

3729 Integrated Regional Information Networks, “Rwanda: Interview”. Although the ages of these children are not known, the total population of children ages 10 to 14 in Rwanda in 2001 (the year the above statistic was collected) was slightly greater than 1,010,500. See U.S. Bureau of the Census, *International Data Base*, [database online] 2003 [cited December 23, 2003].

vilian militias called the Local Defense Forces, and armed groups opposing the Government of Rwanda. Since Rwanda’s official withdrawal from the conflict in the Democratic Republic of the Congo (DRC) in October 2002, Rwanda-supported rebel groups engaged in combat against the Governments of the DRC and Burundi have continued to recruit child soldiers. Children have also been abducted by Rwandan-supported Congolese militia to serve as combatants, perform forced labor, or for sexual exploitation.

Primary education in Rwanda is compulsory from the ages of 7 to 12 years. Although the government announced in 2003 that primary school would be free, many families had to pay fees to enroll their children in school. These fees are waived for orphans, however. Additional costs include purchasing uniforms, school supplies, and possible contributions to the school to cover repairs or teachers’ expenses. In 2000, the gross primary enrollment rate was 118.6 percent, and the 1999 net primary enrollment rate was 97.3 percent. Primary school attendance rates are unavailable for Rwanda. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. According to UNICEF, access to quality, equitable education is either limited or non-existent for a number of Rwanda’s children. Public schools lack basic supplies and cannot accommodate all primary age school children, and private schools are inaccessible or too costly for the majority of the population. In 2001, of the children who enter the first grade, 75.5 percent were reported to reach the fifth grade. There is a high dropout and repetition rate among primary school children. Very few Rwandan children enroll in secondary school. Attendance rates are not available for Rwanda. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.


3736 Human Rights Watch, Lasting Wounds, 51.

3737 World Bank, World Development Indicators 2003. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.

3738 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


3742 Human Rights Watch, Lasting Wounds, 50–51.

3743 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
Child Labor Laws and Enforcement

The Labor Code establishes the minimum age of employment at 16 years. However, the Minister of Labor can make exceptions for children aged 14 to 16, depending on the child’s circumstances. Article 11 of the Labor Code also requires permission from someone with parental authority for children ages 14 to 16 to work. Children under 16 are prohibited from night work or any work deemed hazardous or difficult, as determined by the Minister of Labor. Forced labor is prohibited by Article 4 of the Labor Code. Under Article 374 of the Criminal Code, trafficking for the purposes of sexual exploitation is an aggravated offense, with a doubled penalty for delivering a minor into prostitution upon entering or exiting the country. Law No. 27/2001, Relating to the Rights and Protection of the Child Against Violence, sets the legal age of military service at 18. The Ministry of Public Service and Labor and the Ministry of Local Government do not effectively enforce child labor laws.


3745 Night work is defined by Article 60 as work between 7 p.m. and 5 a.m.; children also must have a rest period of at least 12 hours between work engagements, per Article 63. See Ibid., Articles 11, 60-66.
3746 Ibid., Article 4.
3748 The law was passed in April 2001, and entered into force in 2002. However, it apparently does not apply to government-organized civilian militia. See Human Rights Watch, Lasting Wounds, 16.
3749 U.S. Department of State, Country Reports- 2002: Rwanda, Section 6d.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1999, Government of St. Kitts and Nevis officials participated in the ILO Tripartite Meeting on the Worst Forms of Child Labor. The Government of St. Kitts and Nevis is working to improve primary education through construction and expansion of school buildings, revision of the primary curriculum, and by funding textbooks and paying school fees for students’ external examinations. In 1998, a Teacher Resource Center was established, and primary school children now receive a hot lunch. Also in 1998, public expenditures on primary education were 36.7 percent of total public expenditures on education and 1.7 percent of GNP.

Incidence and Nature of Child Labor

Statistics on the number of working children in St. Kitts and Nevis are unavailable, and limited information is available on the incidence and nature of child labor. Children work in agriculture and domestic service, usually to help their families. Children may also be involved in the distribution of drugs, pornography and prostitution. As of 2002, no cases of forced or bonded child labor had been reported.

Education is free and compulsory between the ages of 5 and 16 years. In 1997 to 1998, the gross primary enrollment rate was 97.6 percent, and the net primary enrollment was 88.6 percent. Attendance rates are not always reflect children’s participation in school. Primary schools suffer from a high dropout rate and poor reading ability for males, high truancy, lack of relevant learning material, an insufficient number of trained and qualified teachers, and teaching methods that are exclusively exam oriented.

Child Labor Laws and Enforcement

The 1966 Employment of Children Ordinance and the Employment of Women, Young Persons, and Children Act were both amended to set the minimum legal working age at 16 years. The Employment of Children Ordinances and the Employment of Women, Young Persons, and Children Acts both set the minimum legal working age at 16 years.

3753 Ibid.
3754 Ibid.
3756 U.S. Embassy- Bridgetown, unclassified telegram no. 1791.
3757 Ibid.
3758 Ibid.
3762 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
nance also outlaws slavery, servitude and forced labor. The Constitution prohibits slavery, servitude and forced labor.

The Department of Labor in St. Kitts and Nevis is responsible for investigating child labor complaints. The Labor Ministry relies on school truancy officers and its community affairs division to monitor compliance with child labor provisions.


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3763 Ibid.


3765 U.S. Embassy- Bridgetown, unclassified telegram no. 1791. See also U.S. Department of State, Country Reports- 2002: St. Kitts and Nevis, Section 6d.

3766 U.S. Department of State, Country Reports- 2002: St. Kitts and Nevis, Section 6d.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of St. Lucia has given high priority to bettering educational opportunities for its children and supports programs such as subsidized meals in a number of schools and building new schools. From 1995 to 2000, the government undertook a Basic Education Reform Project with support from the World Bank to increase the efficiency and effectiveness of the education system, and enhance access to educational opportunities.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Saint Lucia are unavailable. Children are found working in rural areas, where they help harvest bananas on family farms. Children also work in urban food stalls and as street traders during non-school and festival days. The sexual exploitation of children is a growing problem in Saint Lucia, but there is still very little information available on the issue.

Education in St. Lucia is compulsory between the ages of 5 and 15 years, but registration fees are required. In 2000, the World Bank estimated that the gross primary school enrollment rate was 112.4 percent, and the net primary school enrollment was 99.9 percent. Attendance rates are not available for Saint Lucia. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.

Only about one-third of primary school children continue on to secondary school.

Child Labor Laws and Enforcement

The Employment of Women, Young Persons and Children Law sets 14 years as the minimum age for employment, 18 years in industrial settings, and prohibits night work for children under 16 years. The Education Act of 1999 sets the minimum age for employment at 16 years during the school year. The Constitution prohibits slavery, servitude, or forced labor, except for labor required by law, court order, military service, or public emergency. The Criminal Code bans the procurement of women and girls for prostitution, as well as the abduction

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3770 U.S. Department of State, Country Reports- 2002: Saint Lucia, Section 6d.
3771 Felicia Robinson, Saint Lucia Report to the Regional Congress, Ministry of Health, Human Services and Family Affairs and Gender Relations; available from http://www.iin.oea.org/ST_LUCIA_ing.PDF.
3774 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
3776 The government recognizes that the age for the end of compulsory schooling does not correspond with the minimum age for employment, and has drafted a revision to the Labor Code to address this by increasing the minimum age for employment to 16 years. See Ibid., Section 6d. ILO reports that the government has drafted legislation to increase the minimum age of employment to 15 years. See ILO, Review of Annual Reports under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, GB.283/3/1, Geneva, March 2002, 23, para. 120.
3777 Employment of Women, Young Persons and Children Act, 136.
3778 Government of Saint Lucia, Education Act, Articles 27 and 47.
3779 Constitution of Saint Lucia, 1978, (February 22, 1979), Section 4; available from http://www.georgetown.edu/pdba/Constitutions/Lucia/Luc78.html.
of any female for the purpose of forced sexual relations. Procurement is punishable with imprisonment for 2 years, and abduction for the purpose of sexual relations is punishable with imprisonment for 14 years. There are no laws that specifically address trafficking in persons. Hazardous work is not defined in a single law, but is covered through a combination of legislation and regulations. The penalties for violation of child labor laws do not exceed USD 200 or 3 months imprisonment.

The Department of Labor of the Ministry of Labor Relations, Public Service, and Cooperatives is responsible for implementing statutes on child labor. There were no reports of violations of child labor laws, or of trafficking in persons in 2001.

St. Lucia has not ratified ILO Convention 138, but ratified ILO Convention 182 on December 6, 2000.

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3780 Criminal Code, as cited in The Protection Project Legal Library, [database online], Articles 103 and 225; available from http://209.190.246.239/protectionproject/statutesPDF/St.Lucia.pdf.
3781 Ibid., Articles 225 and 106.
3783 ILO, Review of Annual Reports, 25, para. 121.
3784 U.S. Embassy- Bridgetown, unclassified telegram no. 1792.
3785 U.S. Department of State, Country Reports- 2002: Saint Lucia, Sections 6d and 6f.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1998, the Government of Saint Vincent and the Grenadines, through its Department of Women's Affairs, produced and distributed a series of pamphlets to raise public awareness about the provisions of the Convention on the Rights of the Child. The government has also established a program to reintegrate street children into their families.

The Government of Saint Vincent and the Grenadines is in the process of completing construction of primary and secondary schools, completing computerization of all learning institutions, expanding the vocational training program at the school for children with special needs, and constructing a national library and library facilities at one primary school. The Ministry of Education, is participating in the implementation of the OECS Education Strategy, through which the OECS territories aim to improve their education systems. The government is also collaborating with UNICEF, UNESCO and other organizations to improve the level of educational services. School textbook and feeding programs aim to improve the participation rate of children at the primary level. The government also sponsors a Youth Empowerment Program as a supplement to secondary school which consists of an apprenticeship program for young adults interested in learning a trade.

Incidence and Nature of Child Labor

Statistics on the number of working children in St. Vincent and the Grenadines are unavailable. However, children are known to work on family-owned banana farms, mainly during harvest time, or in family-owned cottage industries. Some children are known to work in marijuana fields. Some parents have allowed their children, particularly adolescent girls, to become involved in commercial sexual exploitation in order to improve the economic situation of the family. Street children, and boys in particular, have been found to engage in sexual practices for payment. There were no official reports of people being trafficked in 2002.
Education at government primary schools is free, and the government is committed to providing free education to all its children within the next decade. Although the 1992 Education Act provides for compulsory education, it is not yet enforced. The government investigates cases in which children are withdrawn from school before the age of 16, but there is as much as 13 percent truancy among primary school children because of poverty, low quality of schools, and a perception that there are few jobs available after education is completed.

Entry into secondary school is dependent upon the student passing an examination. While most children complete primary school, there is a decrease in enrollment into secondary school as a result of the exams. Some children who do not pass the exams drop out of school and end up working in the marijuana fields. In 1998, the gross primary enrollment rate was estimated at 90.5 percent, and the net primary enrollment rate was estimated at 83.5 percent. Attendance rates are not available for Saint Vincent and the Grenadines. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.

Child Labor Laws and Enforcement

The Employment of Women, Young Persons and Children's Act of 1990 sets the minimum age for basic employment at 16 years, but since children often leave school at the age of 15, many begin work as apprentices at that age. Any person who employs a child in an industrial undertaking is liable to a USD 100 fine for their first offense, and a USD 250 fine for each subsequent offense. Forced or compulsory labor is prohibited by the constitution, and it is not known to occur.

The Labor Inspectorate at the Department of Labor is authorized to investigate and address child labor legislation and conducts annual workplace inspections. No violations have been reported, and employers are believed to generally respect the law in practice.

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3799 UN Committee on the Rights of the Child, Initial Reports of States Parties, para. 317.
3801 UN Committee on the Rights of the Child, Initial Reports of States Parties, para. 313-15. See also UN Committee on the Rights of the Child, Concluding Observations, para. 42.
3803 UN Committee on the Rights of the Child, Initial Reports of States Parties, para. 313 - 15. See also UN Committee on the Rights of the Child, Concluding Observations, para. 42.
3806 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
3807 U.S. Embassy- Bridgetown, unclassified telegram no. 1758.
3811 U.S. Embassy- Bridgetown, unclassified telegram no. 1758.
Although there are no laws that specifically address trafficking in persons, there are various laws that could be applied to trafficking in the country’s Criminal Code.\textsuperscript{3813} Causing or encouraging prostitution of girls under the age of 15 is prohibited by the Criminal Code and is punishable with imprisonment for seven years.\textsuperscript{3814} It is also illegal to have intercourse with a girl under the age of 15 years.\textsuperscript{3815} Kidnapping and abduction with the intent to take the person out of St. Vincent and the Grenadines are offenses punishable with 14 years of imprisonment.\textsuperscript{3816}

The Government of St. Vincent and the Grenadines has not ratified ILO Convention 138 but ratified ILO Convention 182 on December 4, 2001.\textsuperscript{3817}


\textsuperscript{3814} \textit{Criminal Code}, Article 130.

\textsuperscript{3815} Sexual intercourse with a girl under 13 years of age is an offense and punishable with imprisonment for life. Sexual intercourse with a girl above the age of 13 but below the age of 15 is punishable with imprisonment for 5 years. Ibid., Articles 124 and 25.

\textsuperscript{3816} Ibid., Article 201.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In July 2000, the Government of Samoa launched a draft National Youth Policy 2000-2009, which prioritizes education and training, employment, and youth justice. In September 2000, the ADB approved a loan for USD 7 million to finance an Education Sector Project in Samoa. The objectives of this project are to rehabilitate and expand 25 to 30 schools, develop curriculum, improve teachers’ skills and reform the public education management system. Various government agencies, the Samoan teachers’ association, tourism sector businesses, and NGOs formed an action group on the commercial sexual exploitation of children in 1998.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Samoa are unavailable. However, children are found working in rural areas where schools are not available in the sale of agricultural products at roadside stands. Children are also reported to work selling goods and food on the streets of the capital city of Apia. There are no reports of bonded labor by children, but some children are forced by family heads to work for their village, most frequently on village farms. “There is no reliable information on the commercial sexual exploitation of children in Samoa.

Education in Samoa is free and compulsory through 14 years of age. It is reported that education requirements are rarely enforced in rural areas. In 2000, the gross primary enrollment rate was 102.9 percent, and the net primary enrollment rate was 97.0 percent. Primary school attendance rates are unavailable for Samoa. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. In 1999, 84.4 percent of children enrolled in primary school reached grade 5.

Child Labor Laws and Enforcement

The Labor and Employment Act of 1972 sets the minimum age of employment at 15 years except in “safe and light” work. A child under the age of 15 is not permitted to work with dangerous machinery; under condi-
tions that are likely to harm physical or moral health; or on a vessel that is not under the personal charge of his or her parent or guardian.\footnote{Ibid.} The Constitution prohibits forced or bonded labor.\footnote{Constitution of the Independent State of Western Samoa, (May 1, 1920); available from http://mouse.vanuatu.usp.ac.fj/ws/legis/consol_act/tcotsows565/} However, work or service that is required by Samoan custom or fulfills a “normal civic obligation” is not considered “forced labor” and is therefore not prohibited.\footnote{Ibid., Section 8(2)d.}

The Criminal Code makes prostitution and the procurement of women and girls illegal in Samoa.\footnote{Receiving income from the prostitution of another person or soliciting for a prostitute regardless of whether compensation is received, is illegal under the Samoan Criminal Code. See Government of Samoa, Crimes Ordinance, (January 1, 1961), Articles 58 K–M available from http://www.vanuatu.usp.ac.fj/paclawmat/Samoa_legislation/1961/Crimes.html.} The kidnapping of an individual with the intent to transport the individual out of the country or hold the individual for service is a crime and is punishable by up to 10 years imprisonment.\footnote{Ibid., Article 83 A.} In addition, it is against the law to abduct any child under the age of 16 years, and to detain or take away any woman or girl with intent to cause her to have sexual intercourse with any other person.\footnote{The crime is punishable by up to seven years imprisonment. See Ibid., Articles 83 and 83 B.} The Commissioner of Labor is responsible for addressing complaints about illegal child labor.\footnote{U.S. Department of State, Country Reports- 2002: Samoa, Section 6d.} These complaints are referred to the Attorney General for enforcement.\footnote{No cases were prosecuted during 2002. See Ibid.}

The Government of Samoa is not a member of the ILO and therefore is not eligible to ratify ILO Conventions pertaining to child labor.\footnote{ILO, Ratifications by Country, in ILOLEX, [database online], [cited December 18, 2002]; available from http://www.ilo.org/ilolex/english/newratframeE.htm.}

\footnotetext[3831]{Ibid.}
\footnotetext[3832]{Constitution of the Independent State of Western Samoa, (May 1, 1920); available from http://mouse.vanuatu.usp.ac.fj/ws/legis/consol_act/tcotsows565/}
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of São Tomé and Príncipe's Ministry of Education has created a program where fifth through eighth graders have access to agricultural training programs.3840 The government is also working with the IMF, the World Bank and other organizations to improve equal access in the educational system and to enhance the quality of education.3841 Through the program, primary schooling will be extended to the fifth and sixth grades (or 6 years) instead of ending at the fourth grade, and the quality of secondary education will be improved. In addition, the government is working to encourage enrollment for all children (particularly girls and children in disadvantaged areas); reduce repetition and dropout rates at the primary level; renovate existing schools and constructing new ones; encourage community participation; provide teacher training for primary and secondary teachers; provide materials to the most disadvantaged children; and strengthen institutional and managerial capacities in the field of education.3842 The Government of São Tomé and Príncipe is also working under UNESCO's Education for All Initiative to strengthen its teacher-training program and to provide training for primary school inspectors,3843 and is planning to use oil money from offshore reserves to improve education and health in the country.3844

World Food Program began a 4-year program in 2000 to provide a midday meal to over 30,000 children in primary schools and kindergartens to alleviate short-term hunger and maintain attendance rates.3845 In conjunction with the government, UNICEF is implementing an education program that focuses on the improvement of education quality in general, and more specifically, increasing primary school access for children up to the sixth grade.3846 The program includes building new primary school classrooms, strengthening teacher-training programs and providing additional school materials. In 1999, the government began a program which trains girls in life skills and languages with help from UNICEF.3847 Also in 1999, UNICEF carried out an initial rapid assessment on working children in A. Grande and Caue.3848

3847 Ibid.
Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 19 percent of children ages 5 to 14 years in São Tomé and Principe were working; of those, approximately 2 percent were paid laborers, and another 6 percent participated in unremunerated work.\textsuperscript{3849} Almost 5 percent of the working children within this age group perform domestic work for 4 or more hours per day,\textsuperscript{3850} which may include carrying out domestic tasks such as cooking, collecting water and watching younger siblings for more than 4 hours per day.\textsuperscript{3851} About 10 percent of children ages 5 to 14 work for their families in the streets, participate in agricultural labor on commercial farms or engage in activities in the informal sector. This percentage is highest in Principe (18 percent) and in the north (15 percent).\textsuperscript{3852} Sometimes from an early age, children reportedly work in subsistence agriculture, on plantations, and in informal commerce.\textsuperscript{3853} Children also work in auto mechanic shops, and in cabinetry and tailoring.\textsuperscript{3854} Although education is compulsory through the sixth grade, many children work in the absence of available education beyond the fourth grade.\textsuperscript{3855} There is little information about the commercial sexual exploitation of children in the country, but the government reportedly expects that, with the increase in tourism, the establishment of tax-free zones, oil exploration and increased migration to São Tomé, children are at risk of such exploitation.\textsuperscript{3856}

Education is free and universal through the age of 14 and compulsory through the sixth grade; education after the sixth grade or after the age of 14, whichever comes first, is not free.\textsuperscript{3857} In 1999, the gross primary enrollment rate was 70 percent.\textsuperscript{3858} While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{3859} Children in primary schools had a repetition rate of 31 percent and a dropout rate of 34 percent.\textsuperscript{3860}

Class time is insufficient because of a triple shift system, which designates four hours for class time, so students attend between two and three hours of class time per day.\textsuperscript{3861} In addition, the proportion of qualified primary

\textsuperscript{3849} Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. See Government of São Tomé and Principe, \textit{Multiple Indicator Cluster Survey (MICS) 2000 - São Tomé and Príncipe}, UNICEF 2000, 64; available from http://www.childinfo.org/MICS2/newreports/saotome/STPtables.pdf.

\textsuperscript{3850} Ibid.


\textsuperscript{3852} Ibid.


\textsuperscript{3855} UNICEF Education Programme.


\textsuperscript{3859} For a more detailed discussion of the relationship between education statistics and work, see the preface to this report.

\textsuperscript{3860} International Monetary Fund and International Development Association, \textit{São Tomé and Príncipe: Enhanced Heavily Indebted Poor Countries}, 11, 12.

\textsuperscript{3861} World Bank, \textit{São Tomé and Príncipe- Social Sector Support}, 2.
school teachers is declining. The educational system has a shortage of classrooms, insufficiently trained and underpaid teachers, inadequate textbooks and materials, high rates of repetition, poor educational planning and management, and a lack of community involvement in school management. Although access to the first year of school is universal, 78 percent of children who enter first grade reach fourth grade and 52 percent reach eighth grade. There is also a lack of coordination among government ministries on education issues and a lack of domestic financing for the school system, leaving the system highly dependent on foreign financing.

**Child Labor Laws and Enforcement**

The minimum age for admission to employment as established by national legislation is 14 years, or 18 years for dangerous jobs and jobs requiring heavy manual labor. The minimum age does not apply to family-owned or operated enterprises, home work, domestic services, self-employed work, family-owned or small-scale farms, and light work. It does apply to such areas as commercial agriculture and export processing zones. It is illegal for children under 18 years to work at night, except with permission from the Labor Ministry, or to work more than 7 hours per day and 35 hours per week. The Ministry of Justice and Labor is responsible for enforcing labor laws. The Penal Code addresses the commercial sexual exploitation of children although there have been few prosecutions. Forced and bonded labor, including by children, is prohibited and not known to exist.

The Government of São Tomé and Príncipe has not ratified either ILO Convention 138 or ILO Convention 182.

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3862 From 48.8 percent in 1999-2000 to 44.7 percent in 2000-2001. See Ibid.
3871 ECPAT International, *São Tomé and Príncipe*.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Senegal became a member of ILO-IPEC in 1997. In the next year, the government launched the implementation of the national plan to eliminate child labor with assistance from ILO-IPEC. The program works to strengthen national capacity, raise awareness, and improve national formal and non-formal education opportunities, social and legal protection for children, and working and living conditions. Through ILO-IPEC, the government will begin implementation of a Time-Bound Program in 2004 that will focus on child begging, employment of girls in domestic service, and dangerous work in farming and fishing.

In 2002, the Government of Senegal, in cooperation with the Government of Italy and UNICEF, launched a 4-year program to support efforts to withdraw children in Senegal from the worst forms of child labor, including child begging, child domestic work, and the sexual exploitation of children. The government also cooperates with UNICEF to build government and civil society capacity to protect children in need of special protection. In July 2001, the Government of Senegal joined other countries in francophone West Africa in Ouagadougou to launch an inter-parliamentary committee to study child trafficking. The government is also participating in a pilot program to create a migration statistics unit for West Africa, and cooperated in a regional survey that recorded prostitution and trafficking cases from 1998 to 2001.

In 2000–2001, the Government of Senegal began implementing a 10-Year Education and Training Program, and adopted a national plan of action on Education for All. These initiatives aim to achieve universal enrollment in primary education by 2010; leverage non-government resources to help expand access to education; reform

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3879 The program includes capacity building for government and nongovernment stakeholders, the creation of counseling centers for children, the establishment of a monitoring system to track conditions of working children, and awareness raising for families and the public about working children. See ECPAT International, *Mission Report on West Africa*, 5.


3883 Government of Senegal, *Senegal: Enhanced Structural Adjustment Facility*. Due to a delay in beginning implementation of the plan, the end year was updated from 2008 to 2010. See U.S. Department of State official, electronic communication regarding Constitution of Senegal to USDOL official, August 18, 2003.
non-formal education opportunities; improve the management of education; and reconcile education management with the decentralization process. The World Bank has launched the Quality Education for All Project for Senegal, which supports the implementation of the government’s Education and Training Program and covers the first three years of the ten-year program. USAID, UNICEF, and other international donors have also continued to support programs to improve access to basic education, particularly for girls. With funding from USDA and collaboration and support from the Government of Senegal and WFP, Counterpart International launched a school feeding program in September 2002. The government also has programs underway to assist children in Koranic schools.

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 26.5 percent of children ages 10 to 14 years in Senegal were working. Children can be found working on rural family farms, and in fishing, gold and salt mining, stone quarries, and small businesses, and many Koranic students are involved in organized street begging. Children are also reported to be working in domestic service, public transportation, and dumpsites, and subject to sexual exploitation. Senegal is a source and transit country for women and girls trafficked to Europe, South Africa and the Middle East for sexual exploitation. Children are also trafficked to Senegal from surrounding countries, and some Koranic teachers in Senegal’s urban centers bring children from rural areas of Senegal, holding them under conditions of involuntary servitude.

Articles 21 and 22 of the Constitution adopted in January 2001 guarantee access to education for all children. Education is compulsory up to the age of 12, but this is not enforced due to a shortage of schools. However,
the government has increased the number of classrooms and encouraged children, particularly girls, to attend school.\textsuperscript{3898} In 2000, the gross primary enrollment rate was 74.8 percent (79.3 percent for boys and 70.3 percent for girls) and the net primary enrollment rate was 63.1 percent (66.3 percent for boys and 59.9 percent for girls).\textsuperscript{3899} Primary school attendance rates are unavailable for Senegal. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{3900} In 1999, 72.3 percent of children enrolled in primary school reached grade 5.\textsuperscript{3901}

**Child Labor Laws and Enforcement**

The Constitution, by reference to the Convention on the Rights of the Child, protects children from economic exploitation and from involvement in hazardous work.\textsuperscript{3902} The minimum age for employment is 15 years.\textsuperscript{3903} The Ministry of Labor has responsibility for the enforcement of child labor laws and monitors and enforces the restrictions in the formal sector.\textsuperscript{3904}

In June 2003, the Minister of Labor issued four regulations on child labor that set the minimum age and working hours and conditions based on ILO conventions, identified the worst forms of child labor, defined hazardous work that is forbidden to children and young people, and listed companies and handicrafts where child labor is forbidden. In March 2003, the Ministry of Fisheries passed a regulation that prohibits children under 16 on fishing vessels.\textsuperscript{3905}

Prostitution of children is illegal in Senegal, as specified by Article 327 of the Criminal Code.\textsuperscript{3906} Article 319, Section 5 of the Criminal Code, makes any offense against the decency of a child punishable by imprisonment for 2 to 5 years, and in certain cases (Articles 320–321) punishable by up to 10 years in prison. Procuring a minor for prostitution is punishable by imprisonment for 2 to 5 years and a fine of 300,000 (USD 526.36) to 4,000,000 (USD 7,018.14) (Articles 323–324).\textsuperscript{3907} Forced and compulsory labor, including by children, is prohibited by law.\textsuperscript{3908} There is no specific anti-trafficking legislation, but the law prohibits the sale of persons, abduction and hostage-taking.\textsuperscript{3909}

The Government of Senegal ratified ILO Convention 138 on December 15, 1999 and Convention 182 on June 1, 2000.\textsuperscript{3910}

\textsuperscript{3898} Ibid.

\textsuperscript{3899} World Bank, *World Development Indicators* 2003.

\textsuperscript{3900} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

\textsuperscript{3901} World Bank, *World Development Indicators* 2003.

\textsuperscript{3902} U.S. Department of State, *Country Reports- 2002: Senegal*, Section 6d. See also U.S. Department of State official, electronic communication regarding Constitution of Senegal, August 18, 2003. See also Constitution.

\textsuperscript{3903} ILO-IPEC, *Senegal Time-Bound, project document*, 17.

\textsuperscript{3904} U.S. Department of State, *Country Reports- 2002: Senegal*, Section 6d.

\textsuperscript{3905} U.S. Embassy– Dakar, unclassified telegram no. 2131.


\textsuperscript{3908} U.S. Department of State, *Country Reports- 2002: Senegal*, Section 6c.

\textsuperscript{3909} Ibid., Section 6f.


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Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of the Seychelles implemented education reform programs in 1990 and 1999, which were aimed in part at improving access to and quality of primary education through enhanced teacher training standards, improved physical facilities, and guaranteed free education for all.\textsuperscript{3911} The Division of Social Affairs in the Ministry of Social Affairs and Manpower Development works to protect children’s rights.\textsuperscript{3912} The National Commission for Child Protection, established in 1996, is responsible for overall child protection policies.\textsuperscript{3913}

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Seychelles are unavailable, are there have been no reports of child labor in the country.\textsuperscript{3914} Education is compulsory up to the age of 16 and free through secondary school up to the age of 18.\textsuperscript{3915} In 1999, the gross primary enrollment rate was 100.8 percent and the net primary enrollment rate was 99.9 percent.\textsuperscript{3916} Attendance rates are not available for Seychelles. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{3917}

Child Labor Laws and Enforcement

Article 31 of the Constitution sets the minimum age for employment at 15 years, with exceptions for children employed part time in light work that is not harmful to their health, morals or education.\textsuperscript{3918} However, the Employment Act stipulates that any child under the age of 15 is prohibited from working. Children ages 16 to 18 are considered as adults in the labor market and there are no special protections for this age group.\textsuperscript{3919} Violations of the minimum age regulation are punishable by a fine of SCR 6,000 (USD 1,169.59).\textsuperscript{3920} An amendment to the Employment of Young Persons and Children Act of 1981 specifically prohibits children under 18 from working in hotels, restaurants and shops.\textsuperscript{3921} Forced or bonded labor is prohibited by law.\textsuperscript{3922} Article 138(b) of the Penal
Code prohibits the procuring of any woman or girl for purposes of prostitution. The Ministry of Employment and Social Services enforces child labor laws and investigates claims of child labor abuses.

In 2002, there were no reported cases of child labor requiring investigation by the Ministry of Employment and Social Services, no known cases of forced or bonded labor by children, and no reports of trafficking in persons to, from, or within the country. A Family Tribunal composed of 18 members hears and decides all cases relating to the care and custody of children, save paternity cases. Only 41 cases of child sex abuse were reported in 2002, and there are concerns that police investigations into charges of abuse are inadequate.


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3925 Ibid., Sections 6c, 6d, and 6f.

3926 Ibid., Section 5.

3927 Ibid.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Sierra Leone, with support from the African Development Bank and the Islamic Development Bank, is constructing 600 new primary schools and 100 junior secondary schools, and furnishing them with textbooks, furniture and other needed equipment. The Voice of Children, a radio program run by children for children, was launched in February 2003 and is supported by the Government of Sierra Leone. The government has also established a National Commission for War-Affected Children whose goals are to provide support to demobilized child combatants, to develop and implement strategies to ensure that the needs of young girls are addressed, and to continue to provide services for children who are separated from their parents.

The government has created a National Education Action Plan emphasizing improvements in the quality and relevance of education, expanding access to primary education, especially for girls and the rural poor, and building the planning and management capacity of the Ministry of Education, Science and Technology. The World Bank is currently supporting a program to help Sierra Leone’s schools meet basic standards in a post-conflict environment and to build up the capacity of the Ministry of Education, Science, and Technology to deliver educational services. The Minister of Education, Science and Technology has stated that the national government will pay the fees for the National Primary School Exams and the Basic Education Certificate Education exams, and has pledged to reduce the cost of textbooks by 60 percent. UNICEF is engaged in projects to renovate schools, distribute teaching materials and equipment, retrain teachers, and promote girls’ education.

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 72 percent of children ages 5 to 14 years in Sierra Leone were working. The survey estimated that 2 percent of children between 5 and 14 perform paid work, while 48 percent of children in Sierra Leone perform unpaid work for someone other than a household member. The survey also found that...
10 percent of children spend more than 4 hours per day on domestic work, such as cooking, shopping, and cleaning. Children in Sierra Leone work in family businesses and as petty vendors, and seasonally on family subsistence farms. Street children are employed by adults to sell, steal and beg, and hundreds of children mine alluvial diamond fields. Teenage prostitution has reportedly become a significant problem as a result of migration from rural areas to Freetown and other urban areas during the war. Children were reportedly trafficked from Sierra Leone to Liberia as forced conscripts, and some are trafficked to Europe in false adoption schemes.

Human rights groups estimate that between 6,000 and 10,000 children under 16 years of age were forcibly abducted into military service during the civil war. Most child soldiers served the rebel Revolutionary United Front (RUF) and other military groups, which forced children into their ranks and made them serve as soldiers, sex slaves, or diamond miners. Child soldiers forced into military service by the RUF were required to engage in combat, massacres, and other acts of brutality. In May 2001, following reconciliation talks between the Government of Sierra Leone and the RUF, the RUF began to release child soldiers. Between May 2001 and January 2002, 6,845 children from the RUF and Armed Forces Revolutionary Council (AFRC), and from the government-allied Civil Defense Force (CDF) militias, were disarmed and demobilized. Eight percent of these children were girls. However, UNICEF has identified at least 400 girls who remain with their RUF captors. Also, the number of street children, particularly in urban areas, is rising, and there are reports that children continue to be forced to work in diamond mines by former RUF commanders.

3937 Other tasks include washing clothes, fetching water, and caring for children. See Government of Sierra Leone, The Status of Women and Children in Sierra Leone, 60. Work in the home for more than 4 hours a day is generally believed to interfere with a child's schooling, and thus to constitute child labor.


3939 A majority of these children work for relatives, although some are reported to work for former Revolutionary United Front commanders. See Ibid.


3941 Children were also trafficked internally throughout the decade-long civil war. See U.S. Department of State, Trafficking in Persons Report: Sierra Leone.


3944 Farah, “Children Forced to Kill.”


3949 Government of Sierra Leone, Sierra Leone: Post-Conflict Development Agenda, 28. More than 5,000 street and unaccompanied children are estimated to be in Freetown and other urban centers. See ECPAT International, Sierra Leone, in ECPAT International, [database online] [cited June 18, 2003]; available from http://www.ecpat.net/.

3950 U.S. Department of State, Country Reports- 2002: Sierra Leone, Section 6c.
The law mandates primary school attendance. In 2000, the gross primary enrollment rate was 92.8 percent (106.0 percent for boys and 79.8 percent for girls). That same year, however, the net primary school attendance rate was 40.7 percent. The lack of schools has made implementation of compulsory education impossible. Even before the war, the educational system was capable of serving only 45 percent of primary school-age children. As a result of the civil war, 1,270 primary schools were reported to have been destroyed, and in 2001, UNICEF estimated that 67 percent of all school-age children were out of school. The Government of Sierra Leone has since introduced “free” primary education. However, there are widespread complaints among Sierra Leoneans that due to associated costs of schooling, including books, uniforms, supplies, and unofficial teacher’s fees, education is not free.

**Child Labor Laws and Enforcement**

The minimum age for employment in Sierra Leone is 18 years, although children between the ages of 12 and 18 years may be employed in some non-hazardous occupations with the consent of their parents. However, the government lacks resources to enforce these laws. Forced and bonded labor, including by children, is prohibited by the Constitution. There is no law that specifically prohibits trafficking in persons, but there are laws against procuring a female by threats or coercion for the purpose of prostitution. The government provides assistance to a special UN court in the trials of the leader of the pro-Government militia, later an Interior Minister, and former rebel commanders for kidnapping and recruiting child soldiers in March 2002.

The Government of Sierra Leone has not ratified ILO Convention 138 or ILO Convention 182.

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3951 Ibid.
3952 World Bank, *World Development Indicators 2003*. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.
3953 Approximately 43.1 percent of primary school age boys were attending primary school in 2000, while the net primary school attendance rate for girls was only 38.1 percent. See Government of Sierra Leone, *The Status of Women and Children in Sierra Leone*, Table 11.
3955 UNICEF, *Girls’ Education in Sierra Leone*.
3960 Ibid.
3961 Ibid., Section 6c.
3962 Ibid., Section 6f. See also U.S. Department of State, *Trafficking in Persons Report: Sierra Leone*.
Government Programs and Policies to Eliminate the Worst Forms of Child Labor

The Government of the Slovak Republic instituted a National Action Plan for Children’s Rights in 2002. It has also established a Committee on the Rights of the Child, and created departments within its Ministries of Education and Social Affairs to protect children’s rights. The government has also increased its attention to the elimination of trafficking in the country. A new unit to combat trafficking was created within the Police Department of Organized Crime in June 2002 to coordinate trafficking investigations. The Law Against Trafficking in Persons was also amended to include stricter measures for violations. In addition, the government is working in consultation with the IOM and the UN Office on Drugs and Crime to promote the international coordination of policies and programs on trafficking. The UN Office on Drugs and Crime is implementing a project on trafficking in persons that supports strengthening the criminal justice response, as well as providing protection and support to victims of trafficking.

In collaboration with UNESCO, the government has developed an Education for All Program, sponsored a media campaign to encourage school attendance, and developed a pre-school program to teach Roma children the Slovak language. The European Community’s Phare Program has funded the project “Improvement of the Situation of the Roma in the Slovak Republic,” which includes an education component geared at improving the integration of Roma children in primary school.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in the Slovak Republic are unavailable. Girls from Slovakia are trafficked for the purpose of commercial sexual exploitation, and Slovakia is a country of origin, transit and a destination country for such victims of trafficking. The Committee on the Rights of the Child has expressed concerns over several issues related to children. In particular, the transit of trafficked children through Slovakia for the purpose of pornography, prostitution and sex tourism has drawn attention to the need for

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3968 Ibid.


3971 U.S. Embassy- Bratislava, unclassified telegram no. 897.


protecting children. Insufficient data and awareness of the phenomenon of the commercial sexual exploitation of children persist.

Education is free and compulsory. The Education Act of 1994 established a 9-year compulsory school attendance. In 1998, the law was amended and a gradual change to 10 years was initiated. In 2000, the gross primary enrollment rate was 103 percent, and the net primary enrollment rate was 89.4 percent. Primary school attendance rates are unavailable for the Slovak Republic. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school. Although official statistics are unavailable, it is believed that fewer Roma than Slovak children attend primary school. Roma children are also disproportionately placed in special schools for the mentally disabled, often because they lack sufficient knowledge of the Slovak language.

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 15 years. Children under the age of 15 may perform light work in cultural or artistic performances, sports events, and advertising activities with the approval of the National Labor Inspector's Office as long as the work does not affect their health, safety, development, or full-time schooling. Children under the age of 16 years may not work underground or perform work that is inappropriate for their age or detrimental to their health. Children under 16 may not work more than 30 hours per week, and children over age 16 are limited to 37.5 hours per week. Violations for child labor include civil fines up to 500,000 crowns (USD 11,494) for first time offenders, and up to 1 million crowns (USD 22,989) for repeat offenders.

The Criminal Code prohibits the sale and trafficking of persons, and these crimes can be penalized more severely when the victim is under the age of 18. The trafficking of children for the purposes of adoption, child labor, or any other illegal purpose is also prohibited by the Criminal Code. A person convicted of selling a child under...
the age of 15 for the purpose of prostitution can receive a penalty of up to 12 years imprisonment. A maximum sentence of 15 years can be applied if serious bodily injury results or if the perpetrator is an organized crime member.\textsuperscript{3988} On September 1, 2002, the Law Against Trafficking in Persons was revised to include sentences of 3 to 10 years of imprisonment for individuals found guilty of trafficking crimes. For offenders who were involved with crime syndicates, the length of imprisonment can last from 12 to 15 years.\textsuperscript{3989} The Constitution prohibits forced labor.\textsuperscript{3990}

The inspection section of the Ministry of Labor enforces the country’s child labor laws.\textsuperscript{3991} Child labor complaints are first received and investigated by the Ministry’s district inspection units. If a violation of a child labor law is found to have occurred, the case is turned over to the national inspection unit. The government distributes fliers explaining legislation on and hazards of child labor, and also provides specific training to its inspectors on child labor.\textsuperscript{3992} In 1997, a special department was established in the Slovak Police Corps that deals specifically with crimes committed against children and juveniles, including commercial sexual exploitation.\textsuperscript{3993}

The Government of the Slovak Republic ratified ILO Convention 138 on September 29, 1997, and ILO Convention 182 on December 20, 1999.\textsuperscript{3994}

\textsuperscript{3988} Ibid., Article 204.
\textsuperscript{3989} U.S. Department of State, \textit{Country Reports- 2002: Slovak Republic}, Section 6f. See also U.S. Embassy– Bratislava, unclassified telegram no. 969.
\textsuperscript{3990} Constitution of the Slovak Republic, Article 18.
\textsuperscript{3991} U.S. Embassy– Bratislava, unclassified telegram no. 897. See also U.S. Embassy– Bratislava, unclassified telegram no. 969.
\textsuperscript{3992} U.S. Embassy– Bratislava, unclassified telegram no. 897.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of the Solomon Islands formulated a National Youth Policy in 2000 to address the welfare needs of youth 14 to 29, and also those of children facing difficult situations below the age of 14. While a National Advisory Committee on Children was established in 1993, government efforts that focus on children have been hindered by a lack of resources and recent conflicts.

To date, a majority of government efforts have been focused on restoring peace and security in the country and providing basic social services to its citizens. With technical assistance from the UNDP, the Government of the Solomon Islands produced the *Solomon Islands Human Development Report* in 2002. This is a policy-oriented document that addresses various facts of human development such as education, labor, governance, and health. The government also worked in consultation with the United Nations to assess the country’s national development through a Common Country Assessment. The CCA formed the basis for the UN Development Assistance Framework (UNDAF) 2003-2007, which was completed in 2002.

The country’s National Education Master Plan 1999-2010 includes provisions to improve the quality, scope, and relevance of education. The Ministry of Education has developed various training programs and services to equip primary and secondary school teachers and education administrators.

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 23.3 percent of children ages 10 to 14 years in the Solomon Islands were working. There are reports of commercial sexual exploitation, but information on the extent of the problem is not available. At times, about 100 children aged 12 to 17 reportedly fought in the ranks of militant Guadalcanelese
Isatabu Freedom Movement in the conflict that erupted in 1998 between the Malaitans and the Guadalcanalese.\textsuperscript{4005}

Education in the Solomon Islands is not compulsory,\textsuperscript{4006} and school fees are reported to be very high in relation to income.\textsuperscript{4007} In 1996, the gross primary enrollment rate was 96.9 percent.\textsuperscript{4008} However, other education data show that only 60 percent of school-age children have access to primary education.\textsuperscript{4009} Primary school attendance rates are unavailable for the Solomon Islands. The state of education is reported to have worsened in recent years, due to poor infrastructure, lack of financial resources, and irregular payment of teachers.\textsuperscript{4010}

**Child Labor Laws and Enforcement**

Section 84 of the Labour Act prohibits the employment of children below the age of 12, but children may participate in light agricultural or domestic labor either as an employee of, or as a worker in the company of, their parents.\textsuperscript{4011} Children under the age of 15 are prohibited from working in industry or on ships, except on approved training ships, and children under the age of 16 may not work underground in mines.\textsuperscript{4012} The Constitution prohibits slavery and forced labor.\textsuperscript{4013} The procurement of girls under 18 years of age for the purposes of prostitution is prohibited under Part XVI of the Penal Code (“Offences Against Morality”).\textsuperscript{4014} Section 246 of the Penal Code, Part XXVI, “Offences Against Liberty” provides for sanctions for the abduction of children.\textsuperscript{4015}

The Labor Division of the Ministry of Commerce, Trade, and Industry is tasked with enforcing child labor laws,\textsuperscript{4016} but information of the effectiveness of this Division and other enforcement measures is not available.

The Government of the Solomon Islands has not ratified ILO Convention 138 or ILO Convention 182.\textsuperscript{4017}


\textsuperscript{4008} Net primary enrollment rates are unavailable for the Solomon Islands. See World Bank, *World Development Indicators 2003*.


\textsuperscript{4010} U.S. Department of State, *Country Reports- 2002: Solomon Islands*, Section 5.


\textsuperscript{4012} Ibid., 112.


\textsuperscript{4015} Ibid., 55.

\textsuperscript{4016} U.S. Department of State, *Country Reports- 2002: Solomon Islands*, Section 6d.

SOMALIA

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

Somalia has no national government and therefore no national policy or programs on child labor or education.\textsuperscript{4018} Few educational opportunities, either formal or non-formal, are available to students.\textsuperscript{4019} Since 1996, the international effort to improve education in Somalia has been coordinated by the Education Sectoral Committee of the Somalia Aid Coordination Body, made up of UN agencies, donors, and international NGOs.\textsuperscript{4020} The SACB has emphasized as its major goals improving access to education, improving learning conditions, enhancing teacher training, and creating a financially viable management capacity.\textsuperscript{4021} UNICEF, in concert with other partners and local authorities, is working on projects to reform the education system, develop curriculum, train teachers, develop and distribute standardized textbooks, establish educational standards, and develop management information systems.\textsuperscript{4022} UNICEF, UNESCO-PEER, and some NGOs have also distributed sets of textbooks and other instructional materials to a small number of Koranic schools in Somalia and have created a program to try to make Koranic schools supplement or substitute for formal primary education.\textsuperscript{4023}

Incidence and Nature of Child Labor

In 1999, UNICEF estimated that 41.9 percent of children ages 5 to 14 years were working in Somalia; it is believed that this percentage has risen.\textsuperscript{4024} Children are engaged in herding, agriculture, and domestic labor.\textsuperscript{4025} Boys as young as 14 or 15 have participated in combat and some children as young as 11 have been forcibly conscripted into militias to serve as combatants and as servants.\textsuperscript{4026} Trafficking in children for forced labor is a serious problem.\textsuperscript{4027}

\textsuperscript{4018} The Transitional National Government, based in Mogadishu, represents Somalia in the UN and other international organizations. It has yet to establish its authority over most of the country and has little control over most government services, which are administered by provincial governments, if at all. See U.S. Department of State, Background Note: Somalia, October 2003, [cited November 3, 2003]; available from http://www.state.gov/r/pa/ei/bgn/2863.htm. See also UN Somalia, Somalia History, United Nations, [previously online] [cited October 4, 2002], [cited September 19, 2002] [previously online]; available from http://www.unsomalia.org/information/history.htm [hard copy on file].

\textsuperscript{4019} UNICEF, UNESCO-PEER, and some NGOs have also distributed sets of textbooks and other instructional materials to a small number of Koranic schools in Somalia and have created a program to try to make Koranic schools supplement or substitute for formal primary education.

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\textsuperscript{4027} UNICEF, UNESCO-PEER, and some NGOs have also distributed sets of textbooks and other instructional materials to a small number of Koranic schools in Somalia and have created a program to try to make Koranic schools supplement or substitute for formal primary education.
Somalia has no government to provide free or compulsory education. A 2000 survey found that 62 percent of schools in Somalia require families to pay fees, averaging USD 15.60 per year for each child.\textsuperscript{4028} In addition, many schools lack textbooks and running water.\textsuperscript{4029} UNICEF estimated in 1999 that 58.4 percent of primary school-age children attended school, and that 72.5 percent of children who had entered first grade actually reached the fifth grade.\textsuperscript{4030} But in 2002, the U.S. embassy reported that only 10 to 20 percent of the school age population attended school.\textsuperscript{4031} A 2001/2 survey showed that girls made up only 35 percent of the student population at the primary school level.\textsuperscript{4032} Many students attend Koranic schools, though these schools do not provide broad-based education.\textsuperscript{4033}

**Child Labor Laws and Enforcement**

Somalia has no national government and has no means for enforcing labor laws.\textsuperscript{4034} Somalia is not a member of the ILO and has therefore not ratified ILO Convention 138 or ILO Convention 182.\textsuperscript{4035}

\textsuperscript{4028} UNESCO, *EFA 2000 Assessment: Somalia*.
\textsuperscript{4031} UK Save the Children, *Emergency Updates-Somalia*, [previously online] 2002 [cited September 12, 2002]; available from http://savethechildren.org.uk/emer_updates/Somalia.html. [Hard copy on file]. Two studies conducted by UNICEF in the late 1990s found that 59 percent of the children in the North West zones and 39 percent of the children in the North East zone attended Koranic school for two to two and one-half hours per day, usually for up to two years, between the ages of 4 and 10. See UNESCO, *EFA 2000 Assessment: Somalia*.
\textsuperscript{4033} U.S. Department of State, *Background Note: Somalia*. See also UN Somalia, *Somalia History*.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of South Africa has been a member of ILO-IPEC since 1997. In 1999, the South African Department of Labor (SADOL) and Statistics South Africa, with funding from USDOL and technical assistance from ILO-IPEC’s SIMPOC, conducted a comprehensive national survey on the nature and extent of child labor in South Africa. The South African Department of Labor, in cooperation with ILO-IPEC, has drafted a Child Labor Action Program, which calls for the removal of children from the labor force and their integration into formal education.

In 1998, the South African Department of Labor facilitated the establishment of a national stakeholder forum known as the Child Labor Intersectoral Group that includes participation from the government, NGOs, trade unions, employers organizations, and international agencies. The Child Labor Intersectoral Group coordinates services provided by the government and NGOs, and raises awareness about child labor and the enforcement of child labor laws. The Department of Welfare is a member of the Child Labor Intersectoral Group and administers social safety net programs that help prevent children from entering the workforce. South African Department of Labor has included modules on child labor as part of its training initiatives for labor inspectors. The Government of South Africa created a task force and training courses for the police and judiciary on the commercial sexual exploitation of children. South Africa’s border police set up a special Trafficking Unit at the Johannesburg airport.

The Network Against Child Labor, a group of organizations and concerned individuals, was established in 1991 and focuses on ending the economic labor exploitation of children through awareness raising, advocacy, policymaking, research, networking, and legal and intersectoral interventions. Several NGOs work with police child protection units to provide street children with a safe, non-exploitative environment.

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4038 SADOL conducted a series of nationwide consultations on the Child Labor Action Program (CLAP) in 2003. As of early 2004, the financial implications of CLAP are being analyzed by the Treasury Department. It is expected that CLAP will be submitted to the cabinet for final approval later in 2004. See U.S. Embassy- Johannesburg Labor Attaché, electronic communication to USDOL official, February 24, 2004.


4041 In his speech, the Minister of Labor also noted that in addition to the Department of Labor, South Africa’s Departments of Education, Social Development, Justice, the South Africa Police Service, and the Office of the Rights of the Child in the Presidency, play roles in addressing child labor in the country. See The Honorable Minister of Labour Mr. M.M. Mdladlana, Speech at the Launch of the International Labour Organization’s Third Global Report on a Future Without Child Labour, May 6, 2002; available from http://www.labour.gov.za/docs/sp/2002/may/06_mdladlana.htm.

4042 Ibid., Section 6f.


4044 Ibid., Section 6f.


4046 U.S. Consulate- Johannesburg, *unclassified telegram no. 0655*. 

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The Government of South Africa has sought to address issues of inequity in its educational system by allocating more resources to the most deprived schools in its provinces and to predominantly black schools. In 2003, the Department of Education established an action plan to improve access to free and quality basic education. The National Curriculum 2005 Framework helps to bridge the gap in educational opportunities between privileged and underprivileged children by providing learning materials to schools in a more equitable fashion, and by standardizing the content of training courses for teachers in all districts.

**Incidence and Nature of Child Labor**

In 1999, a child labor survey conducted by the Statistics South Africa, in cooperation with ILO-IPEC, estimated that 36 percent of children ages 5 to 17 years in South Africa were working. Child labor occurs most often in the rural agricultural sector and the informal economy. Children work in commercial agriculture and on subsistence farms, as well as on small farms planting and harvesting vegetables, picking and packing fruit, and cutting flowers. Children are also found working as domestic servants in rural areas, especially on farms. Many of these children come from migrant populations. In urban areas, children work as street hawkers, especially around taxi stands and where public transportation is used, and as car guards. There are reports that child prostitution and sex tourism are increasing. As South Africa becomes an increasingly popular tourist destination, it has been reported that cities such as Cape Town and Durban are becoming destinations for tourists seek-

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4046 In 1998, the government announced new funding directives to further these goals. These included new guidelines that required education departments to dedicate 60 percent of non-personnel and non-capital recurrent expenditures to the 40 percent of schools in their provinces that were in greatest need. In 1999-2000, the estimated total expenditure totaled approximately 21 percent of the government’s total budget and 6.6 percent of GDP. See Government of South Africa–Department of Education, *Education for All: The South African Assessment Report*, Pretoria, March 2000, 26, 27, 32. See also U.S. Department of State, *Country Reports- 2002: South Africa*, Section 5.


4049 This statistic uses a broad definition of child work that includes children who work at least three hours per week in economic activities (gathering wood and/or water; performing unpaid domestic work; or performing economic activities for pay, profit, or family gain), five hours per week in school labor (performing school maintenance, cleaning, or performing school improvement activities), and seven hours for household chores (working in the family home where the child's parent, grandparent, or spouse is present). The most common economic activity in which children are engaged is fetching wood and/or water from outside the home. See “Key Findings: The Definitions and Extent of Child Labor,” in *Surveys of Activities of Young People 1999*; available from http://www.ilo.org/public/english/standards/ipec/simpoc/southafrica/report/page9.htm.

4050 U.S. Consulate- Johannesburg, unclassified telegram no. 0655.

4051 Ibid.

4052 Ibid.


South Africa is a destination country and transit point for trafficking in children for the purpose of prostitution. Children orphaned by HIV/AIDS and children heading households are especially vulnerable to exploitative work and find it difficult to remain in school.

The Constitution states that every child has a right to access basic education. The South African Schools Act of 1996 makes school compulsory for children ages 7 to 15 and prohibits public schools from refusing admission to any child on the grounds of language, learning difficulty, or race. Costs such as school fees, transportation, and school uniforms prevent some children from attending school. However, public schools may not refuse admission to students who have not or are unable to pay school fees.

In 2000, the gross primary school enrollment rate was 111.5 percent, and the net primary enrollment rate was 88.9 percent. The gross enrollment rate was higher for boys (114.6 percent) than for girls (108.3 percent), while the net enrollment rates for boys and girls was more even (89.6 percent and 88.2 percent, respectively). In 1999, 64.5 percent of children enrolled in primary school reached grade 5. Primary school attendance rates are unavailable for South Africa. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.

Child Labor Laws and Enforcement

The Basic Conditions of Employment Act sets the minimum age for employment at 15 years, and prohibits employment of children who are under the legal minimum school leaving age of 15 years. For children over age 15 and no longer subject to compulsory schooling, the Employment Act allows for the Minister of Labor to set ad-

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4059 Constitution of the Republic of South Africa, (December 10, 1996), Chapter 2, Section 29(1)(a); available from http://www.polity.org.za/html/govdocs/constitution/saconst.html#rebookmark=1. From 1948 until the abolition of apartheid and resulting change in government policy (including the passage of a new Constitution), a succession of apartheid-driven policies resulted in social inequalities along racial lines, and black South Africans particularly were deprived of opportunities to access basic social services, including education. See Government of South Africa-Department of Education, Education for All: South Africa, 6.


4061 U.S. Consulate- Johannesburg, unclassified telegram no. 1245, October 2001. Many schools also continue to face significant infrastructure and other problems that have a negative impact on the quality of education. See Government of South Africa- Department of Education, Education for All: South Africa, 38-39. However, the 2003 plan of action focuses on the poorest 40% of students and seeks to remove barriers to school access in a three year span. See Government of South Africa- Department of Education, Plan of Action: Improving access to free and quality basic education for all, 2.

4062 Ibid.


4064 Ibid.

4065 Ibid.
ditional prohibitions or conditions on their employment. The maximum penalty for illegally employing a child, according to the Employment Act, is 3 years imprisonment. The Employment Act and the Constitution prohibit all forms of forced labor. The Constitution also provides for the right of every child, defined as a person under 18 years of age, to be protected from exploitative labor practices. It also prohibits children from performing work or providing services that are inappropriate for a child's age or that put at risk a child's well being. The Constitution also prohibits the use of children under the age of 18 in armed conflicts.

Sexual Offences Act No. 23 of 1957 establishes prostitution as a criminal offence. In 1999, the Government of South Africa amended the Child Care Act of 1983 to include a more comprehensive prohibition on the commercial sexual exploitation of children than provided for under the Sexual Offences Act of 1957. The Child Care Amendment Act sets a penalty of up to 10 years imprisonment for the commercial sexual exploitation of a child. The Child Welfare Act was amended to include an anti-child trafficking provision.

The Employment Act establishes SADOL as the primary government entity responsible for monitoring compliance with and enforcing South Africa's labor laws, including provisions on child labor. SADOL effectively enforces the minimum age law in the formal non-agricultural sector but less effectively in other sectors. Child labor laws are enforced more effectively in the formal non-agricultural sector than in other sectors.


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4068 Ibid., Sections 43(1)(a)(b), 43(3), 44(2), 93.
4069 Ibid., Section 48(1). In general, the Employment Act does not apply to informal work unless it constitutes forced labor. See Constitution of the Republic of South Africa, Chapter 2, Section 13.
4070 Ibid., Sections 28(3), 28(1)(e) and (f).
4071 Ibid., Chapter 2, Section 28(1)(i), 28(3).
4072 According to Section 14 of the Sexual Offences Act No. 23 of 1957, any person who commits or attempts to commit a sexual offense against a child under 16 years is in violation of the law unless the child is a prostitute. Sexual Offences Act, as cited in Interpol, Legislation of Interpol Member States on Sexual Offences Against Children: South Africa, [cited September 11, 2003]; available from http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaSouthAfrica.asp. Such cases, however, are generally referred by the Office of the National Director of Public Prosecutions to children's courts where a determination is made regarding a child's need for care and the prosecution of persons exploiting children may be pursued. See Dawie Bosch & Associates for the Department of Labour, White Paper on a National Child Labour Action Programme for South Africa (Draft), Draft 3.1, ILO-IPEC, July 2003, 9.
4073 Child Care Amendment Act, (1999), Section 50A.
4076 U.S. Consulate- Johannesburg, unclassified telegram no. 1245.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Sri Lanka became a member of ILO-IPEC in 1996. In 1998, the National Child Protection Authority (NCPA) was formed under the Presidential Task Force as an oversight agency for the protection of children against any form of abuse. In cooperation with the Ministry of Labor, the NCPA conducts training programs for judicial, labor, probation, and police officers to educate authorities dealing with child labor issues. The NCPA and the Labor Department are working in consultation with the ILO, UNICEF, Save the Children UK, other NGOs, and the media to address the problem of child labor. The Children’s Charter, enacted in 1992, is the primary policy document that promotes the rights of the child. As a Member State of the South Asian Association for Regional Cooperation, Sri Lanka signed the Convention on Preventing and Combating Trafficking in Women and Children for Prostitution in January 2002.

The Department of Census and Statistics conducted a child activity survey in 1999. In 2001, a rapid assessment on the commercial sexual exploitation of children in Sri Lanka was carried out, and in 2003 another assessment on child domestic labor was carried out. The Department of Probation and Child Care Services provides protection to child victims of abuse and sexual exploitation and works with local NGOs that provide shelter. The NCPA established a rehabilitation center that provides vocational training and counseling services to child victims.


4082 The Children’s Charter represents the provisions of the UN Convention of the Rights of the Child (CRC). A monitoring committee was established to promote legal reforms and monitor the government's commitment to the CRC. See Save the Children- UK, Country Report- Sri Lanka, [previously online] [cited June 14, 2003], 13, [hard copy on file].

4083 Under this convention, the governments commit themselves to regional cooperation to address various aspects of prevention and criminalization of the trafficking of women and children for commercial sexual exploitation, and repatriation and rehabilitation of victims of trafficking. Member state governments have yet to ratify the convention. See South Asian Association for Regional Cooperation Secretariat, Eleventh SAARC Summit Held in Kathmandu, [press release] January 9, 2002 [cited October 10, 2003]; available from http://www.saarc-sec.org/11summit.htm.


4086 The Department comes under the Ministry of Social Services. See Amarasinghe, Sri Lanka: The Commercial Sexual Exploitation of Children, 16. According to the Committee on the Rights of the Child, government bodies such as the National Monitoring Committee, the National Child Protection Authority, and the Department for Probation and Child Care Services do not effectively coordinate the implementation of the UN Convention on the Rights of the Child, and the roles of these bodies are not clearly defined. See UN Committee on the Rights of the Child, Concluding Observations of the Committee on the Rights of the Child: Sri Lanka (Unedited Version), CRC/C/15/Add.207, prepared by Government of Sri Lanka, pursuant to Consideration of Reports Submitted by State Parties Under Article 44 of the Convention, June 6, 2003, para. 13.

of the worst forms of child labor.\textsuperscript{4087} The Tourist Bureau conducts awareness-raising programs for at-risk children in resort regions prone to sex tourism.\textsuperscript{4088} Sri Lanka is part of an ILO-IPEC sub-regional project funded by USDOL to combat child trafficking in South Asia.\textsuperscript{4089} ILO-IPEC also implements a national country program to eliminate child labor.\textsuperscript{4090} Other international and local NGOs are working towards eradicating child labor and sexual exploitation of children.\textsuperscript{4091} The government collaborates with UNICEF and other NGOs in and effort to mitigate the impact of civil war on children.\textsuperscript{4092} For example, UNICEF advocated for a 60-day deadline for the armed forces to vacate schools that was included into a ceasefire agreement in February 2002.\textsuperscript{4093} In 2003, the Government of Sri Lanka began participating in an inter-regional ILO-IPEC project funded by USDOL that aims to prevent and reintegrate children involved in armed conflict.\textsuperscript{4094}

The second phase of the General Education Project, funded by the World Bank, has been underway since 1997 and aims to improve the quality, access, and management of schools, including improved curriculum management, and the training of teachers for grades 1 to 9.\textsuperscript{4095} The government operates a school meal program for 20,800 first year students in areas that have high malnutrition and provides school uniform material to needy children.\textsuperscript{4096}

### Incidence and Nature of Child Labor

In 1999, the Sri Lankan Department of Census and Statistics estimated that 15 percent of children ages 5 to 14 years in Sri Lanka were working.\textsuperscript{4097} According to the survey, the majority of working children are in the agricultural sector.\textsuperscript{4098} Children are also found working in the manufacturing, hotel and trade industries, and working as

\begin{thebibliography}{99}
\bibitem{4088} ILO-IPEC, \textit{Combating Child Trafficking for Labor and Sexual Exploitation (TICSA Phase II)}, project document, RAS/02/P51/USA, Geneva, September 30, 2002, 8.
\bibitem{4089} This program is funded by the Danish Government. See ILO-IPEC, \textit{List of all ILO-IPEC projects (active and completed) as at 16 August 2003}, August 16, 2003.
\bibitem{4096} U.S. Embassy- Colombo, \textit{unclassified telegram no. 1436}.
\bibitem{4097} This percentage represents an estimated 475,531 working children. The total population of 5 to 14 year olds in Sri Lanka at the time of the survey was 3,186,838. For purposes of this survey, working children were considered to be children who were paid employees, self-employed and those who work in a family enterprise without payment, excluding housekeeping activities. See Department of Census and Statistics, \textit{Summary of Findings}.
\bibitem{4098} Sixty-four percent of working children between 5 and 17 years were found in the agricultural sector. Children working in the agricultural sector include child employees on farms or unpaid child workers helping in family enterprises. See Ibid.
\bibitem{4099} Ibid. The situation of domestic service is not regulated or documented, although many thousands of children are believed to be employed in domestic service. See U.S. Department of State, \textit{Country Reports- 2002: Sri Lanka}, Section 6d.
\end{thebibliography}
craft workers, street peddlers, and domestic servants.4099 Children from rural areas are reported trapped in debt bondage as domestic servants in urban households.4100 Children are primarily trafficked internally to work as domestic laborers and for the purposes of sexual exploitation, especially at tourist destinations.4101 Some children have been exploited by foreign pedophiles, although the majority of children engaged in prostitution cater to local citizens.4102 The government estimates that more than 2,000 children are engaged in prostitution.4103 A local NGO estimates that in 2003, there were 5,000 to 6,000 children between the ages of 8 and 15 years engaged in sex work, 70 percent of which were boys.4104

Despite the ceasefire, reports indicate that children continue to be recruited to serve as child soldiers by the Liberation Tigers of Tamil Eelam (LTTE).4105 NGOs claim boys and girls, some as young as 12 years old, are recruited by the LTTE; children that have disappeared are feared to have been conscripted.4106

Under the Compulsory Attendance of Children at School Regulation No.1 of 1997, primary education is free and compulsory for children 5 to 14.4107 In 1998, the gross primary enrollment rate was 105.9 percent, and the net primary enrollment rate was 97 percent.4108 An estimated 85 percent of children under the age of 16 attend school.4109 Primary school attendance rates are unavailable for Sri Lanka. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.4110

Educational reforms to improve the quality of education have been initiated by the government in 1999, but education authorities and parents in rural and conflict-affected areas are not fully informed.4111 Education facilities in

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4100 Ibid., Section 6c.
4103 Ibid., Section 5.
4104 U.S. Embassy- Colombo, unclassified telegram no. 1436.
4108 Net enrollment rates greater than 100 percent indicate discrepancies between the estimates of school-age population and reported enrollment data. See World Bank, World Development Indicators 2003 [CD-ROM], Washington, D.C., 2003.
4110 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report. Also, a significant number of children with disabilities, particularly girls, do not have access to special education programs, and special schools are concentrated in the more urbanized western province. See UN Committee on the Rights of the Child, Concluding Observations, Par. 36-37.
4111 Ibid., para. 42–43.
the North and East of Sri Lanka have been badly affected by the civil war; UNICEF estimates that one third of the school-aged children have dropped out or have never attended school. In July 2003, with funding from the European Union, 55 schools were opened in the North as part of efforts to rebuild conflict-affected areas.

**Child Labor Laws and Enforcement**

Minimum age for employment in most occupations is 14 years. Gazette No. 1116/5 sets the minimum age for employment in domestic work at 14 years. The Shop and Office Employees Act of 1954 prohibits the employment of children under the age of 14 in shops and offices. The Employment of Women, Young Persons, and Children Act No. 47 of 1956, prohibits work by children that may be injurious, work by children during school hours, and work by children under 18 years in industrial settings at night. In 2003, this Act was amended to allow children below 14 years old to work only in part-time family agricultural work or participate in technical training. Children below 14 years old are prohibited to work in any family-run industrial operations. Children under 15 years are no longer allowed to work at sea on family-owned vessels. The Factories Ordinance allows for the employment of 14 year olds and calls for medical certification of children under 16 years old, and prohibits children below 18 years old from engaging in hazardous employment. In January 2000, Parliament repealed a regulation permitting domestic employment for children as young as 12 years old. Forced labor is prohibited under the Abolition of Slavery Ordinance of 1844. The Penal Code contains provisions prohibiting sexual violations against children, particularly with regard to child pornography, child prostitution, and the trafficking of children. Penalties for trafficking children includes imprisonment of 5 to 20 years and a fine. The minimum age for recruitment into the armed forces is 18 years old.

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4112 In the conflict affected areas, 836 out of 980 primary schools are functioning primary schools; 7 percent have sanitation facilities and 60 percent have access to safe water. The average dropout rate in these areas is 15.8 percent compared with the national average of 3.9 percent. There is a severe teacher shortage with approximately 25 percent of all posts vacant in the North and East. However, the ceasefire between the government and the LTTE has allowed for the return of internally displaced people. See UNICEF, Humanitarian Action Report, 274-75.


4114 U.S. Embassy- Sri Lanka, letter to USDOL official, September 21, 2000. However, younger children are allowed to be employed by their parents or guardians for limited work in agriculture. See Employment of Women, Young Persons, and Children Act No. 47 of 1956, Part III, para 14(1) (a) (i); available from http://www.labour.gov.lk/documents/4_5 Chap.htm.


4116 The Children and Young Persons Ordinance of 1956 also has similar provisions that address the employment of children. See Employment of Women, Young Persons, and Children Act, Part II, para 7 (2) (a).

4117 The amendment increased penalties for child labor violations to Rs 10,000 (approximately USD 100) and 12 months imprisonment. See the Employment of Women, Young Persons, and Children (Amendment Act) No. 8 of 2003 as cited in U.S. Embassy- Colombo, unclassified telegram no. 1436. See also Government of Sri Lanka, Employment of Women, Young Persons, and Children (Amendment) Act No. 8 of 2003, (March 17, 2003), [hard copy on file]. For currency conversion, see FXConverter, [online] [cited October 10, 2003]; available from http://www.oanda.com/convert.

4118 U.S. Embassy- Colombo, unclassified telegram no. 1436.


In October 2002, the police opened an office to support NCPA investigations into child abuse and to arrest suspects based on those investigations.\footnote{U.S. Embassy– Colombo, unclassified telegram no. 1436.} The NCPA also has a cyber watch unit to monitor websites for advertisements soliciting children.\footnote{Ibid.} The NCPA is the central agency for coordinating and monitoring action on the protection of children.\footnote{ILO, The ILO-Japan Asian Meeting. See also U.S. Embassy– Colombo, unclassified telegram no. 1856.} The Sri Lankan Department of Labor, the Department of Probation and Child Care Services and the Police Department are responsible for the enforcement of child labor laws in their respective jurisdictions.\footnote{U.S. Embassy– Sri Lanka, letter, November 8, 2001.}

From January to July 2003, a total of 102 complaints on child labor violations were reported by the Department of Labor, of which 23 were prosecuted.\footnote{U.S. Embassy– Colombo, unclassified telegram no. 1436.} In 2002, international monitors received over 600 complaints about child abductions, indicating the LTTE increased recruitment of children despite the ceasefire accord.\footnote{The Sri Lanka Monitoring Mission (SLMM) was set up of representatives from Nordic countries to verify the implementation of the ceasefire agreement. At the end of 2002, the SLMM found that 313 cases out of 603 complaints regarding child recruitment were violations of the ceasefire agreement. See Amnesty International, Sri Lanka Country Report.} Though there are fewer reported cases of child recruitment since early 2003, significant numbers of released children are yet to be seen.\footnote{UNICEF indicates that more releases of child combatants may come once relief mechanisms are in place. See Lindsay Beck, S. Lanka Rebels Said Recruiting Fewer Children, (Reuters Limited), Reuters, [hard copy on file] May 8, 2003.}

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Suriname developed a Policy Plan Concerning Children 2002-2006, which addresses the worst forms of child labor and child policy in general. The ILO initiated a two-year project to identify, eliminate, and prevent the worst forms of child labor in the English and Dutch-speaking Caribbean through the development of national and sub-regional capacities to implement ILO Convention 182. As part of this effort, a survey to assess the situation of children working in mining, agriculture, and other worst forms of child labor in Suriname was released in 2003. The government’s Bureau for Child Rights, which became operational in June 2001, works with UNICEF to address the violation of children’s rights and to promote educational opportunities.

The Justice Department has conducted an inventory of national legislation on child abuse and exploitation to ensure its conformity with the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. The Bureau for Child Development, an office within the Foundation for Human Development, provides training to the Department of Justice, the police and health workers to sensitize them about child rights and child abuse. This exercise is now a standard component of police cadet training. The Ministry of Social Affairs and Housing provides child allowances, free medical care and subsidies for school uniforms, shoes and supplies for targeted low-income households.

Incidence and Nature of Child Labor

In 2001, the ILO reported that less than 1 percent of children ages 10 to 14 years in Suriname were working. According to the ILO child labor assessment, children work in agriculture, fishing, timber production, mining, domestic service in third-party homes, construction, the furniture industry, and as vendors selling a variety of goods. The report found that while hours of work vary substantially, some children work more than five hours per day. Children also work without adult supervision in some cases. Children working in mining are exposed to dangerous substances such as mercury.

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4132 The government established a steering committee composed of representatives from relevant agencies to coordinate and implement the plan. See Department of Labour, Technological Development, and Environment, Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labour, October 11, 2002.
4136 ECPAT International, Suriname, “Protection”.
4137 Ibid.
4139 According to the ILO, 0.4 percent of children were working. See World Bank, World Development Indicators 2003 [CD-ROM], Washington, D.C., 2003.
4140 Marten Schalkwijk and Wim van den Berg, Suriname: The Situation of Children in Mining, Agriculture, and other Worst Forms of Child Labour, 30, 46, 52, 60.
4141 Ibid., 49, 57.
4142 Ibid., 60.
4143 Ibid., 70, 74.
The Constitution of Suriname mandates free and compulsory primary education. Under the Compulsory School Attendance Act, children in Suriname must be provided with the opportunity to attend school between ages 7 and 12. In 2000, the net primary attendance rate was 77.5 percent. School attendance in the rural interior, which was 61.2 percent, is significantly lower than in the rest of the country. In 2000, 84 percent of children who entered the first grade of primary school reached the fifth grade. Problems in the education system include inefficient allocation of resources, lack of accountability for teachers, very limited monitoring of school performance, low quality, high repetition rates, and high dropout rates at the secondary school level. In addition, school is taught in Dutch and many students do not speak Dutch at home. Although the government covers the majority of primary school costs, parents must pay school registration fees and provide school supplies and uniforms, which are barriers to education for poor and large families. Lack of transportation, facilities, and teachers poses barriers to school attendance.

Child Labor Laws and Enforcement

The Labor Act sets the minimum age for employment at 14 years. Under Article 18 of the Labor Act, children who have reached age 12 may work if it is necessary for training or is specifically designed for children, does not require much physical or mental exertion, and is not dangerous. Article 20 of the Labor Act prohibits children from performing night work or work that is dangerous to their health, life or morals.

The Constitution prohibits forced labor. Prostitution is illegal, and procuring a minor child for sexual activities is prohibited by the Criminal Code. The legal age for sexual consent is 14 years.
The country’s Labor Inspection Office, in cooperation with the Juvenile Police Division, enforces child labor laws.\textsuperscript{4159} Although the government has enacted laws to combat child labor, enforcement remedies are not adequate, partly because there are too few labor inspectors and a penalty structure that fails to deter employers.\textsuperscript{4160} About 20 labor inspections are conducted in Suriname annually; no violations of child labor laws were discovered in 2002.\textsuperscript{4161} The Labor Inspection office, however, does not enforce the laws in the informal sector.\textsuperscript{4162}

The Government of Suriname has not ratified ILO Convention 138 or ILO Convention 182.\textsuperscript{4163}

\textsuperscript{4159} U.S. Embassy- Paramaribo, unclassified telegram no. 810.
\textsuperscript{4160} Ibid.
\textsuperscript{4161} U.S. Embassy- Paramaribo, unclassified telegram no. 972.
\textsuperscript{4162} Ibid.
SWAZILAND

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The National Program of Action for children, implemented in 1992, involved the formation of government committees on children’s issues. The program addressed most articles of the UN Convention on the Rights of the Child except free and compulsory primary education, which the government cannot ensure due to financial constraints. In 2002, the government established a Children’s Unit to promote and protect child rights. The unit collaborates with law enforcement on child protections issues, has developed guidelines for management of child abuse cases and has established professional networks through cooperation with the government’s legal branch and NGOs. The Government of Swaziland, with a loan from the World Bank, is implementing a project on the protection of children and orphans, which will make education and health care more accessible to the most vulnerable children in the country. The project will also provide rehabilitation and reintegration services to street children and provide social protection to orphans and vulnerable children.

UNICEF and Save the Children Swaziland have projects designed to improve the education system in Swaziland. UNICEF’s program focuses on improving gender equity in schools and generally improving the overall quality of education. Save the Children Swaziland has implemented programs to promote inclusive education for disabled children and also improve awareness of HIV/AIDS.

Incidence and Nature of Child Labor

In 2000, the Government of Swaziland and UNICEF estimated that 11.3 percent of children ages 5 to 14 years were working. Children work in agriculture (particularly in the eastern region), and as domestics and herders. There are reports that girls from Mozambique have been involved in child prostitution in Swaziland.

Education is neither free nor compulsory in Swaziland. The government pays teacher salaries, while student fees and money raised from the community pay for costs such as building upkeep and teacher housing. In 2000,
the gross primary school enrollment rate was 124.6 percent, and the net primary school enrollment rate was 93 percent. In 1999, 84 percent of children enrolled in primary school reached grade 5.

**Child Labor Laws and Enforcement**

The minimum age of employment is set at 15 years for industrial work, although children may work in the commercial sector beginning at age 13. Employment of children under 18 years is not permitted in mines, quarries or underground work, or in any sector that is dangerous to their safety or health. The law allows children under 15 to work in industrial firms that only employ family members or in technical schools under supervision, and limits children to 6 hours of work per day and 33 hours per week. The Ministry of Labor is responsible for enforcing child labor laws, but its effectiveness is limited by a lack of personnel.

The Criminal Code prohibits the procurement of a girl for purposes of prostitution. There is no law prohibiting trafficking in persons.


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4176 World Bank, *World Development Indicators* 2003. In 1996 the government reported a 90.6 percent primary school attendance rate. See also Government of Swaziland, *Multiple Indicator Cluster Survey*.


4179 Ibid.


4181 Ibid.


4183 U.S. Department of State, *Country Reports- 2002: Swaziland*, Section 6f

TANZANIA

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Tanzania became a member of ILO-IPEC in 1994. Since 1995, ILO-IPEC has implemented 40 action programs in Tanzania to address child labor. ILO-IPEC has worked with the Ministry of Labor, Youth Development and Sports in providing training on child labor issues for labor inspectors to support them in reporting on the incidence of hazardous forms of child labor. The Ministry of Community Development, Women Affairs and Children, with support from ILO-IPEC, has provided training to community development workers to enhance their capacity to include child labor in district-level community development plans. The Ministry of Community Development, the Ministry of Health, the Ministry of Education and Culture, and various municipal authorities have also collaborated in an ILO-IPEC supported project run by the Kiota Women Health and Development Organization that focuses on prevention, withdrawal and rehabilitation of girls engaged in prostitution. A number of government ministries have established child labor units, including the Ministry of Labor, Youth Development and Sports; the Bureau of Statistics; and the Department of Information Services.

In 2000, Tanzania joined four other countries participating in an ILO-IPEC program, funded by USDOL, to remove children from exploitative work in commercial agriculture. In June 2001, the Government of Tanzania announced that it would initiate an ILO-IPEC Time-Bound Program, a comprehensive, national level project to eliminate the worst forms of child labor by 2010, in line with Tanzania’s National Development Provision 2025 and the country’s poverty eradication strategy. The first phase of this project, with funding from USDOL, aims to combat child labor in abusive forms of domestic work and in the commercial sex, commercial agriculture and mining sectors in 11 districts. In September 2002, the Tanzanian Ministry of Labor, Youth Development and Sports and the Ministry of Education and Culture signed a letter of agreement with USDOL expressing support for the Time-Bound Program, noting the U.S. Government’s funding of grants to ILO-IPEC and the Education Development Center in Tanzania in support of this initiative.

The Government of Tanzania has included elimination of child labor as an objective of its Poverty Reduction Strategy Paper and has included preparation of a child labor action plan in its workplan. The strategy paper es-
established the Poverty Monitoring Master Plan (PMMP), which includes children in the labor force as a poverty monitoring indicator. From April 2000 to March 2001, the government conducted a child labor survey with technical assistance from ILO-IPEC’s SIMPOC. In May 2003 the Tanzanian Ministry of Labor and the National Bureau of Statistics released the Integrated Labor Force Survey for 2000/1, which updates the 1990/91 national labor survey. The ILFS includes data regarding children in the labor force.

Tanzania’s Basic Education Master Plan aims to achieve universal access to basic education for children over the age of 7, and ensure that at least 80 percent of children complete primary education and are able to read and write by the age of 15. Under the plan, the government abolished school fees to promote children’s enrollment in primary school. With support from UNICEF, the Ministry of Education and Culture has launched a 3-year program, Complementary Basic Education in the United Republic of Tanzania, to help children who have dropped out of school reintegrate into the system. The Ministry of Education and Culture has launched a Community Education Fund with World Bank support to improve the school infrastructure. Through the Primary Education Development Program, the World Bank is supporting Government of Tanzania efforts to improve education quality, enhance access to schooling and increase school retention at the primary level. In January 2002, the government introduced a grant to support the building and improvement of classrooms that amounts to the provision of USD 400 per school per year on average. In June 2002, the Government of Tanzania was selected to receive funding from the World Bank and other donors under the Education for All Fast Track Initiative, which aims to provide all children with a primary school education by the year 2015. In 1997, Tanzania joined ILO-IPEC’s Action Against Child Labor through the Education and Training Project, which has mobilized teachers, educators and their organizations, and the general public to launch campaigns against child labor at the local and national levels.

With funding from USAID, the Government of Tanzania in 1998 launched the Social Action Trust Fund (SATF), which provides grants to community groups and NGOs that work with victims of HIV/AIDS and their families. SATF grants have provided assistance to 13,525 AIDS orphans in 14 regions, supporting primary and secondary education for children who were unable to pay school fees and uniform and book costs because of the loss of their


4199 United Republic of Tanzania, letter, October 4, 2002.


4203 United Republic of Tanzania, letter, October 4, 2002.


parents to AIDS.\textsuperscript{4206} HIV/AIDS has led to many children being orphaned and left vulnerable to child labor because of the need to provide for themselves.\textsuperscript{4207}

Under its strategy paper, Tanzania established an Education Fund to support children from poor families.\textsuperscript{4208} Tanzania has also identified education as a strategy for combating poverty under its Development Vision 2025 and its Poverty Eradication Strategy 2015. The country’s poverty eradication agenda includes ensuring all children the right to basic quality education.\textsuperscript{4209}

\textbf{Incidence and Nature of Child Labor}

In the 2000/2001 labor force survey, ILO-IPEC and the National Bureau of Statistics of Tanzania, reported that 39.6 percent of children ages 5 to 17 were economically active, while 47.8 percent were engaged in housekeeping activities.\textsuperscript{4210} Participation in economic activities was highest in rural areas, while urban areas claimed the higher proportion of engagement in activities within the household.\textsuperscript{4211} Of economically active children, 97 percent are unpaid and working for family members.\textsuperscript{4212}

Children work on commercial tea,\textsuperscript{4213} coffee,\textsuperscript{4214} sugar cane,\textsuperscript{4215} sisal,\textsuperscript{4216} cloves,\textsuperscript{4217} and tobacco farms,\textsuperscript{4218} and in the production of corn, green algae (seaweed), pyrethrum, rubber, and wheat.\textsuperscript{4219} Children also work in underground mines.\textsuperscript{4220} Children ages 7 to 13 years work in mine pits an average of 4 to 5 hours per day, while children ages 14 to 18 years work on average 7 hours per day. Children working in bars and restaurants near the mines work even longer hours, with children ages 10 to 13 years working an average of 14 hours per day.\textsuperscript{4221} In the informal sector, children are engaged in scavenging, fishing, fish processing, informal quarrying, and work in informal


\textsuperscript{4207} ILO-IPEC, Tanzania: Focusing on the Worst Forms of Child Labor, 12.

\textsuperscript{4208} United Republic of Tanzania, Poverty Reduction Strategy Paper, 4, 44.

\textsuperscript{4209} UNESCO, EFA Country Report:Tanzania.


\textsuperscript{4211} Ibid., 30.

\textsuperscript{4212} Ibid., 41.


\textsuperscript{4216} A plant that yields a stiff fiber used for cordage and rope. See ILO-IPEC, Tanzania: Focusing on the Worst Forms of Child Labor, 15.

\textsuperscript{4217} Ibid.


\textsuperscript{4221} Mwami, Sanga, and Nyoni, Tanzania Children Labour in Mining, 37–39.
Children also work in domestic service. In 2000, the survey indicated that children younger than 17 years comprise 80 percent of domestic workers. Other children work as barmaids, street vendors, car washers, shoe shiners, carpenters, and auto repair mechanics. Girls as young as 7 years old, and increasingly boys, are reportedly subject to commercial sexual exploitation. Children from Kenya, Uganda and Rwanda have also been identified engaging in prostitution in Tanzania.

According to reports, children have been trafficked to work in the fishing industry, mines, commercial agriculture, and domestic service. Children are trafficked from rural areas for use in the commercial sex sector. Such children are often lured with false promises of work in urban areas as house girls, barmaids, and in hair salons. It is reported that female children are trafficked from Tanzania to South Africa, the Middle East, North Africa, Europe and the United States for the purpose of commercial sexual exploitation. Children in the country’s large refugee population have been particularly vulnerable to being trafficked to work on commercial farms. Some have also been taken from refugee camps to be trained as child soldiers in neighboring countries.

Education in Tanzania is compulsory for 7 years, until children reach the age of 15, but families must pay for enrollment fees, books and uniforms. In 2000, the gross primary enrollment rate was 63.0 percent, and the net primary enrollment rate was 46.7 percent. In 2001, 56.9 percent of children aged 5 to 17 attended school. In 1999, 81.8 percent of children enrolled in primary school reached grade 5.

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4229 Ibid.

4230 Ibid.

4231 Ibid.

4232 Ibid.


4236 World Bank, *World Development Indicators 2003*. 
Child Labor Laws and Enforcement

The Employment Ordinance of 1956 sets the minimum age for employment at 15 years, and prohibits children from working near machinery or engaging in underground work. The law does not restrict children from working in agriculture. Under the Employment Ordinance, employers are obliged to maintain registers listing the age of workers, working conditions, the nature of employment, and commencement and termination dates. Tanzania’s Constitution prohibits forced or compulsory labor. Tanzanian law considers sexual intercourse with a child under the age of 18 as rape, which is punishable with life imprisonment. The Tanzanian Penal Code was amended in 2001 to include a provision criminalizing trafficking within or outside Tanzania.

Several government agencies have jurisdiction over areas related to child labor, but primary responsibility for enforcing the country’s child labor laws rests with the Ministry of Labor, Youth Development and Sports. A Child Labor Unit within the Ministry of Labor, as the secretariat for the National Child Labour Elimination Steering Committee, serves as a liaison between the various government ministries and stakeholders. It is responsible for administering child labor-related projects, conducting the child labor component of the labor inspector training, and gathering and disseminating data on child labor. At the community level, child labor monitoring committees have been established in areas with a high frequency of child labor.


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4237 The Employment Ordinance states that any employer found to be in violation of child labor laws is subject to a fine of 2,000 to 4,000 shillings (USD 1.95 to 3.90) and/or 3 to 6 months of imprisonment. See Law Reform Commission of Tanzania, Report of the Commission on the Law Relating to Children in Tanzania, Dar es Salaam, 1997, 131-32. See also United Republic of Tanzania, letter, October 4, 2002. See also FXConverter, [cited September 23, 2003]; available from http://www.oanda.com/convert/classic.


4241 Sexual Offences Special Provisions Act, Section 6(2).

4242 U.S. Department of State, Trafficking in Persons Report- Tanzania.


Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Thailand became one of the six original countries to participate in ILO-IPEC in 1992. In addition, the government has adopted national plans of action to address child labor, the commercial sexual exploitation of children, and trafficking of women and children. In December 1999, the Ministry of Social Development and Human Security’s Department of Public Welfare created the National Secretariat on Trafficking in Women and Children in the Mekong Sub-Region.

The Department of Public Welfare maintains a child labor reporting hotline. The Department also facilitates the participation of communities in anti-child labor activities and has initiated a public awareness campaign that includes information about child labor laws. The Ministry provides vocational training to improve children’s skills and prevent them from entering work prematurely. The Department of Social Welfare has established shelters for street children, and the Department of Social Development and Welfare provides legal assistance to child victims, including counseling and rehabilitation services.

The government works on trafficking with the governments of neighboring countries, NGOs and international organizations by raising awareness, providing shelters and social services, and by assisting in the repatriation of victims. Thailand is included in an ILO-IPEC Sub-Regional Project funded by the United Kingdom to combat...
trafficking of women and children for exploitative labor in the Mekong, and a USDOL-funded project to combat the involvement of children in the drug/trade. The Department of Social Development and Welfare and IOM cooperate in assisting foreign trafficking victims in Thailand, and the department works with its counterpart agencies in both Laos and Cambodia to repatriate their nationals. U.S. Department of State supports a number of NGO and government efforts, particularly of the Ministry of Justice, the Royal Thai police force, and the Department of Social Development and Welfare, to combat trafficking through increasing public awareness, strengthening victim protection and improving the prosecution of traffickers. USDOL also supports the International Justice Mission’s counter-trafficking efforts that include work with government law enforcement officials and rehabilitation officers.

The Education Reform Office was established in 2000 to manage broad reforms mandated under the National Education Act of 1999. These reforms include management decentralization and increased quality of education, with the aim of achieving universal access to 12 years of free education. The Ministry of Education’s Department of Non-Formal Education provides basic education and vocational education to out-of-school and disadvantaged children. The Government of Thailand and NGOs support a number of innovative education initiatives. In 1999, UNICEF began a program to provide scholarships and raise awareness among school dropouts and their families to encourage children to return to school.

**Incidence and Nature of Child Labor**

In 2001, the ILO estimated that 11.5 percent of children ages 10 to 14 years in Thailand were working. Children work in the agriculture, construction, manufacturing, industrial services, and the fishing sector.

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Children also work in domestic service. Reports indicate that children are involved in the trafficking of drugs in Thailand, and are victims of commercial sexual exploitation, including child pornography. Thailand is a source, transit and destination country for the trafficking in persons for both labor and commercial sexual exploitation, including children. Trafficking is exacerbated by sex tourism. Domestic NGOs report that girls ages 12 to 18 are trafficked from Burma, China, and Laos for the purposes of commercial sexual exploitation. Children are also trafficked into Thailand from Cambodia and Burma to work as beggars, in commercial sexual exploitation, in sweatshops, and for domestic work. Internal trafficking, especially of members of Northern Thailand stateless ethnic tribes, also occurs.

Several key provisions of the National Education Act of 1999 took full legal effect in 2002, mandating the extension of the compulsory education period to 9 years of schooling, beginning at age 7, and extension of cost free schooling to 12 years. In 2000, the gross primary enrollment rate was 94.8 percent. The net primary enrollment rate for the same year was 85.4 percent, with 84.1 percent of girls enrolled compared to 86.7 percent of boys. Primary school attendance rates are unavailable for Thailand. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.

**Child Labor Laws and Enforcement**

Chapter Four of Thailand's Labor Protection Act of 1998 sets the minimum age for employment at 15 years. Employers are required to notify labor inspectors if children under age 18 are hired, and the law permits children ages 15 to 18 to work only between the hours of 4 p.m. and 10 p.m. with written permission from the Director-General or a person assigned by the Director-General. Children under age 18 may not be employed in hazardous

4269 Child Workers in Asia, Behind Closed Doors: Child Domestic Workers-The Situation and the Response, 1998, 40-42 [cited August 30, 2002]; available from http://www.cwa.tnet.co.th/domestic/contents.htm. A recent rapid assessment on the sector found that the numbers of Thai child domestic workers are low, but that apparently there are increasing numbers of foreign child workers becoming domestics. The report advocated for more research on foreign children engaged in domestic work, as they may be more vulnerable to exploitation. See Nawarat Phlainoi, Child Domestic Workers: A Rapid Assessment, no. 23, ILO, Geneva, April 2002, 16, 44, 64.


4275 Royal Thai Embassy, facsimile communication, September 5, 2002. See also Phlainoi, Child Domestic Workers.


4278 In 1998, 97.1 percent of children persisted to grade five as a percentage of the total cohort. World Bank, World Development Indicators 2003.

4279 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

work, which is defined by the law to include any work involving hazardous chemicals, harmful temperatures or noise levels, exposure to toxic micro-organisms, the operation of heavy equipment, and work underground or underwater. The maximum penalty for violation of the child labor sections of the Labor Protection Act is one year of imprisonment and fines of 200,000 baht (USD 4,783).4281

The Prostitution Prevention and Suppression Act of 1996 prohibits all forms of prostitution and provides specific penalties for cases involving children under the age of 18.4282 Fines and terms of imprisonment under the law are based on the age of the child involved, with more severe terms established for prostitution involving children under the age of 16.4283 The Prevention and Suppression of Trafficking in Women and Children Act of 1997 expands the list of activities that can be sanctioned under the law, extends legal protection to victims from other countries, and provides for basic protection for victims.4284 The Penal Code Amendment Act of 1997 also provides penalties for traffickers of children under the age of 18, regardless of nationality.4285 The Money Laundering Act of 1999 allows authorities to confiscate the assets of persons who are either convicted of trafficking or work in prostitution.4286 The Criminal Procedure Amendment Act of 1999 provides protection for child victims in the course of testifying in cases of sexual exploitation.4287

Four government bodies are responsible for enforcing child labor laws: the Royal Thai Police, the Office of the Attorney General, the Ministry of Justice, and the MOL.4288 Both periodic and complaint-driven labor inspections are conducted, and inspecting officers have the right to remove child workers from businesses and place them in government custody before court decisions on the cases.4289 In general, the labor inspection system tends to be

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4281 Under Section 22 of the law, certain types of work related to agriculture, sea fishing and work in the home may have different protections than those contained in the Act. Under Section 50, children are banned from work in places where alcohol is sold, in hotels, or in massage parlors. Ibid., Sections 22, 49-50, 148. For currency conversion see FX Converter, [online] [cited July 24, 2003]; available from http://www.carosta.de/frames/convert.htm.


4283 Individuals who engage in CSE with children ages 16 to 18 are subject to jail terms of up to 15 years and fines of 20,000 to 300,000 baht (USD 491 to 7,174). The range of penalties is nearly twice as much for those patronizing children ages 15 and under. Under Section 12, government officials who compel others to engage in commercial sexual exploitation face penalties of 15 to 20 years of imprisonment and/or substantial fines ranging between 300,000 and 400,000 baht (USD 7,174 to 9,565). If fraud or coercion on the part of the patron is involved, penalties also increase. Owners, managers, and supervisors of prostitution businesses or establishments, government administrative or police officials, as well as parents who knowingly permit their children to become engaged in prostitution, face steep fines and jail terms if found guilty of violating the terms of the Act. See Prevention and Suppression of Prostitution Act, Sections 8-12. For currency conversion see FX Converter, available from http://www.carosta.de/frames/convert.htm.


4287 Royal Thai Embassy, facsimile communication, September 5, 2002, 8.

4288 The MOL’s DLPW employs several specific enforcement tools to deal with child labor, such as regulations for inspection of establishments suspected of using child labor. U.S. Embassy- Bangkok, unclassified telegram no. 6420.

4289 Ibid.
more reactive than proactive, with inspectors usually responding to public complaints or newspaper reports.\textsuperscript{4290} However, in 2002 Thailand’s Central Labor Court awarded almost USD 50,000 in back wages to 33 Burmese persons, 21 of whom were minors, who had been trafficked to a clothing factory to work under conditions of forced labor. Under the 1999 MOU on trafficking victims, the workers were permitted by government authorities to remain in Thailand for several months, enabling them to testify in the civil case.\textsuperscript{4291}

The Government of Thailand has not ratified ILO Convention 138, but ratified ILO Convention 182 on February 16, 2001.\textsuperscript{4292}

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\textsuperscript{4290} U.S. Department of State, \textit{Country Reports- 2002: Thailand}, Section 6d. The MOL tends to focus its inspection efforts on larger factories in an effort to reach the largest portion of the workforce, with relatively fewer inspections of smaller workplaces where child labor may more easily go unnoticed. See U.S. Embassy- Bangkok, \textit{unclassified telegram no. 6420}.

\textsuperscript{4291} The victims were repatriated in July 2001. See U.S. Department of State, \textit{Country Reports- 2002: Thailand}, Section 6c.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Togo has been a member of ILO-IPEC since 2000. In March 1999, the government formulated a National Action Plan against child trafficking that focuses on gathering information, raising awareness at the community level, and taking steps to enhance its institutional capabilities to combat trafficking. Togo is one of nine countries participating in a regional project implemented by ILO-IPEC and funded by USDOL to combat the trafficking of children in West and Central Africa. As a member of ECOWAS, Togo has committed itself to repatriate victims of trafficking, provide them with necessary social services, and to establish policies and programs to combat and prevent human trafficking. It has also collaborated with other ECOWAS member states to draft an action plan that identifies criminal justice interventions to be undertaken in the years 2002 and 2003 against trafficking in persons. In June 2002, the Government of Togo signed an agreement with the U.S. Government to support the implementation of an education project that focuses on child trafficking victims. The U.S. European Command has also funded the renovation of a center for repatriated child trafficking victims.

The Government of Togo has drafted a law that imposes a 5 to 10 year prison term on traffickers or a fine of up to 10 million CFA francs (USD 17,630.70). In mid-2002, Togo began creating local committees that work to raise awareness of child trafficking in rural areas. In 2000, the government, in collaboration with UNICEF and NGOs, conducted awareness raising campaigns on forced labor and trafficking. The Government of Togo is working with the Global Program against Trafficking in Human Beings of the UN Office on Drugs and Crime (UNODC) to strengthen anti-trafficking efforts. UNODC is providing technical assistance in areas such as research and law enforcement training. The government also funds a Social Center for Abandoned Children, and has provided land and buildings for four victim care centers.

4295 Ibid.
In June 2002, the U.S. State Department’s Africa Bureau announced its West Africa Regional Strategy to Combat Trafficking in Persons, which includes Togo. As part of this strategy, U.S. missions in the region will focus U.S. Government resources on prosecuting traffickers, protecting and repatriating victims, and preventing new trafficking incidents through improved donor coordination and direct funding for host government or local NGOs.4305

Togo’s goals under its Education for All plan are to make education more accessible, raise the quality and relevance of the curriculum, and strengthen vocational and non-formal education.4306 UNICEF is assisting Togo to raise the low attendance rates among girls through parent and teacher trainings.4307

**Incidence and Nature of Child Labor**

In 2000, UNICEF estimated that 66.2 percent of children ages 5 to 14 years in Togo were working.4308 Children are found working in both urban and rural areas, particularly in family-based farming and small-scale trading.4309 In some rural areas, young children were sometimes placed in domestic work in exchange for a one-time fee of 15,000 to 20,000 CFA francs (USD 26.45 to 35.26) paid to their parents.4310 In remote parts of the country, a form of bonded labor occurs in the traditional practice known as **trockosi**, where young girls become slaves to priests for offenses allegedly committed by a member of their family.4311 Abuse of the cultural practice of **Amegbonovei**, through which extended family relations help to place children (usually from rural areas) with families who agree to pay for the children’s education or provide them with a salary in exchange for domestic work, also contributes to the incidence of child trafficking. Often the intermediaries who arrange the placements abuse the children and rape the girls. These children are also sometimes mistreated by the families with whom they are placed.4312

Four primary routes for child trafficking in Togo have been documented: trafficking of Togolese girls for domestic and market labor in Gabon, Benin, Nigeria and Niger; trafficking of girls within the country, particularly to the capital city, Lomé; trafficking of girls from Benin, Nigeria and Ghana to Lomé; and trafficking of boys for labor exploitation, usually in agriculture, in Nigeria, Benin and Côte d’Ivoire.4313 Boys sometimes work with hazardous

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4308 Government of Togo, *Multiple Indicator Cluster Survey 2, Lomé, 2000*; available from http://www.childinfo.org/MICS2/newreports/togo/togotables.pdf. The percentage of child labor reported for Togo in this year’s report is higher than that included in last year’s USDOL Trade and Development Act report because this year’s percentage includes a larger age group and because it is based on information in the Multiple Indicator Cluster Survey (MICS) instead of the World Bank’s *World Development Indicators* (WDI). Because the MICS is a stand-alone survey on children, it offers a more comprehensive look at work that children perform than the WDI, which projects numbers of working children based on existing non-child labor specific surveys.
4310 Ibid., Section 6c. For currency conversion, see FXConverter.
4313 Almost none of the girls interviewed in the study received remuneration for their services. Most boys worked long hours on farms, seven days a week, as part of short-term assignments. See Human Rights Watch, *Borderline Slavery: Child Trafficking in Togo*, 1-2.
equipment, and some describe conditions similar to bonded labor. Children are also trafficked from Togo to the Middle East, Europe and Asia, and there are reports that girls are trafficked to Nigeria for prostitution. Togo also serves as a transit country for children trafficked from Burkina Faso, Ghana, Côte d’Ivoire and Nigeria. Although there is no evidence of minors enlisted in the military, children under 18 are found doing menial work in military barracks.

Education is free and compulsory from 5 to 15 years. However, school fees range from 4,000 to 13,000 CFA francs (USD 7.05 to 22.92). In 2000, the gross primary enrollment rate was 124.2 percent, and the net primary enrollment rate was 92.3 percent. However, the gender disparity in net primary enrollment rates is significant: 101.3 percent of boys of primary school age versus only 83.3 percent of girls were enrolled in school. In 2000, the net primary attendance rate was 63.0 percent. In 1999, 73.8 percent of children enrolled in primary school reached grade 5. Some of the shortcomings of the education system include teacher shortages, lower educational quality in rural areas, and high repetition and dropout rates. In the northern part of the country, 41 percent of the primary school teachers are remunerated by the parents compared with only 17 percent in Lomé, where incomes are substantially higher.

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum employment age in any enterprise at 14 years, unless granted exemption by the Ministry of Labor. However, children may not begin apprenticeships before 15 years. Children are forbidden from working at night without special permission from the ministry in charge of professional training.
The Children’s Code prohibits the employment of children in the worst forms of child labor, as well as the trade of children for the purposes of sexual exploitation or forced labor or servitude.\textsuperscript{4329} Certain industrial and technical jobs set a minimum age of 18.\textsuperscript{4330} The Ministry of Labor enforces the law only in the urban, formal sector.\textsuperscript{4331} The Ministry of Health, Social Affairs, Promotion of Women and Protection of Children is responsible for enforcing laws prohibiting the worst forms of child labor, but lacks resources to implement its mandate.\textsuperscript{4332} In 2000, the government undertook efforts to revise the Apprenticeship Code, resulting in guidelines governing the length of the workday, working conditions and apprenticeship fees.\textsuperscript{4333}

Togolese law does not specifically prohibit forced or bonded labor by children.\textsuperscript{4334} However, Article 78 of the Penal Code prohibits the corruption, abduction or transfer of children against the will of a child’s guardian.\textsuperscript{4335} Articles 91 to 94 of the Penal Code prohibit the solicitation and procurement of minors.\textsuperscript{4336} Togo also cooperates with the Governments of Benin, Ghana and Nigeria under a Quadripartite Law that enables expedited extraditions.\textsuperscript{4337}

The Minor’s Brigade, a police unit, investigates trafficking cases.\textsuperscript{4338} Foreign consulates based in Togo do not issue visas to minors without first consulting a social worker.\textsuperscript{4339}

The Government of Togo ratified ILO Convention 138 on March 16, 1984, and ILO Convention 182 on September 19, 2000.\textsuperscript{4340}

\textsuperscript{4329} The worst forms of child labor are defined to include all forms of slavery; forced and compulsory labor; forced recruitment of children for use in armed conflicts; use or recruitment of children for purposes of prostitution or pornography; use or recruitment of children for illicit activities including the trafficking of drugs; and any work which is harmful to the health, safety or morals of the child. See Ibid., Articles 311, 12, 460.

\textsuperscript{4330} U.S. Department of State, \textit{Country Reports- 2002: Togo}, Section 6d.

\textsuperscript{4331} Ibid.

\textsuperscript{4332} Ibid.


\textsuperscript{4336} UN Committee on the Rights of the Child, \textit{Consideration of Initial Reports: Summary Record of the 422nd Meeting: Togo}, para. 37.


\textsuperscript{4338} U.S. Department of State, \textit{Trafficking in Persons Report: Togo}.

\textsuperscript{4339} UN Committee on the Rights of the Child, \textit{Consideration of Initial Reports: Summary Record of the 422nd Meeting: Togo}, para. 35.

**Government Policies and Programs to Eliminate the Worst Forms of Child Labor**

The Government of Tonga has established goals to further improve the educational system through the Ministry of Education’s 1996 Strategic Plan. The plan calls for an increase by 2010 in the compulsory school age to 17 or “form level” 6, and for the establishment of universal access to quality education up to form 6. It also calls for strengthening the Ministry of Education and enhancing training, expanding and developing vocational and distance education and establishing formal pre-school programs.\(^{4341}\) AusAID provides financial assistance to the Ha’apai Development Fund, which supports projects in the Ha’apai islands of Tonga. The fund is overseen by government and community representatives and has involved the construction of teacher housing.\(^{4342}\) UNICEF works with government agencies and NGOs to address children’s health and youth development in the country.\(^{4343}\)

**Incidence and Nature of Child Labor**

Statistics on the number of working children under age 15 in Tonga are unavailable. The U.S. Department of State reported that there was no child labor in the formal economy in 2002.\(^{4344}\)

The Education Act of 1974 provides for free and compulsory education from age 6 to 14.\(^{4345}\) In 2000, the gross primary enrollment rate was 112.7 percent, and the net primary enrollment rate was 91.5 percent.\(^{4346}\) Primary school attendance rates are unavailable for Tonga. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\(^{4347}\) Although the quality of schooling in Tonga has been criticized, the country has been recognized as having achieved universal primary education,\(^{4348}\) and retention rates to secondary school are high.\(^{4349}\)

**Child Labor Laws and Enforcement**

There is no legislation in Tonga that specifically prohibits child labor.\(^{4350}\) The Constitution prohibits forced or bonded labor.\(^{4351}\) Prostitution is prohibited under the Criminal Code. Penalties for offenses range from imprison-
ment for 6 months to 2 years. Males convicted a second time of profiting from prostitution may be subject to whipping.\textsuperscript{4352} The Criminal Code prohibits any person from procuring or attempting to procure any girl under the age of 21 for the purposes of trafficking for prostitution. The punishment for this offense is imprisonment for up to 5 years. The abduction of women and girls is also illegal under the Criminal Code, with penalties ranging from 5 to 7 years imprisonment.\textsuperscript{4353}

The Government of Tonga is not a member of the ILO, and as such has not ratified ILO Convention 138 or ILO Convention 182.\textsuperscript{4354}

\begin{footnotesize}
\begin{enumerate}
\item \textsuperscript{4352} Criminal Code of Tonga, Articles 80–81; available from http://www.vanuatu.usp.ac.fj/Paclawmat/Tonga_legislation/Consolidation_1988/Tonga_Criminal_Offences.html.
\item \textsuperscript{4353} Ibid., Articles 126, 28–29.
\end{enumerate}
\end{footnotesize}
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In October 2002, officials of the Government of Trinidad and Tobago attended a regional meeting, “Eliminating the Worst Forms of Child Labor”, where participants presented new research on child labor and discussed policy ideas to address the problem. The government has also adopted an education policy that aims to promote secondary school attendance and improve educational opportunities.

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 4.1 percent of children ages 5 to 14 years were engaged in work. Approximately 52 percent of working children in this age group were estimated to perform domestic work for less than 4 hours per day; less than 1 percent spent more than 4 hours per day on such tasks. Children are engaged in agriculture, scavenging, loading, unloading and stocking goods, landscaping and gardening, car repair and washing, construction, fishing, and begging. Children also work as handymen, shop assistants, cosmetologists’ assistants, domestic servants, or street vendors. There have been reports of child prostitution and of children involved in drug trafficking.

Primary education is free and compulsory between the ages of 6 and 12. In 2000, the gross primary enrollment rate was 100.4 percent, and the net primary enrollment rate was 92.4 percent. In 1999, 99.7 percent of children enrolled in primary school reached grade 5. In 2000, 88.7 percent of primary school age children were estimated to be attending school, but the public school system does not adequately meet the needs of the school age population due to overcrowding, substandard physical facilities, and occasional violence in the classroom perpetrated by gangs. The government has committed resources to increasing access to free secondary education and building new facilities.
Child Labor Laws and Enforcement

The minimum age for employment is set at 12 years. Children 12 to 14 years of age may work only in family businesses. Children under the age of 18 may work only during daylight hours; however, children ages 16 to 18 may work at night in sugar factories. There are no laws prohibiting trafficking, but the Criminal Code prohibits procuring a minor under the age of 16 years for the purpose of prostitution. The punishment for procurement is 15 years imprisonment. Trafficking may also be prosecuted under laws addressing kidnapping, labor conditions, procurement of sex, prostitution, slavery, and indentured servitude. The use of children under the age of 16 in pornography is also prohibited.

The Probation Service in the Ministry of Social Development and Family Services and the Ministry of Labor and Small and Micro-Enterprises are responsible for enforcing child labor provisions. Enforcement is weak because there are no established mechanisms for receiving, investigating, and addressing child labor complaints.

The Government of Trinidad and Tobago ratified ILO Convention 182 on April 23, 2003, but has not ratified ILO Convention 138.

4369 U.S. Embassy- Port of Spain, unclassified telegram no. 1604. See also International Confederation of Free Trade Unions, Internationally-Recognised Core Labour Standards.
4370 U.S. Department of State, Country Reports- 2002: Trinidad and Tobago, Section 6f.
4372 Ibid.
4373 U.S. Department of State, Country Reports- 2002: Trinidad and Tobago, Section 6f.
4374 U.S. Embassy- Port of Spain, unclassified telegram no. 1604.
4375 Ibid. See also U.S. Department of State, Country Reports- 2002: Trinidad and Tobago, Section 6d.
4376 U.S. Department of State, Country Reports- 2002: Trinidad and Tobago, Section 6d.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1992, the Government of Tunisia established a multi-sectoral National Plan of Action for the Survival, Protection, and Development of the Child. The Ministry of Youth and Children, Ministry of Social Affairs and Solidarity, Ministry of Education and Training, and the National Institution for the Protection of Children were among the participants in the development of the plan. In April 2002, a law completing the Child Protection Code was adopted by the Chamber of Deputies, creating a “Parliament of the Child” that teaches children civic responsibility. In September of the same year, the Cabinet was reorganized, and two ministries were given responsibility for children’s rights, the Ministry of Women, Family, and Childhood Affairs, and the Ministry of Culture, Youth, and Leisure.

In 2000, the World Bank approved a USD 99 million loan for an Education Quality Improvement Project designed to facilitate the Ministry of Education’s efforts to promote primary and secondary education. This project targets students at these levels who are at risk of dropping out of school or repeating classes. UNICEF is working with the government to implement educational projects, including gender-based initiatives, and promote children’s rights. UNICEF is also coordinating with the World Bank and the European Union to promote quality education and support priority education zones.

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 2.1 percent of the children ages 5 to 15 years in Tunisia were working. Slightly more boys than girls were working, and the incidence of children who worked in the rural areas was also higher than in urban areas. Approximately 71.4 percent of working children worked more than 4 hours per day, and over half worked during school hours, which was found to increase the risk of dropout from or failure in school.

4379 Ibid., 7-8.
4381 A secretary of state in each ministry is responsible for guaranteeing children’s rights. See Ibid.
4385 Children who are working in some capacity include children who have performed any paid or unpaid work for someone who is not a member of the household, who have performed more than four hours of housekeeping chores in the household, or who have performed other family work. See Government of Tunisia, *MICS Report: Tunisia*, 83.
4386 Ibid.
school. Nearly half of working children who were paid for their services spent their salaries on family necessities.\textsuperscript{4387} Children work in rural agriculture and as vendors in urban areas, mainly during school vacations.\textsuperscript{4388} There are also reports of child labor in the handicraft industry disguised as apprenticeships, and of families placing teenage girls as household domestics in order to collect their wages.\textsuperscript{4389}

Education is compulsory and free between the ages of 6 and 16.\textsuperscript{4390} In 2000, approximately 96 percent of 6 year old children were enrolled in school.\textsuperscript{4391} In 2000, the gross primary enrollment rate was 117.3 percent (114.7 percent for girls and 119.8 percent for boys) and the net primary enrollment rate was 99.2 percent.\textsuperscript{4392} In 2000, 94.4 percent of children ages 6 to 12 attended school. Attendance in urban areas is higher than in rural areas (97.2 percent and 90.5 percent respectively).\textsuperscript{4393} The attendance rate for adolescents between the ages of 13 and 19 years was 66.1 percent.\textsuperscript{4394} In 1999, 93.1 percent of children enrolled in primary school reached grade 5.\textsuperscript{4395}

**Child Labor Laws and Enforcement**

The Labor Code of 1966 sets the minimum age for employment at 16 years with a number of exceptions.\textsuperscript{4396} The age of 13 years is set for light agricultural and light non-industrial work, provided that the work does not pose a health hazard or interfere with the child’s development or education.\textsuperscript{4397} Under the Labor Code, children may work as apprentices or through vocational training programs at age 14.\textsuperscript{4398} In addition, children under 16 years of age may work in family-run businesses as long as the work does not interfere with school or pose a threat to the child’s health.\textsuperscript{4399} The age of 18 years is established for hazardous work.\textsuperscript{4400} The hours that children below the age of 18 are permitted to work are regulated by the Ministry of Social Affairs and Solidarity.\textsuperscript{4401} In 1995, the Government of Tunisia passed the Child Protection Code, which protects children under 18 years from abuse and exploitation, including participation in wars or armed conflicts, prostitution, and hazardous labor conditions.\textsuperscript{4402} Labor inspectors from the Ministry of Social Affairs and Solidarity are responsible for enforcing labor

\textsuperscript{4387} Ibid., 89-90.

\textsuperscript{4388} U.S. Department of State, *Country Reports- 2002: Tunisia*, Section 6d.

\textsuperscript{4389} Ibid.


\textsuperscript{4393} Government of Tunisia, *MICS Report: Tunisia*, 69.

\textsuperscript{4394} Ibid., 70.

\textsuperscript{4395} World Bank, *World Development Indicators 2003*.


\textsuperscript{4397} Children under 16 years may not engage in light non-industrial and light non-agricultural work for more than two hours per day, and the combined time spent in school and at work cannot exceed seven hours per day. See Ibid., Articles 55-56.

\textsuperscript{4398} Ibid., Articles 52-53.

\textsuperscript{4399} Ibid., Article 54.

\textsuperscript{4400} Ibid., Article 58. This article prohibits work that is a danger to the health, safety, or morality of children, and authorizes the Ministry of Social Affairs to determine the jobs that fall in this category. See also U.S. Embassy-Tunis, *unclassified telegram no. 2138*, August 2003.

\textsuperscript{4401} Code du Travail, Article 65. Article 65 prohibits children under 14 years of age from working in nonagricultural jobs between 8 p.m. and 8 a.m. Article 66 prohibits children between 14 and 18 years of age from working in non-agricultural jobs from 10 p.m. to 6 a.m. For agricultural work, Article 74 states that children under 18 years must have fixed rest periods and cannot work between 10 p.m. and 5 a.m.


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laws, including child labor laws.\footnote{\textit{Code du Travail}, Articles 170-71.} Forced and bonded labor by children is prohibited by law, and the prohibition is generally effectively enforced.\footnote{U.S. Department of State, \textit{Country Reports- 2002: Tunisia}, Section 6d.}

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Turkey has been a member of ILO-IPEC since 1992. In working towards meeting EU accession conditions, priorities for the Government of Turkey include fulfilling obligations to eliminate child labor. The Ministry of Labor and Social Security established a Child Labor Unit (CLU) that chairs an inter-agency advisory committee, comprised of representatives of government ministries, NGOs, universities, and other United Nations agencies. The CLU is also responsible for making and promoting child labor laws, launching new programs, and raising awareness with the public. The CLU has contributed to the preparation of the child labor chapter in the Eighth Five-Year Development Plan of Turkey (2000-2005). This plan commits the government to respond to child labor and promote policies designed to combat child labor by increasing family income, providing social welfare, and reducing education costs for the poor. The Government of Turkey is currently developing a National Timebound Policy and Program Framework that will further be used to develop actions to eliminate the worst forms of child labor and the involvement of children below the age of 15 in all forms of work in Turkey within a period of ten years. In October 2002, an Anti-Trafficking Task Force was formed.


4407 The government will need to address the following matters related to child labor: amending the Labor Law No. 1475 to strictly prohibit the employment of children under the age of 15 years; completing studies on defining light work and the sectors in which children 15 to 18 years old may work; and continued implementation of the ILO-IPEC project begun in 2000. See Republic of Turkey Ministry of Foreign Affairs, Executive Summary of the Turkish National Program for the Adoption of the Acquis, [online] 2003 [cited July 21, 2003]; available from http://www.mfa.gov.tr/grupa/ad/adc/executive.summ.htm.

4408 Embassy of Turkey, The Implemented Programs and Measures Taken Against Child Labor in Turkey, Washington, D.C., November 9, 2001, 5-7.


4410 The child labor policy directives that are part of the Eighth Five-Year Development Plan include eliminating the causes forcing children to work and the constraints that prevent children from attending school, and to harmonize national legislation with international conventions. See ILO-IPEC, International Program for Elimination of Child Labor (IPEC) Turkey, [online] 2003 [cited June 6, 2003], 1-2; available from http://www.ilo.org/public/english/region/eurpro/ankara/programme/ipec.htm. See also Embassy of Turkey, The Implemented Programs and Measures Taken Against Child Labor, 5.

4411 The government has committed itself to making a significant contribution (USD 6.2 million) to support the ILO-IPEC project Combating the Worst Forms of Child Labor in Turkey - Supporting the Timebound Program for the Elimination of the Worst Forms of Child Labor in Turkey, 2004-2006. The program will include activities in 11 provinces based on the prevalence of priority sectors selected by in-country stakeholders (street work, informal urban economy, and seasonal commercial agriculture). See ILO-IPEC, Combating the Worst Forms of Child Labor in Turkey - Supporting the Timebound Program for the Elimination of the Worst Forms of Child Labor in Turkey (2004-2006), project document (draft version 8/8/03), TUR/03/PS0/USA, Geneva, 2003, cover, 1.

Two nationwide surveys on child labor were carried out by the State Institute of Statistics in 1994 and 1999 as part of the Household Labor Force Survey with technical assistance from ILO-IPEC.4413 Various regional child labor elimination programs are underway throughout the country, supported by the national or local level authorities in Turkey. The government operates 28 centers to aid working street children.4414 The Ministry began a project in Izmir, to stop children under 15 years old from working in the footwear industry, textiles, and auto repair.4415 The Ministry and the Province of Yalova have established a center where education, psycho-social, and other services are provided to approximately 500 children who work or are at risk of entering child labor. The Southeastern Anatolia Development Project Regional Development Administration and the Directorate of Social Services and Child Protection jointly established a center for working children in Diyarbakir to provide social and psychological support to children and raise awareness among local organizations about child labor issues. The Directorate also provides education, psycho-social and other services at two centers in Golcuk and Adapazari to an estimated 1,000 children.4416

To support basic education reform, the EU provided funding in 2002 to improve access and the retention of children in basic and non-formal education in 12 provinces and 5 urban and suburban areas.4417 In 2002, the World Bank approved a loan to support the Second Basic Education Project that will improve education through a number of measures, including the construction of new classrooms, provision of education materials, and teacher training.4418 In 2001, the World Bank approved the Social Risk Mitigation Project to alleviate economic hardship on poor households that finances the expansion of education and health grants for the poorest 6 percent of families to support keeping children in school.4419 In June 2003, the Ministry of National Education and UNICEF launched the Advocacy Campaign for Girls’ Education to have every girl in school by the year 2005.4420

4413 As part of ILO-IPEC activities in Turkey, the 1994 survey provided information on the economic activities and household chores children in the 6-14 year age group were engaged in; the 1999 survey widened the age range to include children 5 to 17 years old. See ILO-IPEC, Combating the Worst Forms of Child Labor, 17. By comparing the two surveys, a decrease in the percentage of working children in the 6-14 age group was determined, from 8.5 percent in 1994 to 4.2 percent in 1999.

4414 U.S. Department of State, Country Reports-2002: Turkey, Section 6c.

4415 The project also aims to improve the working conditions of older children, ages 15 to 18, and to offer social support to the families of children involved in the project. The Ministry of Education, General Directorate of Social Services and Child Protection, Province of Izmir, Greater Municipality of Izmir, Ege University, and local NGOs are involved in the project. See ILO-IPEC, International Program for Elimination of Child Labor (IPEC) Turkey, 5.


Incidence and Nature of Child Labor

In 2001, the ILO estimated that 7.2 percent of children between the ages of 10 and 14 years in Turkey were working.\textsuperscript{4421} Children work in agriculture, metal work, woodworking, clothing industries, textiles, leather goods, personal and domestic services,\textsuperscript{4422} automobile repair, furniture making, hotel and catering, and footwear.\textsuperscript{4423} During certain seasons, heavy agricultural workloads prevent children from regularly attending classes.\textsuperscript{4424} According to the MLSS, an estimated 10,000 children work on the streets in Istanbul, and 3,000 work in Gaziantep.\textsuperscript{4425} A rapid assessment on working street children in 2001\textsuperscript{4426} found that street children in the cities of Diyarbakır, Adana and Istanbul pick through garbage at dumpsites, shine shoes, and sell various goods, among other activities.\textsuperscript{4427} Turkey is also a destination and transit country for girls who are trafficked for the purpose of commercial sexual exploitation from Azerbaijan, Georgia, Armenia, Russia, Ukraine, Moldova,\textsuperscript{4428} Romania, and Uzbekistan.\textsuperscript{4429}

Primary education is compulsory for 8 years for children between the ages of 6 and 14 under the Basic Education Act.\textsuperscript{4430} Expenses for school, however, such as uniforms, books, and voluntary contributions, negatively affect low-income families.\textsuperscript{4431} In 2000, the gross primary enrollment rate was 100.6 percent.\textsuperscript{4432} While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\textsuperscript{4433}

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\textsuperscript{4421} World Bank, \textit{World Development Indicators 2003} [CD-ROM], Washington, D.C., 2003. According to the 1999 survey conducted by the State Institute of Statistics, 4.2 percent of children ages 6-14 were economically active (511,000) while 27.6 percent (3,329,000) were working at home. Approximately 87.2 percent of children working at home were also attending school. See ILO-IPEC, \textit{Combating the Worst Forms of Child Labor}, 18, 25.


\textsuperscript{4425} U.S. Department of State, \textit{Country Reports-2002: Turkey}, Section 6c.

\textsuperscript{4426} This assessment was funded by USDOL with technical assistance from ILO-IPEC’s SIMPOC as part of a project that conducted 38 rapid assessments of the worst forms of child labor in 19 countries and one border area. See Bahattin Aksit, Nuray Karanci, and Ayse Gunduz-Hosgor, \textit{Turkey Working Street Children in Three Metropolitan Cities: A Rapid Assessment}, ILO, Geneva, November 2001; available from http://www.ilo.org/public/english/standards/ipec/simpoc/turkey/ra/street.pdf.

\textsuperscript{4427} Ibid., 41-42.


\textsuperscript{4430} Embassy of Turkey, \textit{The Implemented Programs and Measures Taken Against Child Labor}, 5. See also U.S. Department of State, \textit{Country Reports-2002: Turkey}, Section 5.

\textsuperscript{4431} UNICEF, \textit{State of Turkey’s Children}.

\textsuperscript{4432} The gross primary school enrollment rates are is higher for boys than for girls. In 2000, those rates were 104.7 percent and 96.3 percent respectively. There are no recent statistics on net primary school enrollment rates. However, in 1996, the net primary school enrollment rate was 99.3 percent and the gross primary school enrollment rate was 107.4 percent. See World Bank, \textit{World Development Indicators 2003}. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.

\textsuperscript{4433} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
are no recent data on primary school attendance. In 1993, the gross attendance rate was 97.5 percent and the net attendance rate was 72.8 percent. Approximately 99 percent of those children enrolled reach grade five.

**Child Labor Laws and Enforcement**

A new Labor Law became effective in June 2003 that establishes the minimum age for employment at 15 years, but allows children 14 years of age to perform light work that does not interfere with their education. Children aged 15 years old who have completed their education and do not attend school may work up to 7 hours a day, not to exceed 35 hours a week and 16 year olds may work up to 8 hours a day and up to 40 hours per week. The new law calls for the Ministry to develop a list of prohibited jobs within six months. The Labor Law prohibits underground and underwater work for boys under the age of 18 and precludes children under 17 years old from working in heavy and hazardous work. The minimum age for industrial night work is 18 years. Before beginning a job, children who are 15 to 18 years of age must undergo a physical examination, which is to be repeated every 6 months. Children under 18 years are not permitted to work in bars, coffee houses, dance halls, cabarets, casinos, or public baths.

The Apprenticeship and Vocational Training Act No. 3308 allows children ages 14 to 18 who have completed the mandatory 8 years of education to be employed as apprentices. One day per week is dedicated to training and education, and the annual vacation for children is one month. Criminal law forbids the sexual exploitation of children. In August 2002, parliament amended the Criminal Code making the trafficking of persons a crime; those convicted face 5 to 10 years in prison and a fine approximately USD 730,000 or more.

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4434 In 1993, the primary gross attendance rate was 91.7 percent for girls and 103 percent for boys. In that same year the net attendance rate was 70.0 percent for girls and 74.5 percent for boys. See USAID, “Global Education Database,” (2003).


4437 Ibid.

4438 Ibid.

4439 Women of any age are not allowed to work underground or underwater. Ibid.

4440 Ibid.

4441 Ibid.


4444 UNICEF, *State of Turkey’s Children*.

4445 The Code calls for a fine not less than one billion Turkish lira. See U.S. Embassy- Ankara, *unclassified telegram no. 5326*. See also U.S. Department of State, *Country Reports-2002: Turkey*, Section 6f. As of April 2003, six cases were opened under the new trafficking law, against 17 suspects. In two cases, courts ruled for acquittal after determining that two alleged victims had not been trafficked. In the remaining cases, fourteen suspects will go on trial with complaints filed against them. See also U.S. State Department, *Trafficking in Persons-2003*. For currency conversion, see FXConverter, [online] [cited October 10, 2003]; available from http://www.oanda.com/convert/classic.
The Ministry Labor Inspection Board is the government agency responsible for enforcing child labor laws in Turkey.\footnote{Ministry of Labor and Social Security Labor Inspection Board, Report on the Implementation of Labor Inspection Policy, 5. See also Embassy of Turkey, The Implemented Programs and Measures Taken Against Child Labor.} The Ministry has been unable to effectively enforce many of the child labor laws for a variety of reasons, including inadequate legislation, traditional attitudes, socio-economic factors, and the predominantly informal nature of child labor in Turkey.\footnote{Ministry of Labor and Social Security Labor Inspection Board, Report on the Implementation of Labor Inspection Policy, 3-5. Out of 700 MLSS labor inspectors, approximately 100 are trained to review compliance with child labor regulations in nearly 4 million establishments. See U.S. Embassy- Ankara, unclassified telegram no. 5326.} Therefore, the Board has focused on protecting working children by improving their working conditions.\footnote{Embassy of Turkey, The Implemented Programs and Measures Taken Against Child Labor. See also Embassy of Turkey, Policies, Programs, and Measures Against Child Labor in Turkey, Washington, D.C., September 6, 2002, 10, 11, 14.}

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Tuvalu began a review of national education policy in 2002 in order to address concerns regarding the quality of education in the country. UNDP provides technical assistance to strengthen the capacities of local governments in Tuvalu and involve youth in decision making, and implements basic education, non-formal education, and poverty strategy initiatives in the Pacific region, including Tuvalu. UNICEF works with the Ministry of Health, other government agencies, and NGOs to address children's health and youth development. ADB is providing financing for vocational training to address the low rates of secondary school enrollment in the country. The EU provides funds for education-related projects, and AusAID is funding an 8-year project to improve the management and administration of the education system at the primary and secondary levels.

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Tuvalu are unavailable. Reportedly, children are rarely employed outside traditional subsistence farming and fishing.

Under Tuvalu’s Education for Life program, education is compulsory between the ages of 6 and 15 years, and free until the age of 13. In 1998, the gross and net primary enrollment rates were both 100 percent. Primary school attendance rates are unavailable for Tuvalu. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. Although Tuvalu has achieved almost universal primary education, secondary enrollment rates are much lower.

4459 Primary education, which is free, is required for children ages 6 through 13. See UNESCO, Education for All 2000 Assessment: Country Reports- Tuvalu, prepared by Department of Education, pursuant to UN General Assembly Resolution 52/84, 2000, Section 6.2; available from http://www2.unesco.org/web/countryreports/tuvalu/contents.html.
4461 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
**Child Labor Laws and Enforcement**

Tuvaluan law sets the minimum age of employment at 14 years, and a child must be 18 years old to sign a formal work contract.\(^{4463}\) The law prohibits industrial labor or work on ships by children less than 15 years of age.\(^{4464}\) In addition, the Constitution and the Penal Code prohibit forced labor.\(^{4465}\) The Penal Code criminalizes the procurement of a child less than 18 years of age for prostitution.\(^{4466}\) While the Penal Code does not specifically address trafficking in children, the kidnapping or abducting of children is prohibited.\(^{4467}\) There is no information available on the enforcement of labor laws, but there were no reports of trafficking in persons, including children during 2002.\(^{4468}\)

The Government of Tuvalu is not a member of the ILO, and as such has not ratified ILO Convention 138 or ILO Convention 182.\(^{4469}\)

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\(^{4464}\) Ibid.


\(^{4466}\) Penal Code, Articles 136, 38-39.

\(^{4467}\) Ibid., Articles 131-32, 241-42, 46-47.


Government Programs and Policies to Eliminate the Worst Forms of Child Labor

The Government of Uganda has been a member of ILO-IPEC since 1998.4470 Through the Ministry of Gender, Labor, and Social Development, the Government has created several institutions and put in place policies to address child labor issues.4471 The Ministry houses the Child Labor Unit, which was created to develop policies and programs on child labor4472 and, in consultation with additional stakeholders, has developed a draft National Policy on Child Labor.4473 The Ministry also provides the Secretariat for the National Steering Committee on Child Labor4474 and oversees the National Council of Children.4475 As a result of the 2000 Amnesty Act, the government provides assistance to former rebels returning to Uganda, including child soldiers, in the form of resettlement packages with educational benefits and vocational training.4476 The military has established child protection units to assist returning child soldiers.4477 The government has also been involved in efforts to eliminate child labor through strategies to reduce poverty, specifically the Poverty Eradication Action Plan and the Plan for Modernisation of Agriculture.4478

Uganda is one of five countries participating in USDOL-funded ILO-IPEC regional programs to combat child labor in the commercial agricultural sector and build capacity to facilitate national and sub-regional efforts against the worst forms of child labor.4479 In 2003, the Government of Uganda is scheduled to complete a National Program to Eliminate Child Labor, which was funded by USDOL and received assistance from ILO-IPEC. The program focused on children working in commercial agriculture, construction, street children, commercial sex and domestic workers, fishing, and cross-border smuggling/drug trafficking.4480 In addition, ILO-IPEC’s SIMPOC is

4472 The Child Labour Unit also promotes coordination and networking among key stakeholders and monitors the implementation of programs to eliminate hazardous child labor. See FIDA (Uganda), Children in Domestic Service: A Survey in Kampala District, International Federation of Women Lawyers (FIDA), Kampala, 2000, 14.
4474 ILO-IPEC, Child Labour in Uganda, 7.
4475 The NCC was established in 1993 to monitor the implementation of the National Plan of Action for Children. See FIDA (Uganda), Children in Domestic Service, 14. See also ILO-IPEC, Child Labour in Uganda, 7.
4478 ILO-IPEC, Child Labour in Uganda, 9-11.
assisting the government in conducting sectoral and thematic studies on child labor. In 2003, USDOL began funding a USD 3 million project to address the education needs of former child soldiers and children living in Northern Uganda.

In 1997, the Ministry of Education and Sports instituted a policy of Universal Primary Education to encourage the enrollment and retention of primary students by improving access to education, improving the quality of education, and ensuring that education is affordable. In Financial Year 2002/2003, education was the largest expenditure in the government budget, with an allocation of 32 percent; of this amount, 66.6 percent was allocated to primary education. With USAID assistance, the Ministry of Education and Sports has also developed a “Basic Education Policy and Costed Framework for Educationally Disadvantaged Children” to increase access among children not served by the current education system, including children engaged in hazardous labor. This policy expands and coordinates current non-formal education efforts targeting underserved populations including the Complement Opportunities for Primary Education program, Alternative Basic Education for Karamoja, Child-Centered Alternatives for Non-Formal Community Based Education, Mubende Non-Formal Education, Basic Education for Urban Poor Areas, and the Empowering Life-Long Skills Education program. The Government of Uganda has also begun several programs to improve girls’ education.

4486 The Republic of Uganda, Basic Education Policy, 1.
4487 COPE provides basic education to out of school children aged 10-16 who are unable to attend formal schools. See The Republic of Uganda, Complementary Opportunities for Primary Education (COPE); Annual Report, Ministry of Education and Sports, Kampala, 2001, v.
4488 ABEK is a non-formal education program adapted to the daily routines of the children of the nomadic Karamojong ethnic group. See Christine Okurut-Ibore, Community Initiative to the Education of Pastoralists in Uganda: Alternative Basic Education Karamoja (ABEK), Save the Children Norway, 1.
4489 CHANCE increases access to education for underserved children using community-based empowerment approaches and targeting fishing communities and pastoralists. See Child-centered Alternatives for Non-formal Community-based Education (CHANCE), Brochure, Save the Children Federation Inc. Uganda Office, Kampala.
4490 The Republic of Uganda, Basic Education Policy, 1. In 2003, it was estimated that there were 70,000 children enrolled in non-formal education programs in the country. See U.S. Embassy- Kampala, electronic communication, February 19, 2004.
4491 These programs include: the Girl Education Movement, which seeks to improve girls’ leadership and technical skills; the Girl Child Education Strategy, which seeks to increase girl student enrollment; and, in conjunction with UNICEF, a “Non-Formal Alternatives” program aimed to teach basic skills to girls aged 10 to 16 years who have never attended school. See U.S. Embassy- Kampala, unclassified telegram no. 2989, September 18, 2001. See also The GEM Agenda, Annex, 1.
Incidence and Nature of Child Labor

In 2000–2001, the Uganda Bureau of Statistics estimated that 34.2 percent of children between the ages of 5 and 17 years were working in Uganda. The number of boys and girls engaged in child labor was relatively equal. Many children are involved hazardous labor, most notably: commercial agriculture and fishing, domestic service, commercial sexual exploitation, the urban informal sector and street activities (including street children), smuggling, armed conflict, trafficking and other hazardous activities. In Uganda alone, about 2 million children under 18 have been orphaned by the HIV/AIDS pandemic and are especially vulnerable to child labor.

Several military groups continue to force children into military service. During the 18-year conflict in Northern Uganda, the Lord’s Resistance Army has abducted an estimated 20,000 children for use as soldiers, laborers and sex slaves. The rate of abductions has significantly increased since the government launched Operation Iron Fist in

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4492 With assistance from ILO-IPEC, the Bureau of Statistics released a child labor report based on findings from the 2000-01 Uganda Demographic and Health Survey. The report estimates the total number of working children aged 5 to 17 to be 2.7 million. Twenty-three percent of children between the ages of 5 and 9 years, 46 percent of children between the ages of 10 and 14, and 30 percent of children between the ages of 15 and 17 are working. The survey also reported the greatest percentage of children working in domestic service (54.8 percent), crop farming (18.2 percent), and unskilled manual labor (15.4 percent). See ILO-IPEC, Child Labour in Uganda, ix, 30, 36.

4493 Ibid., 30.

4494 Children involved in commercial agriculture often begin working at age 4. The activity in which most children working in agriculture are involved is harvesting. Children work the longest hours (9 hours) in tea. For more information see ILO-IPEC, Report of Baseline Survey on Child Labour in Commercial Agriculture in Uganda, baseline survey, RAF/00/P51/USA, ILO-IPEC-Commercial Agriculture-Uganda, Geneva, October 2002, vii–ix. Some children working on sugar plantations work 10 hours a day. Many children living in fishing districts also work long hours under hazardous conditions. See The Republic of Uganda, National Child Labour Policy, 6–7.

4495 Eighty-four percent of domestic workers surveyed were girls and began work at age 9 on average, although some are reported to be as young as 5 years old. Domestic workers can work up to 15 hours a day and are more vulnerable than their peers to sexual abuse. See FIDA (Uganda), Children in Domestic Service, vii–viii.

4496 Children between the ages of 13 and 18, mainly street girls, former domestic workers who have left abusive work environments, and students at hostels, are targeted for commercial sexual exploitation. See Roger Kasiyuye, “Sexual Risk Behaviors and AIDS Knowledge Among Kampala Street Girls: Implication for Service Providers - A Research Experience” (paper presented at the Africa Regional ISSBD Workshop, Lusaka, Zambia, April 8–12, 1996). Commercial sexual exploitation is especially prevalent in urban areas and border towns. See U.S. Department of State, Country Reports- Uganda 2002: Uganda, Section 6f.

4497 A 1999 study estimated that 5,000 children beg, wash cars, scavenge, work in the commercial sex industry, and sell small items on the streets of Kampala. One thousand are estimated to be living on the streets full time. See The Republic of Uganda, National Child Labour Policy, 8. See also U.S. Department of State, Country Reports- Uganda 2002: Uganda.

4498 Children are often found transporting small items across borders with Kenya and Tanzania. See U.S. Department of State, Country Reports- Uganda, Section 5.


4500 Uganda is considered to be a source country for trafficking of persons. There is evidence of abducted children being trafficked across the border to Southern Sudan by the Lord’s Resistance Army. See also U.S. Department of State, Country Reports- Uganda 2002: Uganda, Section 1b, 6f.

4501 Other hazardous activities include construction (particularly brick baking), sand and gold mining, and stone crushing. See The Republic of Uganda, National Child Labour Policy, 8.


early 2002.\footnote{4504} There have also been reports of children recruited by the Ugandan People’s Defense Forces (UPDF), however the UPDF has cooperated with UNICEF and other international groups to screen for and de-mobilize underage soldiers.\footnote{4505}

The Constitution states that a child is entitled to basic education, which is the responsibility of the State and the child’s parents.\footnote{4506} The Government provides free education through grade 7. However, education is not compulsory.\footnote{4507} In 2002, the net enrollment rate was 87.3 percent.\footnote{4508} Primary school attendance rates are unavailable for Uganda. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\footnote{4509} Although access to primary school is said to be equal for boys and girls, boys are more likely to finish primary school and perform better on leaving exams.\footnote{4510}

Since the introduction of Universal Primary Education, primary school enrollment has increased from 2.9 million children in 1996 to 7.2 million in 2002.\footnote{4511} However, some major obstacles to the provision of quality education remain, including the inability of teacher recruitment to keep pace with rising enrollment, low teacher salaries, internal corruption, lack of professional development and training opportunities for teachers, strained finances, inadequate infrastructure, and lack of incentives to attract teachers to hard-to-reach areas.\footnote{4512} In 1999, approximately one-fourth of all students failed the final examinations in primary school.\footnote{4513}

Child Labor Laws and Enforcement

The Employment Decree of 1975 has now been revised to prohibit persons below the age of 18 from engaging in hazardous labor and increase the minimum age for employment to 14 years.\footnote{4514} The Constitution of Uganda states that children under 16 years have the right to be protected from social and economic exploitation and should not be employed in hazardous work or work that would otherwise endanger their health, physical, mental, spiritual, moral, or social development or that would interfere with their education.\footnote{4515} Children’s Statute No. 6 of 1996

\begin{itemize}
\item More abductions took place in 2002/2003 than any other period of the 18-year conflict. UNICEF estimates that there were 4,500 abductions in calendar year 2002. Rough estimates indicate that over 8,000 abductions occurred between June 2002 and May 2003, including short-term abductions. U.S. Embassy- Kampala, electronic communication, February 19, 2004.
\item There were reports that the UPDF used children, recently freed from the LRA, to help find LRA landmines, camps, and arms caches. See U.S. Department of State, \textit{Country Reports- 2002: Uganda}, Sections 1d and 6c. Some are reported to have joined the UPDF for Operation Iron Fist. See Coalition to Stop the Use of Child Soldiers, \textit{Uganda}, in \textit{Child Soldiers 1379 Report} (2002), [online database] 2002 [cited August 27, 2003], 96; available from http://www.child-soldiers.org/cs/childsoldiers.nsf/6be02e73d9f9cb8980256ad4005580ff/c560bb92d962c64c80256c69004b0797/$FILE/B.%20CHILD%20SOLDIERS%201379%20REPORT-%20Countries%20A–L.pdf.
\item Prior to 2002, the Government paid school fees for only children per family. See U.S. Department of State, \textit{Country Reports- 2002: Uganda}, Section 5. See also U.S. Embassy- Kampala, \textit{unclassified telegram no. 2989}.
\item Uganda Demographic and Health Survey 2001/02.
\item For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
\item International Monetary Fund and the International Development Association, \textit{Uganda: Poverty Reduction Strategy Paper, progress report}.
\item The Employment Decree of 1975, Section 50, originally limited employment for children between the ages of 12-18 years and prohibited children under 12 from working. See ILO-IPEC, \textit{Child Labour in Uganda}, 6–7.
\item Constitution of the Republic of Uganda, Articles 34 (4) (5).
\end{itemize}
also prohibits the employment of children under 18 in work that may be harmful to their health, education, or mental, physical, or moral development. In addition, the Trade Union Decree No. 20 of 1976 gives minors the right to union membership. Although the Constitution prohibits child slavery, servitude and forced labor and the Criminal Code outlaws slavery and imposes up to ten-year imprisonment for infractions, enforcement is inadequate due to lack of resources.

Article 125 of the Penal Code prohibits individuals from procuring girls under the age of 21 for sex in Uganda or elsewhere; violation of this Code is punishable by up to 7 years imprisonment. Owning or occupying a premise where a girl under age 18 is sexually exploited is a felony, and offenders are subject to 5 years of imprisonment under Article 127. The Penal Code outlaws the import, export, purchase, sale, receipt or detention of slaves but does not cover other severe forms of trafficking.

The Armed Forces (Conditions of Service) Regulations set the minimum age for military service at 18 years. The government continues to combat trafficking by the LRA through military efforts.

The Ministry of Gender, Labor and Social Development is charged with enforcing child labor laws as well as investigating and addressing child labor complaints through district labor officers. However, financial restraints have limited the Ministry’s ability to fulfill this responsibility.


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4516 The Republic of Uganda, National Child Labour Policy, 10. Inadequate staffing for the judiciary, cultural norms, and the large number of children under the age of 18 hampered government efforts to enforce the 1996 Children’s Statute. See U.S. Department of State, Country Reports-2002: Uganda, Section 5.


4523 Community Child Labor Committees have also been set up to monitor child labor at the district level. See U.S. Department of State, Country Reports- 2002: Uganda, Section 6d. See also U.S. Embassy- Kampala, unclassified telegram no. 1806, August 2003.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Uruguay is an associated country of ILO-IPEC.\textsuperscript{4525} In December 2000, the government created the National Committee for the Eradication of Child Labor (CETI).\textsuperscript{4526} CETI has developed a National Action Plan for 2003-2005 to combat child labor,\textsuperscript{4527} and, as part of this plan, the government has held seminars on the problem, developed legal reform proposals, and tailored existing adult skills training programs towards parents of working children.\textsuperscript{4528} The Government of Uruguay has cooperated with ILO-IPEC, the other MERCOSUR governments, and the Government of Chile to develop a 2002-2004 regional plan to combat child labor.\textsuperscript{4529}

The National Institute for Minors, which oversees government programs for children, heads the Interinstitutional Commission for the Prevention and Protection of Children against Sexual Exploitation. The Commission conducts research on the phenomenon and operates a toll-free phone number to connect victims with support services.\textsuperscript{4530} It also developed a national plan against commercial sexual exploitation of children that includes education programs.\textsuperscript{4531}

The Institute collaborates with an NGO partner to provide parents of working children with monthly payments in exchange for regular class attendance by their children.\textsuperscript{4532} INAME also works with at-risk youth such as those living on the street and provides adolescents with work training.\textsuperscript{4533} The government collaborates with NGOs to fund the Child and Family Service Center Plan,\textsuperscript{4534} which provides after school recreational programs for children and special services for street children.\textsuperscript{4535}


\textsuperscript{4526} ILO-IPEC, \textit{Plan Subregional para la Erradicación del Trabajo Infantil}, 13. The committee is composed of representatives from government agencies and NGOs such as the Ministry of Labor and Social Security, the National Institute for Minors, labor unions, the Chamber of Commerce, the National Association of Nongovernmental Organizations, and UNICEF. Its functions include proposing policies and coordinating governmental and nongovernmental efforts to combat child labor in Uruguay. See Ricardo Nario, facsimile communication to USDOL official, September 6, 2002.

\textsuperscript{4527} The goals of the plan are to combat child labor through awareness raising, stronger legal protections, reintegration and retention of working children in school, and the development alternative income generation for families of working children. See ILO-IPEC, \textit{Ficha Pais: Uruguay}, no date; available from http://www.oit.org.pe/spanish/260ameri/oitreg/activid/proyectos/ipec/doc/fichas/fichauruguay.doc.

\textsuperscript{4528} Ministry of Labor and Social Security representative to the National Committee for the Eradication of Child Labor María del Rosario Castro, written communication to Uruguayan Minister of Labor and Social Security Santiago Pérez del Castillo in response to USDOL request for information, 2003.


\textsuperscript{4533} National Institute for Minors, \textit{Centro de Formación y Estudios}, INAME, [online] [cited July 1, 2003]; available from http://www.iname.gub.uy/TAREA.htm.


The National Administration of Public Education has developed a project to train teachers on children’s rights and prepare them to discuss such issues with students, parents, and members of the community. It has also incorporated the issue of child labor into teacher training curriculum as part of the country’s National Action Plan to combat child labor. In April 2002, the World Bank provided a USD 43.4 million loan to expand government efforts to improve the coverage and quality of preschool and primary education. In November 2002, Uruguay received financing from the IDB for a program to assist at-risk children and families that includes initiatives to address child labor, reduce school attrition, and improve children’s performance in school. Child labor projects under this program are expected to begin in 2004.

Incidence and Nature of Child Labor

In 2001, the ILO estimated that less than one percent of children ages 10 to 14 years were working in Uruguay. The recent economic crisis in Uruguay, however, has reportedly led to an increase in the incidence of child labor. Children work in agriculture, ranching, and hunting. Children also work in street vending, services, industry, artisanry, and domestic service in third-party households. More children work in the interior of the country than in Montevideo, the capital city. Children engage in prostitution in Uruguay. The state government of Maldonado stated in 2002 that sex tourism and child prostitution had increased in a number of locations in the state. There have been reports that Uruguayan girls may have been trafficked abroad to Europe for prostitution.

4536 ANEP is an autonomous government agency responsible for the oversight of public education from the preschool to the secondary level. See IDB, Uruguay: Social Protection and Sustainability, August 7, 2002, 7; available from http://www.iadb.org/exr/doc98/apr/ur1417e.pdf.


4538 María del Rosario Castro, written communication in response to USDOL request for information.


4541 María del Rosario Castro, written communication in response to USDOL request for information.


4545 ILO-IPEC, Trabajo Infantil en los paises del MERCOSUR, 99.


4547 ILO-IPEC, Trabajo Infantil en los paises del MERCOSUR, 99.

4548 Ibid.


The Constitution of Uruguay mandates free and compulsory primary and intermediate education\(^{4551}\) for a total of 9 years.\(^{4552}\) In 2000, the gross primary enrollment rate was 109.4 percent, and the net primary enrollment rate was 90.4 percent.\(^{4553}\) According to a government study in 1999, the attendance rate in urban areas was 100 percent for 5 to 11 year olds and 69.7 percent for 12 to 14 year olds.\(^{4554}\) In 1999, 90.8 percent of children enrolled in primary school reached grade five.\(^{4555}\)

**Child Labor Laws and Enforcement**

The Children and Adolescents’ Code sets the minimum age for employment at 14 years.\(^{4556}\) The Code allows children ages 12 to 14 to work in family enterprises if compulsory schooling has been completed or to work in agriculture and ranching when school is not in session.\(^{4557}\) Children 12 to 14 may also work when necessary for family survival.\(^{4558}\) Minors under 18 require government permission to work, and are prohibited from engaging in dangerous, fatiguing or night work.\(^{4559}\) Article 294 of the Penal Code prohibits a person for prostitution.\(^{4560}\) The Penal Code prohibits pornography, but does not specifically address child pornography.\(^{4561}\) There are no laws that specifically address trafficking in persons.\(^{4562}\)

The Adolescent Labor Division of the National Institute for Minors bears primary responsibility for implementing policies to prevent and regulate child labor and to provide training on child labor issues.\(^{4563}\) The Institute works with the Ministry of Labor to investigate complaints of child labor, and the Ministry of the Interior to prosecute cases.\(^{4564}\) However, child work in the informal and agrarian sectors tends to be subject to less rigorous regu-
In 2002, the Institute conducted 2,300 inspections, 200 of which resulted in fines for child labor violations.\textsuperscript{4565}

The Government of Uruguay ratified ILO Convention 138 on June 2, 1977, and ILO Convention 182 on August 3, 2001.\textsuperscript{4567}

\textsuperscript{4565} U.S. Department of State, Country Reports- 2002: Uruguay, Section 6d.

\textsuperscript{4566} Both INAME and Ministry of Labor staff are trained in child labor issues. INAME has a staff of eight inspectors to conduct these inspections. See U.S. Embassy -Montevideo, unclassified telegram no. 1298.

\textsuperscript{4567} ILO, Ratifications by Country, in ILOLEX, [database online] [cited July 1, 2003]; available from http://www.ilo.org/ilolex/english/newratframeE.htm.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 2000, the Government of the Republic of Uzbekistan and UNICEF signed a cooperative agreement for the 2000–2004 period that aims to promote the protection and development of children and the well-being of youth.4568 Accordingly, UNICEF’s Young People’s Well-Being Program supports existing government efforts to improve awareness of healthy lifestyles for at-risk children, including homeless, out-of-school, working, and sexually exploited children.4569 The government also provides benefits, such as shorter work days/weeks, food allowances, and free medical service, to girls who work in harsh conditions.4570 The 2000 to 2005 State Program on Forming a Healthy Generation focuses on improving childhood development in such areas as health and education.4571 The government also works with Makhalla organizations, a pre-Soviet system of community-based management and social service provision, to protect children at the community level through a neighborhood monitoring mechanism.4572 In 2001, the government created the Family, Mother, and Child Welfare Secretariat and the Committee for Youth Affairs, which coordinate the government’s child welfare efforts.4573

Through its education reform program, the government plans to expand the compulsory term of study from 9 to 12 years.4574 The ADB has awarded a loan to the government for additional education reform efforts to modernize the education system and curricula, encourage community participation, and provide new forms of assistance to vulnerable groups, among other initiatives.4575 To encourage school attendance, the government provides aid to students from low-income families in the form of scholarships, full or partial boarding, textbooks, and clothing.4576 In addition, children from low-income households are provided with free medical services.4577 A youth social protection program offers retraining and skills improvement classes for school dropouts.4578 USAID is also funding efforts to improve teachers’ skills, enhance school curricula, encourage parental involvement in education, and increase capacity in certain primary schools.4579


4570 Government of Uzbekistan, Executive Summary, 9.

4571 The project also aims to combat drug abuse and trafficking by children. See Ibid., 23.

4572 The Makhalla organizations provide benefits to low-income families with children under the age of 16. See U.S. Embassy–Tashkent, unclassified telegram no. 3730, October 15, 2002. See also Government of Uzbekistan, Executive Summary, 22-23.


4574 For information on current education requirements, see U.S. Department of State, Country Reports on Human Rights Practices- 2002: Uzbekistan, Washington, D.C., March 31, 2003, Section 5; available from http://www.state.gov/g/drl/rls/hrrpt/2002/18400pf.htm. The 12 years of mandatory schooling will consist of 4 years at the primary level, 5 years at the secondary level, and 3 years of professional or vocational training in special training institutes or colleges. The reforms are expected to be implemented by 2007. See U.S. Embassy–Tashkent, unclassified telegram no. 3730.


4576 Government of Uzbekistan, Executive Summary, 10.

4577 Ibid., 19.

4578 Ibid., 11.

Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 23.4 percent of children ages 5 to 15 years in Uzbekistan were working.\textsuperscript{4580} Children work in agriculture in rural areas, where the large-scale, compulsory mobilization of children to help with cotton harvests has been reported.\textsuperscript{4581} Schools close in some rural areas to allow children to work during the cotton harvest.\textsuperscript{4582} Popular media report that children help cultivate rice and raise silk worms in rural areas,\textsuperscript{4583} and work in street vending,\textsuperscript{4584} construction, building materials manufacturing, and transportation.\textsuperscript{4585} Children frequently work as temporary hired workers, or \textit{mardikors}, without access to the social insurance system.\textsuperscript{4586} Children are engaged in prostitution in Uzbekistan.\textsuperscript{4587} Young women and girls are reportedly trafficked to destinations in the Persian Gulf and Asia for the purposes of commercial sexual exploitation.\textsuperscript{4588}

Education is compulsory in Uzbekistan.\textsuperscript{4589} In 1998, the gross primary enrollment rate was 99.6 percent, and the net primary enrollment rate was 87.8 percent.\textsuperscript{4590} In 2000, approximately 73.4 percent of primary school age children attended school regularly.\textsuperscript{4591} That same year, 88.7 percent of children who attended the first grade reached the fifth grade.\textsuperscript{4592}

The state is implementing policies that shift the burden of financing education to the family. In addition, funding for school maintenance has been cut and school supplies are scarce.\textsuperscript{4593} Due to low salaries, teachers often demand additional payments from students and their families, and parents are often asked to cover the costs of school re-
Declining enrollment and high dropout, repetition, and absenteeism rates in both primary and secondary schools have been reported.

**Child Labor Laws and Enforcement**

The Labor Code sets the minimum age for employment at 14 years. All working children ages 14 to 18 years are required to obtain written permission from a parent or guardian, and work may not interfere with their studies. The Labor Code prohibits children less than 18 years of age from working in unfavorable labor conditions and establishes limited work hours for minors. The Constitution prohibits forced labor except when fulfilling a court sentence. The Criminal Code prohibits the abduction and recruitment of children for the purposes of sexual exploitation, with higher penalties for taking such persons out of the country. The Code also establishes punishments for people who profit from prostitution or maintain brothels.

The Ministry of Labor and Social Protection, the Prosecutor’s Office, and official trade unions are the bodies responsible for labor issues. Punishments and enforcements appear to be effective deterrents to child labor in the formal sector, but less so in the family-based and agricultural sectors. The government has investigated numerous trafficking-related crimes, but as of June 2003, there had been no final convictions of traffickers.

The Government of Uzbekistan has not ratified either ILO Convention 138 or ILO Convention 182.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In 1997, the Government of Vanuatu implemented a Comprehensive Reform Program (CRP) with a focus on education. A major goal of the CRP program was to introduce 10 years of compulsory education for all children by the year 2010. In 2003, the government developed an initiative to build capacity for technical vocational education in order to meet its goal of achieving universal primary education. The government is also working with UNICEF through the Ministry of Health, other governmental departments, NGOs, and Pacific Island Regional Organizations to address the issues of early childhood education. Another goal of the government is to increase access to secondary school education for students who complete primary school. To meet this goal the government has received assistance from the Peace Corps in launching its “Youth with Potential” project. Peace Corps volunteers continue to support government initiatives by developing educational curricula and teaching secondary school math, science, and English.

Incidence and Nature of Child Labor

Statistics on the number of working children in Vanuatu under age 15 are unavailable. Many children assist their parents in family-owned agricultural production. There have been no reports of trafficked, bonded, or forced labor involving children in Vanuatu.

Access to school is limited and there is no constitutional guarantee mandating that education be either compulsory or free. In 1998, the gross primary enrollment rate was 97.3 percent, and the net primary enrollment rate was 90.1 percent. Primary school attendance rates are unavailable for Vanuatu. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school. The educational system is complicated by the use of 2 official languages and over 100 vernaculars spread out over many islands. A 1999 report published by the UNDP stated that 24 percent of all primary school teachers in Vanuatu are untrained, and projections have been made that at the current high growth rate of school age children, primary school enrollment will double by the year 2010.

4606 Information is not available on the progress of the program. See Margaret Chung and Gerald Haberkorn, Broadening Opportunities for Education: Pacific Human Development Report, 1999, 44.
4610 Peace Corps estimated that by the end of 2002 volunteers would have taught approximately 9,500 students. Ibid., 1c.
4612 Ibid., Section 5.
4615 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
4616 Chung and Haberkorn, Broadening Opportunities for Education, 42.
4617 Ibid., 40, 44-45.
Child Labor Laws and Enforcement

Under the Labor Code, children below the age of 12 are prohibited from working outside family-owned operations involved in agricultural production. Children between the ages of 12 and 18 are restricted from working at night or in the shipping industry. Forced labor is also prohibited by law.

Vanuatu’s Criminal Code also prohibits procuring, aiding or facilitating the prostitution of another person or sharing in the proceeds of prostitution.

The Government of Vanuatu is not a member of the ILO, and therefore has not ratified ILO conventions on child labor.

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4618 U.S. Department of State, Country Reports- 2002: Vanuatu, Section 6d. Child labor is not perceived to be a major concern in the Pacific Island region. However, the large number of children out of school signifies that many children work either in the community or at home. See Chung and Haberkorn, Broadening Opportunities for Education, 42.


4620 Ibid., Section 6c.


Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Venezuela has been a member of ILO-IPEC since 1996. In 1997, the government created the National Commission for the Eradication of Child Labor and Protection of Child Workers with the support of the Spanish government, implemented a project from 1999 to 2000 to eliminate the commercial sexual exploitation of girls in Venezuela. The National Children’s Institute, the government agency responsible for the protection of children’s rights, has made efforts to address the commercial sexual exploitation of children by establishing Local Social Protection networks for children and adolescents who are at high risk. The Ministry of Labor and the Ministry of Health and Social Development has conducted a study of the child labor situation in the country.

The government has collaborated with UNESCO to develop an Education for All plan to increase primary school enrollment and completion rates, improve educational achievement, and expand basic education services and training in essential skills for youth. The World Bank provided financing for a basic education project from 1993-2000 that aimed to increase access to education materials, improve teacher effectiveness, and enhance the Ministry of Education’s management capacity. The Ministry of Education has developed a plan for a national literacy campaign for 2003-2005 that aims, in part, to reach out-of-school youth. A 2002 NGO report stated that approximately 1 million children were not eligible to receive government assistance, including public education, because their births were not documented properly.


4628 U.S. Embassy- Caracas, unclassified telegram no. 3537, December 2001. There is no information available on the results.


4633 Under Title II, Chapter II, Article 17 of the Law for the Protection of Children and Adolescents, all children have the right to be identified after birth. Article 22 further states that children have the right to obtain public identification documents that demonstrate their identity and that the State shall assure that there are programs and measures to determine the identity of all children and adolescents. See Ley orgánica para la protección del niño y del adolescente, 2000; available from http://www.caaje.org.pe/rij/bases/legisla/venezuel/ve42.htm.
Incidence and Nature of Child Labor

In 2000, UNICEF estimated that 9.9 percent of children ages 5 to 14 years in Venezuela were working.4633 Children work in agriculture, street vending, domestic service, artisanry, office work, and services.4634 Children are also involved in begging, petty theft on the streets, prostitution, and drug trafficking.4635 Venezuela is a source, destination, and transit country for trafficking in persons, including children.4636 Children are trafficked internally and internationally for labor and sexual exploitation.4637 Children are also trafficked from other South American countries, especially Ecuador, to work in the capital city of Caracas as street vendors and domestics.4638 There are reports that children from Venezuela have been abducted and used as soldiers by the Revolutionary Armed Forces of Colombia.4639

The Constitution mandates free and compulsory education up to the university preparatory level (15 or 16 years of age).4640 Under Article 53 of the Law for the Protection of Children and Adolescents, all children have the right to receive a free education at a school or institution near their home.4641 In 2000, the gross primary enrollment rate was 101.9 percent, and the net primary enrollment rate was 88.0 percent.4642 In 2000, UNICEF estimated that 92 percent of children ages 5 to 12 attended primary school.4643 Basic education suffers from chronic underfunding, and the economic turmoil in the country during 2002 led to further drops in education spending.4644 There are an insufficient number of well-trained teachers in some areas and dropout and repetition rates at the primary and secondary school level are high.4645 Approximately 1 million undocumented children also lack access to basic educational facilities.4646

4633 The Multiple Indicator Cluster Survey (MICS) study defines “currently working” to include children who were performing any paid or unpaid work for someone other than a member of the household, who performed more than 4 hours of housekeeping chores in the household, or who performed other family work. See Government of Venezuela, Multiple Indicator Cluster Survey (MICS): Standard Tables for Venezuela, UNICEF, 2000; available from http://www.childinfo.org/MICS2/newreports/venezuela/venezuela.htm.

4634 U.S. Department of State, Country Reports- 2002: Venezuela, Sections 5 and 6d.

4635 Ibid., Section 5. For additional information on child involvement in prostitution in Venezuela, see ECPAT International, Venezuela, in ECPAT International, [database online] [cited June 18, 2003]; available from http://www.ecpat.net/.


4641 Ley del niño y del adolescente, 2000, Article 53.


Child Labor Laws and Enforcement

The Labor Code of 1997 and the Law for the Protection of Children and Adolescents set the minimum age for employment at 14 years. Children ages 12 to 14 can work under certain circumstances with the permission of the National Children’s Institute and the Ministry of Labor, provided that they are employed in work suited to their physical capacity and are guaranteed an education. Children ages 14 to 16 can work only with the permission of their parent or legal guardian or another appropriate authority. In most cases, children under the age of 16 are not permitted to work more than 6 hours a day (in 2 shifts of no more than 4 hours each) and 30 hours a week. Children under the age of 18 cannot work at night. Article 38 of the Law for Protection of Children and Adolescents prohibits forced labor, slavery, and servitude. Forced labor is also prohibited under Article 32 of the Labor Code and slavery and servitude are also prohibited under Article 54 of the Constitution. Article 33 of the Law for Protection of Children and Adolescents guarantees the right of all children to be protected against any form of abuse or sexual exploitation.

Articles 388 and 389 of the Criminal Code prohibit inducing the prostitution and corruption of minors. Persons convicted of these crimes can be sentenced to imprisonment from 3 to 18 months, and up to 4 years if the minor is younger than 12 years of age. Laws protecting minors from abuse may be used to prosecute cases of child pornography. While there is no comprehensive law on trafficking, Article 40 of the Law for the Protection of Children and Adolescents states that children have the right to be protected from trafficking, and Article 266 provides for a penalty of 2 to 6 years imprisonment for trafficking in children. The Ministry of Labor and the National Institute for Minors enforces child labor laws. These laws are enforced effectively in the formal sector, but less in the informal sector. Insufficient resources, a weak legal system, and corruption hamper efforts to combat trafficking. There is no evidence that the government prosecuted any cases of trafficking in 2002.


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4647 Children under the age of 14 are prohibited from working in businesses, establishments, and industrial, mining, and commercial enterprises. See Ley de reforma parcial de la Ley Orgánica del trabajo, No. 5152, (June 19, 1997), Article 247; available from http://natlex.ilo.org/xt/en/S97VEN01.htm. See also Ley del niño y del adolescente, 2000, Title II, Chapter 3, Article 96.

4648 Ley orgánica del trabajo, 1997, Article 247, para. 1.

4649 Ibid., Article 248.

4650 Ibid., Article 254.

4651 Ibid., Article 257.

4652 Ley del niño y del adolescente, 2000, Article 38.

4653 Ley orgánica del trabajo, 1997, Article 32.


4655 Ley del niño y del adolescente, 2000, Article 33.


4657 Ibid.

4658 Ibid.


4660 Ley del niño y del adolescente, 2000, Article 266.


4662 Ibid., Section 6f.

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Yemen has been a member of ILO-IPEC since 2000. Reports from the Ministry of Labor and Social Affairs on the state of child labor in Yemen contributed to the formation of an ILO mission to investigate child labor in 1999. Since that time, the Ministry has played a central role in the government’s commitment and action toward eliminating child labor in the country.

The government has taken a number of steps to improve education and prevent children from engaging in hazardous work. With assistance from ILO-IPEC, UNICEF, and the World Bank, the government is finalizing a National Policy and Program Framework for the elimination of child labor in Yemen. The government has committed to pro-actively promoting policies to curb child labor by implementing policies outlined in its Poverty Reduction Strategy Paper, which was developed in cooperation with the World Bank. In 2002, the World Bank developed a country assistance strategy designed to complement and support the government’s efforts to alleviate poverty as outlined in Yemen’s strategy paper. With support from USDOL, in October 2000, the Government of Yemen implemented a national program in cooperation with ILO-IPEC that aims to withdraw child workers from the worst forms of child labor, mainstream them into non-formal and formal education programs, provide them pre-vocational and vocational training, and offer them counseling, health care and recreational activities. In 2003, ILO-IPEC opened a rehabilitation center for street children who are victims of child labor. ILO-IPEC is collaborating with the Ministry to develop a baseline survey of child labor in Yemen relying on information collected from trade unions, chambers of commerce and the Ministry field offices.

Although Yemen has the second lowest literacy rate for women in the Middle East and suffers from pronounced gender disparity in enrollment rates, the government is committed to improving overall basic education and bridging the gender gap. The government’s abolition of primary school fees for girls was designed to eliminate one

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665 The Ministry of Labor and Social Affairs was formerly the Ministry of Labor and Vocational Training until April 2001. See ILO-IPEC, National Program on the Elimination of Child Labor in Yemen, Project Document, Yemen/00/P/USA, ILO, Geneva, October 2000, 7-8.
671 The program targets children working in extremely hazardous or abusive conditions, children below the age of 12, and girls. The sectors from which child workers will be removed include: domestic service; agricultural and fishery work; factory work, particularly in the production of textiles and leather goods; construction; automobile repair; street vending and begging; retail trade and other services. See ILO-IPEC, National Program on the Elimination of Child Labor in Yemen, project document, 1, 13-14.
672 Over the summer, 500 children were enrolled in the center and received training. Throughout the rest of the year, the center will hold classes after working hours to facilitate the transition from work to school. See U.S. Embassy– Sana’a, unclassified telegram no. 2028, August 18, 2003.
673 Ibid.
of the main obstacles to education. In 2000, the Government of Yemen and the World Bank developed a 6-year Basic Education Expansion Project to give the highest priority to primary education, particularly focusing on increased access to education for girls in remote rural areas. In June 2002, the Government of Yemen became eligible to receive funding from the World Bank and other donors under the Education for All Fast Track Initiative, which aims to provide all children with a primary school education by the year 2015.

The Ministry of Education is taking steps to eliminate child labor by developing educational support programs, lowering school dropout rates of working children, and raising public awareness of the relationship between education and work. UNICEF has been working with the government to promote education through a number of programs, including support for the government’s Community School Project, which implements an integrated approach to address the gender disparity at the primary school level. Various donor governments and the World Bank are collaborating with the Ministry of Education to expand access to education and improve the quality of basic education, and are assisting the Ministry of Education by building its capacity to implement and monitor basic education reforms and other national education sector strategies. USAID is supporting a USD 4.7 million project to increase access to and improve the quality of basic education at the school level.

**Incidence and Nature of Child Labor**

In 2001, the ILO estimated that 18.5 percent of children ages 10 to 14 years were working in Yemen. Child labor is common, especially in the rural areas. Children also work in urban areas in stores, restaurants and work-

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4676 UN, Summary Record of the 523rd Meeting: Yemen, CRC/C/SR.523, Convention on the Rights of the Child, Geneva, April 27, 1999, para. 8; available from http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/200013c949cfe26880256763005987b0?Opendocument. According to the 1999 labor force survey of over 19,000 Yemeni households, the primary reason that children dropped out of school both in urban and rural areas was the household's inability to pay for education costs. School-related costs also ranked second among reasons why girls abandoned education; the primary reason cited was household attitudes toward girls' education. See Republic of Yemen, Final Report: 1999 National Labour Force Survey Results, Ministry of Labour and Vocational Training—Central Statistical Organization, Labour Market Information System Programme, 2000, table 4, 60-63.


4680 Activities include building low-cost classrooms, providing a separate shift exclusively for girls, training teachers, and raising awareness. See UNICEF, Girl's Education in Yemen.

4681 Electronic communication from Labor Officer to USDOL official, February 17, 2004. See also World Bank, Basic Education Summary.

4682 Electronic communication from Labor Officer to USDOL official, February 17, 2004.

4683 World Bank, World Development Indicators 2003 [CD-ROM], Washington, D.C., 2003. The prevalence of work among young children is also significant. It is estimated that 120,000 children aged 6 to 8 years are economically active. The average workweek of working children of all ages in Yemen is 38.5 hours. See Understanding Children's Work (UCW), Understanding Children's Work in Yemen, prepared by ILO, UNICEF, and World Bank, March 2003, 1-2; available from http://www.ucw-project.org/resources/pdf/yemen/Report_Yemen_draft.pdf.

4684 Children living in rural areas are more than five times as likely to work than children in urban areas. Rural child workers constitute more than 90 percent of all child workers in Yemen. See Understanding Children’s Work (UCW), Understanding Children's Work in Yemen, 2. See also Republic of Yemen, NLFS, Table 11.
shops, and peddle goods on the street. Other children work as street vendors, beggars, domestics and in the fishing, leather, construction, and automobile repair sectors. There are no official reports that children in Yemen were victims of trafficking. Children under age 18 are prohibited from entering the Government armed forces, but there are some reports that children are involved in armed conflicts.

The Constitution guarantees free and compulsory education to all Yemeni citizens. Education is compulsory for children from ages 6 to 15 years. In 2000, the gross primary enrollment rate was 79.2 percent (61 percent for girls and 96.5 percent for boys), while the net primary enrollment rate was 67.1 percent (49.2 percent for girls and 84.2 percent for boys). Primary school attendance rates are unavailable for Yemen. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school. The Ministry of Education reported that nearly 200,000 boys dropped out of school in 1999. Child labor is reported to interfere with school attendance, particularly in the agriculture and domestic service sectors.

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4686 Republic of Yemen, PRSP, 11. Children working in agriculture are exposed to hazardous working conditions including the use of pesticides, prolonged exposure to extreme temperatures, and carrying weighty loads. See Understanding Children's Work (UCW), Understanding Children's Work in Yemen, 2.

4687 ILO-IPEC, National Program on the Elimination of Child Labor in Yemen, project document, 14. See also Understanding Children's Work (UCW), Understanding Children's Work in Yemen, 2.


4692 World Bank, World Development Indicators 2003.

4693 It is estimated that only one-third of 10 to 14 year-old working children attend school. While 59 percent of working boys attend school, only 14 percent of working girls go to school. See Understanding Children's Work (UCW), Understanding Children's Work in Yemen, 2.

4694 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

4695 ILO-IPEC, National Program on the Elimination of Child Labor in Yemen, project document, 7–8.

4696 Girls from households without access to water are more than three times as likely to work full-time (primarily to fetch water), and less than half as likely to go to school as girls from households with water access. A recent ILO study found that providing a household with water access increased the probability of girls' school attendance by 16 percent in urban areas and 11 percent in rural areas. For a more detailed discussion on the relationship between household water access and children's involvement in school and work in Yemen, see Lorenzo Guarcello and Scott Lyon, Children's Work and Water Access in Yemen, prepared by Understanding Children's Work (UCW), March 2003; available from http://www.ucw-project.org/resources/pdf/cw_yemen_water.pdf.
Child Labor Laws and Enforcement

In 2002, the Government of Yemen passed the Yemeni Child Rights Law, which set the minimum legal working age at 14 years.4697 The law prohibits the employment of children under the age of 15 in industrial work; however, there are no restrictions, regardless of age, on children working in family enterprises.4698 Yemeni law defines a young person as someone below the age of 15.4699 Under the Labor Code of 1995, a young person may work up to 7 hours per day and must be allowed a 60-minute break after 4 hours of labor. Youth may work a maximum of 42 hours per week.4700 An employer must secure the approval of a child’s guardian and notify the Ministry of Labor before employing a young person. The Labor Code prohibits hazardous working conditions for children.4701 The Labor Code further establishes the minimum wage for children to be not less than two-thirds that of an adult.4702 Penalties for violations of the Labor Code range from 5,000 riyals (USD 27.78) to 20,000 riyals (USD 111.12) and up to 3 months in prison.4703

The Ministry of Labor’s Child Labor Unit is responsible for enforcing child labor laws,4704 but by its own admission, the government lacks the requisite resources to enforce them adequately.4705 The law prohibits trafficking in persons.4706 While there are laws in place to regulate employment of children, the government’s enforcement of these provisions is limited, especially in remote areas, and inspectors generally prefer to address the problem through informal means.4707 The government also has not enforced the laws requiring nine years of compulsory education for children.4708

The Government of Yemen ratified ILO Conventions 138 and 182 on June 15, 2000.4709

4697 Understanding Children’s Work (UCW), Understanding Children's Work in Yemen, 3.
4698 It is estimated that 87 percent of child workers in Yemen are working in some kind of family enterprise. Ibid.
4700 Ibid., Article 48.
4701 Overtime, night work, and work on official holidays are also prohibited for young persons. Moreover, employers must grant every youth a 30-day annual leave for every 12-month period of labor completed. Neither the child nor the parent may waive this annual leave. See Ibid., Articles 49-52.
4702 Ibid., Article 52.
4704 U.S. Department of State, Country Reports- 2002: Yemen, Section 6d.
4705 Understanding Children’s Work (UCW), Understanding Children’s Work in Yemen, 3.
4707 U.S. Department of State, Country Reports- 2002: Yemen, Section 6d. See also U.S. Embassy- Sana’a, unclassified telegram no. 002028, 1.
ZAMBIA

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Zambia has been a member of ILO-IPEC since 2000. In September 2002, USDOL and the Zambian Ministry of Education signed a Letter of Agreement to collaborate on an education project in areas with a high incidence of child labor. The government’s National Policy on Children and Labor Market policy include chapters on child labor. A National Plan of Action on Child Labor was developed in 2000 and approved by the government in December 2001. The Government of Zambia receives policy and program guidance on child labor issues through an Inter-Ministerial Committee, established in May 2000 and comprised of key ministries.

The government participates in several USDOL-funded ILO-IPEC initiatives, including a regional capacity building program, a regional commercial agriculture sector program and a national program. As part of the national program, several ministries in Zambia have implemented activities focused on child labor policy, legislative and curriculum review, and awareness raising. In addition, the national program withdrew targeted children from hazardous work and provided them with educational and training opportunities. With technical assistance from ILO-IPEC’s SIMPOC, Zambia’s Central Statistical Office conducted a national child labor survey in 1999.

The government has implemented several initiatives in conjunction with international organizations and NGOs for street children and increased opportunities for older youth to obtain vocational training. The government has banned street vending and the Ministry of Community Development and Social Services is working in part-

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4711 Letter of Agreement between the U.S. Department of Labor and the Zambian Ministry of Education, September 12, 2003. The USD 2 million project was funded by USDOL’s Child Labor Education Initiative and is being implemented by American Institutes for Research and Jesus Cares Ministries. See USDOL, Labor Department Funds Education Program in Zambia to Combat Child Labor, press release, Washington, D.C., September 12, 2003.


4714 The ministries on the committee include: Labor; Sport, Youth and Child Development; Information and Broadcasting; and Legal Affairs. See U.S. Embassy- Lusaka, unclassified telegram no. 1761, October 2002. See also U.S. Embassy- Lusaka, unclassified telegram no. 3288, September 2001.


4716 The national program focused on two key objectives: building the capacity of government to address child labor issues and removing child laborers from hazardous and exploitative work. The program targeted children working on the street, in domestic work, prostitution, and the quarry mining sector. The project is nearing completion. Some notable achievements of the project include establishing a national action plan, withdrawing children from work and providing them with educational and training opportunities and training law enforcers such as the police to identify children engaged in the worst forms of child labor. Ministries that implemented activities under the national program include the Ministry of Labour and Social Security, Ministry of Education and Ministry of Sport Youth and Child Development. See ILO-IPEC, Zambia national program, technical progress report. See also ILO-IPEC, Anglophone Africa Capacity Building project document, 12.


4718 The government has implemented programs including DANIDA’s Development Aid from People to People project for street children and the Society for Family Health project for orphans and street children. See U.S. Embassy- Lusaka, unclassified telegram no.1318.
nership with an NGO to return street children to their homes and communities.\footnote{4719} The government has undertaken a number of awareness raising activities to sensitize law makers, media, trade unions and employer organizations about child labor issues.\footnote{4720}

The Government of Zambia’s national policy on education, “Educating Our Future,” was published in 1996 and focuses primarily on making curricula for basic education more relevant, promoting partnerships and cost sharing, and improving school management.\footnote{4721} With support from various donor groups, the government began implementing a national plan for universal primary education called the Basic Education Sub-Sector Investment Program.\footnote{4722} Child laborers are mentioned as a specific target group in both the national education policy and the national plan.\footnote{4723} In June 2002, the Government of Zambia became eligible to receive funding from the World Bank and other donors under the Education for All Fast Track Initiative, which aims to provide all children with a primary school education by the year 2015.\footnote{4724}

### Incidence and Nature of Child Labor

In 1999, the Zambian Central Statistical Office estimated that 11.5 percent of children ages 5 to 14 years in Zambia were working.\footnote{4725} Over 90 percent of these children in the same age group were engaged in agricultural activities.\footnote{4726} Approximately 24 percent of working children combined work with school.\footnote{4727} Children are found working in a variety of industries and occupations, including stone crushing, fisheries, manufacturing, construction, trading, business and personal services, domestic service, carpentry, food production and vending.\footnote{4728} An increasing number of younger children are forced into prostitution.\footnote{4729} In addition, the spread of HIV/AIDS and the grow-
ing number of orphans, has contributed to an increase in the number of street children, many of who engage in various forms of work, such as carrying parcels or guarding cars.4730

To increase school access, a number of reforms have been instituted. In 2002, the government issued a proclamation abolishing school fees for grades 1 to 7 and waived compulsory uniforms in rural areas. In addition, the government waived examination fees for grade seven.4731 However, education in Zambia is not compulsory.4732 In 2000, the gross primary enrollment rate was 78.2 percent, and the net primary enrollment rate was 65.5 percent.4733 In 1996/7, the gross primary school attendance rate was 91.7 percent, and the net attendance rate was 67.4 percent.4734 According to USAID, there are 560,000 children not attending school in Zambia, and of those children who enter grade 1, one-third fail to complete their education through grade 7.4735 Girls’ attendance tends to be lower than that of boys, especially in rural areas.4736

Child Labor Laws and Enforcement

The Employment of Young Persons and Children Act of 1933, establishes 15 as the minimum age for employment, and prohibits children up to the age of 18 from engaging in work that is hazardous; however, the law does not apply to commercial farms.4737 Under the Act, violators of the law can be fined and/or imprisoned for up to 3 months.4738 The Constitution of 1991 prohibits forced labor and establishes legal protection from exploitative work for young persons, defined as under the age of 15.4739 The Constitution prohibits trafficking of children under 15 years old and the penal code prohibits the trafficking of girls and women for sexual purposes.4740


4731 Statistics from the Ministry of Education indicate that the number of children selected for Grade 8 has increased by 20 percent as a result of abolishing examination fees for Grade 7. See U.S. Embassy- Lusaka, unclassified telegram no.1318. To replace school fees, the government increased its budgetary allocation for education and provided USD 7.6 million in 2003 to more than 5,000 schools throughout the country. U.S. Embassy-Lusaka, electronic communication, October 29, 2003.


4735 Enrollment rates have only marginally increased since 1990. There are a number of causes for this, including inadequate number of schools, distance between homes and schools, inadequate infrastructure and poor or no learning materials. See USAID, Overview of USAID Basic Education Programs in Sub-Saharan Africa III, technical paper, No. 106, SD Publication Series, Office of Sustainable Development, Bureau for Africa, Washington, D.C., February 2001, 95.

4736 Ibid. Enrollment of girls is also lower than that of boys (approximately 10 percent lower in 1999), and this gender disparity appears to be growing. See also UNICEF, Children in Jeopardy: The Challenge of Freeing Poor Nations from the Shackles of Debt, New York, 1999, 5.

4737 The Employment of Young Persons and Children Act (1933), Chapter 274, as cited in ILO-IPEC, East Africa Commercial Agriculture, project document, 65. The Employment of Young Persons and Children Act states that “a young person shall not be employed on any type of employment or work, which by its nature or the circumstances in which it is carried out, is likely to jeopardize the health, safety or morals of that young person.” It is reported that while the minimum age is 15 in the Act, in practice most employers observe 18 as the minimum age. See U.S. Embassy- Lusaka, electronic communication, October 29, 2003.

4738 U.S. Embassy- Lusaka, unclassified telegram no.1318.

4739 The Constitution, Article 24 states that “no young person shall be employed and shall in no case be caused or permitted to engage in any occupation or employment which would prejudice his health or education or interfere with his physical, mental or moral development.” A young person is identified in the Constitution as anyone below the age of 15 years. See Constitution of the Republic of Zambia, 1991, (August 1991); available from http://www.uni-wuerzburg.de/law/za00000_.html.

The Ministry of Labor and Social Security, which is responsible for enforcing labor laws, established a Child Labor Unit to specifically address issues relating to child labor.\textsuperscript{4741} The Ministry conducts monthly inspections to workplaces, and recently hired 56 new labor inspectors to conduct inspections throughout the country.\textsuperscript{4742} However, resources for investigations are not considered adequate and the Ministry was only able carry out about 60 percent of the child labor inspection and investigations it had set as a target.\textsuperscript{4743}

The Government of Zambia ratified ILO Convention 138 on February 9, 1976, and ratified ILO Convention 182 on December 10, 2001.\textsuperscript{4744} As per the terms of Convention 182, the government has identified a list of occupations considered as the worst forms of child labor.\textsuperscript{4745}

\textsuperscript{4741} U.S. Embassy- Lusaka, \textit{unclassified telegram no. 3288}. See also Chiraw, letter, October 23, 2001.

\textsuperscript{4742} U.S. Embassy- Lusaka, \textit{unclassified telegram no.1318}.

\textsuperscript{4743} USD 12,000 was allocated in the 2003 budget for carrying out child labor investigations. This amount was considered insufficient to cover the basic administrative costs. Ibid.


\textsuperscript{4745} The following occupations are identified in the list of worst forms of child labor: mining, quarrying, manufacturing industries, construction, transportation, cord woodcutting, prostitution and agriculture. U.S. Embassy- Lusaka, \textit{unclassified telegram no 1318}. See also U.S. Embassy- Lusaka, \textit{electronic communication}, October 29, 2003.
Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Zimbabwe is an associated country of ILO-IPEC. The Government of Zimbabwe has created a Child Labor Task Force Committee to define child labor, identify child exploitation, recognize problem areas and propose legislation to resolve these problems. The government has solicited assistance from workers, employers and NGOs to formulate country-specific approaches and strategies to eliminate child labor and is making efforts to incorporate child labor issues into the plans and policies of several government ministries, such as the Ministry of Health and Child Welfare, the Ministry of Education, Sport, and Culture, and the Ministry of Public Service, Labor, and Social Welfare. Social Welfare programs have included initiatives to support orphans, who are particularly vulnerable to engaging in child labor. The government has also been engaged in anti-trafficking efforts and programs to combat sexual exploitation of children.

In 1999, the Central Statistical Office of the Ministry of Public Service, Labor and Social Welfare, in cooperation with ILO-IPEC, published the results of a national child labor survey. Recent ILO technical assistance to Zimbabwe has supported a children’s play intended to raise awareness about the dangers of child labor among parents and the community. The ILO has also facilitated workshops with trade unions to raise awareness on the issue of child labor.

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478 The Ministry of Public Service, Labour and Social Welfare established a Child Welfare Forum that meets four times annually with other government agencies to discuss child welfare issues. See Ibid. In response to the growing number of children living and working in the streets of large cities, the Department of Social Welfare has initiated a “Children in Difficult Circumstances” program. As of 2000, the Department of Social Welfare has been in the process of decentralizing child care services to local authorities. According to officials at Social Welfare, the Ministry of Local Government, Public Works and National Housing already has responsibility for many of these services. See ILO-IPEC, Child Labour in Commercial Agriculture, technical workshop. See Tendai Mangoma, “More Children Forced to Beg”, allAfrica.com, [online], May 29, 2002; available from http://allafrica.com/stories/printable/200205290632.html.


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Enrollment has suffered over the last decade due to the reintroduction of school fees.\textsuperscript{4755} As of 2000, the government planned to build more schools and expand existing schools to take on more students, train staff, improve school facilities, provide scholarships and cover education costs for poor children through the Social Development Fund, the Basic Education Assistance Module, and develop other social safety nets.\textsuperscript{4756} UNICEF and other international organizations are assisting with the government's education efforts and have been particularly involved in school feeding programs during the recent food crisis.\textsuperscript{4757} Between the years of 1990 to 1999, the number of training centers for out-of-school youth increased from 3 to 15 nationwide.\textsuperscript{4758}

**Incidence and Nature of Child Labor**

In 1999, the Zimbabwe Central Statistics Office estimated that 33.2 percent of children ages 5 to 14 years in Zimbabwe were working.\textsuperscript{4759} Children work in traditional and commercial farming, forestry and fishing, domestic service, small-scale mining, gold panning, quarrying, construction, micro industries, manufacturing, trade, restaurants, and begging.\textsuperscript{4760} Over 90 percent of working children aged 5 to 17 reside in rural areas.\textsuperscript{4761} Many of these children work for long hours in the fields, often in exchange for education at farm boarding schools.\textsuperscript{4762} However, there is evidence that the incidence of child labor in farming has decreased as adults and children are being dispossessed through the fast track land redistribution program.\textsuperscript{4763} As the unemployment rate grows, fewer children are employed in the formal industry.\textsuperscript{4764} More have joined the informal sector, often exposing them to other serious hazards.\textsuperscript{4765} The government currently requires young people to perform compulsory

\begin{itemize}
\item UNESCO, \textit{The Education for All 2000 Assessment: Country Reports - Zimbabwe}, prepared by Ministry of Education, Sport, and Culture, pursuant to UN General Assembly Resolution 52/84; available from http://www2.unesco.org/wef/countryreports/zimbabwe/contents.html. BEAM provides waivers for both school fees and levies to children identified by community members as vulnerable and at risk of dropping out. See World Bank, \textit{A directory of early child development projects in Africa}, working paper, August 31, 2001.
\item UNESCO, \textit{EFA 2000 Report: Zimbabwe}.
\item Ibid., 45, 60. See also Eldring, Nakanyane, and Tshoaeedi, “Child Labor in the Tobacco Growing Sector”, 87.
\item Children work after school during the planting and harvesting seasons and full time during holidays. Special boarding schools on the farms allow children to work during busy seasons. See Eldring, Nakanyane, and Tshoaeedi, “Child Labor in the Tobacco Growing Sector”, 84.
\item Ibid.
\item Ibid. In 2002, several officials noted a surge in illegal gold panning among children. Some are reported to be as young as eleven years old. See Tsitsi Matope, “Kushinga Faces Food Shortage”, allAfrica.com, [online], August 16, 2002; available from http://allafrica.com/stories/printable/200208160250.html.
\end{itemize}
youth service at government-sponsored training camps rumored to prepare young people for service in youth militias.4766

In 1999, there were reportedly 12,000 street children in Zimbabwe, and their number is estimated to have increased steadily since that time.4767 As of 2001, a growing number of children under 17 years were reportedly engaged in prostitution.4768 The traditional practice of offering a young girl as payment in an inter-family feud continues to occur in Zimbabwe, as does early marriage of young girls.4769 There are anecdotal reports of cross-border trafficking of children for farm labor and commercial sexual exploitation.4770 Within Zimbabwe, children from rural areas are often recruited to work as domestics in the houses of distant kin or unrelated employers for long hours with little free time.4771 The child labor situation is compounded by the HIV/AIDS pandemic, which, in Zimbabwe alone, has left close to one million children orphaned, reliant on informal work to supplement lost family income and forced some to work as caregivers for sick adults.4772 As a result of the pandemic, Zimbabwe is currently experiencing an increase in child headed households.4773

Education is neither free nor compulsory.4774 Enrollment is at its lowest in 10 years. In 2000, the gross primary enrollment rate was 95 percent. The net primary enrollment rate was 79.6 percent.4775 Recent attendance rates for Zimbabwe are not available, but in 1994, the gross and net primary attendance rates were 108.9 and 84.6 percent

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4766 The government has threatened to bar those who do not participate in the training from civil service jobs, and government-sponsored university studies. Youth militias known as the Green Bombers are said to be responsible for much of the violence observed during the 2002 Presidential elections. See U.S. Department of State, Country Reports- 2002: Zimbabwe, Section 6c.

4767 Street children are found begging, watching parked cars, and doing other odd jobs. See Ibid., Section 5.


4771 These children have been known to be as young as ten years old. See Micheal Bourdillion, “Working Children in Zimbabwe” (paper presented at the Conference on Orphans and Vulnerable Children in Africa, Uppsala, September 13-16, 2001); available from http://www.nai.uu.se/sem/conf/orphans/bourdillon.pdf.


4773 According to a 1997 survey, over 35,000 heads of households are under the age of 20 and 3000 are under 15 years. Estimates suggest that 24,000 orphans are likely to be homeless as a result of the fast track land redistribution program. See Bourdillion, “Working Children in Zimbabwe”.


respectively. Certain segments of the educational system are particularly weak. Few commercial farms have schools and landowners who do provide schools have allegedly suspended children from attending classes if they refuse to work in the fields. The impact of the recent political turmoil, fast track land redistribution program, drought and impending famine in Zimbabwe has yet to be determined but has already had a negative effect on school enrollment and attendance. Already, several schools have closed as a result of political violence and land redistribution. Due to HIV/AIDS, remaining schools face a shortage of teachers.4780

Child Labor Laws and Enforcement

The Labor Relations Amendment Act recently raised the minimum age for employment from 12 to 13 years, specifying that children between the ages of 13 and 15 can only be employed as apprentices and only under special training conditions. Under the law, young persons under the age of 18 years are prohibited from performing work that might jeopardize their health, safety or morals and 15 years is the minimum age at which children may perform light work. Although, the Child Adoption and Protection Amendment Act (prohibiting the involvement of children in hazardous labor) was passed in 2001, implementation has been slow to follow. The Act defines hazardous labor as any work likely to interfere with the education of children, expose children to hazardous substances, involve underground mining, require the use of electronically powered hand tools, cutting or grinding

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4776 Ibid. For an explanation of gross primary enrollment rate and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.


4778 Due to the high rate of inflation, school fees have risen sharply, forcing parents to pull their children from school. Selection committees designating social welfare grants to needy students have been known to deny assistance to members of the opposition, the Movement for Democratic Change (MDC), political party. See U.S. Department of State, Country Reports- 2002: Zimbabwe, Section 5. See also See World Bank, Structural Adjustment, [cited August 14, 2003].

4779 Several schools were shut down, in addition to teachers being tortured for their support of the MDC opposition party and prevented from working unless they supported the ZANU-PF ruling party. Some schools were reportedly used as torture centers. See U.S. Department of State, Country Reports- 2002: Zimbabwe, Section 1c, 5. See also Amnesty International, Zimbabwe, [online] December 2003 [cited August 29, 2003]; available from http://web.amnesty.org/report2003/Zwe-summary-eng. The closing of more than 500 schools on formerly white owned farms in 2002, has left over 250,000 children unable to attend classes. Two hundred thousand of the children who attended the closed schools were primary school students. See Itai Dzamara, “Land-Grab Deprives 250,000 Pupils of Education”, allAfrica.com, [online], July 22, 2002, [cited August 14, 2002]; available from http://allfrica.com/stories/printable/200207220629.html.


4782 U.S. Embassy- Harare, unclassified telegram no. 1669. Light work is defined as anything that will not threaten a child's education, health, safety, rest, or social, physical, or mental development. See U.S. Embassy- Harare, unclassified telegram no. 1669.


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blades, expose children to extreme conditions, or to occur during a night shift.\textsuperscript{4784} The Labor Relations Amendment Act also prohibits forced labor yet makes an exception for labor required from a member of a disciplined force, presumably allowing for compulsory service in the National Youth Service.\textsuperscript{4785}

According to the amended Labor Act, violators of Section 11, Employment of Young Persons, are subject to fines not exceeding ZWD 30,000 (USD 8) and/or imprisonment not exceeding 2 years.\textsuperscript{4786} Persons violating Section 4A, Prohibition of Forced Labor are also liable for fines and imprisonment.\textsuperscript{4787} Pursuant to the Sexual Offenses Act of 2001, a person convicted of prostituting a child under the age of 12 is subject to a fine of up to ZWD 35,000 (USD 9) or imprisonment of up to 7 years.\textsuperscript{4788} No laws specifically address trafficking in persons.\textsuperscript{4789} However, the Act also establishes a maximum fine of ZWD 50,000 (USD 13) and a maximum sentence of 10 years for procuring another person for prostitution or sex inside and outside of the country.\textsuperscript{4790} The Immigration Act prohibits prostitutes and persons benefiting from the earnings of prostitution from entering the country.\textsuperscript{4791} Common law also criminalizes the removal of a child without the consent of the child’s parent or guardian.\textsuperscript{4792} The Sexual Offenses Act has led to little improvement in the lives of children due to magistrates’ unfamiliarity with the law.\textsuperscript{4793} Although the government has established Victim Friendly Courts in Harare, these are understaffed as a result of magistrates’ preference for more lucrative employment.\textsuperscript{4794}

Labor regulations, including child labor laws, are poorly enforced because of weak interpretations of the laws themselves, a lack of labor inspectors, and a poor understanding among affected workers of basic legal rights.\textsuperscript{4795}

The Government of Zimbabwe ratified ILO Convention No. 138 on June 6, 2000, and ILO Convention No. 182 on December 11, 2000.\textsuperscript{4796}
There is limited information regarding the extent and nature of child labor and the quality and provision of education in non-independent countries and territories eligible for GSP, AGOA and CBTPA benefits. These countries and territories generally are not eligible to become members of the ILO, and ILO Convention 138 and ILO Convention 182 do not apply to any of them.\textsuperscript{4797}

**Anguilla (territory of the United Kingdom)**

Statistics on the number of working children under the age of 15 in Anguilla are unavailable. Information is unavailable on the incidence and nature of child labor. The Government of Anguilla has yet to establish an independent mechanism to review complaints from children concerning violations of their rights under the Convention on the Rights of the child.\textsuperscript{4798} Primary education is compulsory from the ages of 5 to 11 years.\textsuperscript{4799} In 1998, the gross primary enrollment rate was 100.7 percent, and the net primary enrollment rate was 98.9 percent.\textsuperscript{4800} According to the population Census 2001 there was a small number of children not attending school below the age of 15 years due to severe physical/mental disabilities. There is a drive by the Special Needs Department in the Ministry of Education to provide opportunities for these children to attend schools where possible.\textsuperscript{4801} While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.\textsuperscript{4802} The Government of Anguilla has collaborated with UNESCO and the OECS to develop an Education for All plan that aims to raise educational achievement levels, improve access to quality special education services, provide human resource training for teachers and education managers, promote curriculum standardization, and increase the emphasis on social education and the involvement of teachers in educational planning.\textsuperscript{4803}

**British Virgin Islands (territory of the United Kingdom)**

Statistics on the number of working children under the age of 15 in the British Virgin Islands are unavailable, but children reportedly work occasionally during the afternoons and on weekends in family-owned businesses, supermarkets and hotels.\textsuperscript{4804} Under the Education Ordinance, children must attend school until the age of 14.\textsuperscript{4805} The Labor Standards set the minimum age for employment at 14 years.\textsuperscript{4806} The government has set up a Complaints Commission to handle complaints of violations of children's rights.\textsuperscript{4807}

\textsuperscript{4797} ILO official Nate Elkin, electronic communication to USDOL official, January 31, 2002. See also USDOL official, electronic communication to USDOL official, September 3, 2002. Most of the areas covered in this summary report are considered by the ILO to be non-metropolitan territories and therefore, are ineligible to become members of the ILO. An ILO member can submit a declaration to the ILO requesting that these conventions apply to their non-metropolitan territories. See ILO, Constitution; available from http://www.ilo.org/public/english/about/iloconst.htm.


\textsuperscript{4800} UNESCO, EFA Country Report: Anguilla.

\textsuperscript{4801} U.S. Department of State official, electronic communication, March 16, 2004.

\textsuperscript{4802} For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


\textsuperscript{4804} Sheila Brathwaite, Permanent Secretary, Ministry of Natural Resources and Labour., letter to USDOL official, September 14, 2000.

\textsuperscript{4805} Ibid.

\textsuperscript{4806} Ibid.

\textsuperscript{4807} Committee on the Rights of the Child, Concluding Observations.
Cook Islands (self-governing state in free association with New Zealand)

Statistics on the number of working children under the age of 15 in the Cook Islands are unavailable, but children are reported to assist with domestic chores, help with family agricultural activities, work as performers on a part-time basis in cultural dance groups, and work in shops.\(^{4808}\) Education is compulsory and free\(^{4809}\) for children between the ages of 5 and 15 years.\(^{4810}\) In 1996–1997, education expenditure was 3.2 percent of GDP.\(^{4811}\) That same year, the primary gross enrollment rate was 111.4 percent, and the primary net enrollment rate was 98.3 percent.\(^{4812}\) While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\(^{4813}\)

The Industrial and Labor Ordinance of 1964 prohibits the employment of children under the age of 16 between the hours of 6 p.m. and 7 a.m. and on Sundays and holidays.\(^{4814}\) Children under the age of 18 may not work in dangerous occupations, unless they have been trained to handle dangerous machinery.\(^{4815}\) The Labor and Consumer Affairs Division of the Ministry of Internal Affairs is responsible for monitoring the implementation of child labor laws.\(^{4816}\)

Falkland Islands (territory of the United Kingdom)

Statistics on the number of children working under the age of 14 are unavailable. According to the Government of the Falkland Islands, in 2002 there were no children below compulsory school age working full time and there have been no recent cases involving the commercial sexual exploitation of children.\(^{4817}\) Children are most commonly employed as babysitters, or in other part-time employment that generally occurs on Saturdays and on school holidays.\(^{4818}\) Education is free and compulsory from 5 years of age until the end of the academic year when a child reaches 16 years of age.\(^{4819}\) In 2002, the government reported that all children between the ages of 5 and 16 in the Falkland Islands were enrolled in the education system.\(^{4820}\) While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.\(^{4821}\)

\(^{4808}\) U.S. Embassy Australia official, electronic communication to USDOL official, October 1, 2001.
\(^{4812}\) Ibid.
\(^{4813}\) For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
\(^{4814}\) U.S. Embassy Australia official, electronic communication, October 1, 2001.
\(^{4815}\) Ibid.
\(^{4816}\) Ibid.
\(^{4817}\) The Government reported that it has no records of how many children between the ages of 14 and 18 are working on a part-time basis. See Alison A.M. Inglis, Crown Counsel, electronic communication to USDOL official, September 11, 2002.
\(^{4819}\) Inglis, electronic communication, September 11, 2002.
\(^{4820}\) Ibid.
\(^{4821}\) For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
The Employment of Children Ordinance prohibits the employment of children under the age of 14; however, children of compulsory schooling age cannot work during school hours, before 7 a.m. or after 7 p.m. on any day, for more than two hours on a school day or on Sundays.\footnote{4822} The Employment of Women, Young Persons and Children Ordinance of 1967 prohibits children under the age of 18 from working in industrial establishments.\footnote{4823} The sale, trafficking and abduction of children under the age of 16 years is an offense in the Falkland Islands; the sale, trafficking and abduction of children between the ages of 16 and 18 years is prohibited under the United Kingdom’s Sexual Offences Act of 1956.\footnote{4824} The government is not currently implementing any policies or programs to address child labor, as this is not perceived to be a problem, because of the 100 percent school enrollment rate and the restrictions on employment in the Children’s Ordinance.\footnote{4825} The government has yet to establish an independent mechanism to review complaints from children concerning violations of their rights under the Convention on the Rights of the Child.\footnote{4826}

**Gibraltar (territory of the United Kingdom)**

According to the Government of Gibraltar, there were no reports of child prostitution in Gibraltar in the period from 1998-2003.\footnote{4827} Other statistics on the number of working children under the age of 15 in Gibraltar are unavailable. Information is also unavailable on the incidence and nature of child labor. Education is free and compulsory between the ages of 4 and 15.\footnote{4828} Procurement of a girl under 18 years of age, permitting a girl under 13 years of age to use premises for intercourse, and causing or encouraging prostitution of a girl under 16 years of age are illegal.\footnote{4829} Slavery, servitude and forced labor are prohibited under the Gibraltar Constitution Order of 1969.\footnote{4830} The Convention on the Rights of the Child has not yet been extended to include Gibraltar.\footnote{4831}

**Montserrat (territory of the United Kingdom)**

Statistics on the number of working children under the age of 15 in Montserrat are unavailable. Information is also unavailable on the incidence and nature of child labor. The government has yet to establish an independent mechanism to review complaints from children concerning violations of their rights under the Convention on the Rights of the child.\footnote{4832} Education is compulsory for children between the ages of 5 and 16, and free up to the age of 17.\footnote{4833} The incidence of truancy and the number of drop-outs from school is increasing.\footnote{4834} The Government of Montserrat developed an *Education in the Country Policy Plan for 1998-2002* in conjunction with the United

\footnote{4822 Inglis, electronic communication, September 11, 2002.}
\footnote{4823 Rosalind Cheek, Crown Counsel, Attorney General’s Chambers, electronic communication to USDOL official, December 21, 2000.}
\footnote{4824 Committee on the Rights of the Child, *Initial Reports of States Parties—Addendum*, 37.}
\footnote{4825 Cheek, electronic communication, December 21, 2000.}
\footnote{4826 Committee on the Rights of the Child, *Concluding Observations*.}
\footnote{4831 Committee on the Rights of the Child, *Concluding Observations*.}
\footnote{4832 Ibid.}
\footnote{4833 U.S. Department of State official, electronic communication, March 16, 2004. See also Alex Ackie, Clerical Officer, Governor’s Office, electronic communication to USDOL official, January 23, 2001.}
\footnote{4834 Committee on the Rights of the Child, *Concluding Observations*.}
Kingdom. Under this plan, the government is supporting initiatives in the areas of curriculum development, student assessment and evaluation, professional development for teachers, post-secondary education expansion, and educational infrastructure and information technology.  

**Niue (self-governing state in free association with New Zealand)**

Statistics on the number of working children under the age of 15 in Niue are unavailable. Information is also unavailable on the incidence and nature of child labor. Education is compulsory from 5 to 16 years of age. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. The Government of Niue has collaborated with UNESCO to develop an Education for All plan to improve learning achievements and provide better educational opportunities for children with special needs.

**Pitcairn Islands (territory of the United Kingdom)**

In 2002, the Government of Pitcairn Islands reported that there were no working children in the territory. Children under the age of 15 are prohibited from engaging in paid government work. Education is free and compulsory between the ages of 5 and 15. The net primary school enrollment rate in 2002 was 100 percent. While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school. Under Section 23, Part V of the Summary Offences Ordinance, a parent or guardian who does not ensure the regular attendance of their child at school can be fined up to NZD 25 (USD 16.04).

**Saint Helena (territory of the United Kingdom)**

In 2000, the Government of St. Helena reported that there were no working children in the territory. The minimum age for employment is 15 years. Education is free and compulsory between the ages of 5 and 15.

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4837 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


4839 Leon Salt, Commissioner for Pitcairn Islands, electronic communication to USDOL official, August 25, 2002.

4840 Leon Salt, Commissioner for Pitcairn Islands, electronic communication to USDOL official, November 7, 2000.

4841 Ibid.


4843 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.


4845 Gillian Francis, Assistant Secretary, electronic communication to USDOL official, November 24, 2000.

4846 Ibid.

4847 Ibid.
Tokelau
Statistics on the number of working children under the age of 15 in Tokelau are unavailable. Information is also unavailable on the incidence and nature of child labor. Education is compulsory for 12 years.4848

Turks and Caicos Islands (territory of the United Kingdom)
Statistics on the number of working children under the age of 15 in the Turks and Caicos Islands are unavailable. Information is also unavailable on the incidence and nature of child labor. Nine years of basic education is provided by the government to children between the ages of 6 and 14.4849 In 1999, the gross primary enrollment rate was 113.1 percent, and the net primary enrollment rate was 112.7 percent.4850 While enrollment rates indicate a level of commitment to education, they do not always reflect children’s participation in school.4851

West Bank and Gaza Strip
The West Bank and Gaza Strip is an associated member of ILO-IPEC.4852 During January through March 2003, the Palestinian Central Bureau of Statistics estimated that less than 1 percent of children ages 10 to 14 were working in the Palestinian territories.4853 Children work on family farms, in family shops and as urban street vendors. Some children also work in small manufacturing enterprises, such as shoe and textile factories.4854 There are also reports that children and adolescents have been enrolled in military-style camps and have participated in Palestinian armed groups.4855

Education is compulsory through grade nine.4856 The gross enrollment rate in basic education was 96.8 percent in 1999–20004857 and the net enrollment rate in 1998–1999 was 90.9 percent.4858 Although gross and net enrollment rates are high, many girls marry early and do not complete the mandatory level of schooling, and in rural areas and refugee camps, boys often drop out of school early to help support their families.4859 Closures limited children’s and teachers’ access to schooling in 2002, and student learning was reported to be negatively affected by the violent security situation.4860 The violence resulted in the cancellation of classes in areas under curfew,4861 delays in

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4850 Ibid.
4851 For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.
4859 Ibid.
4860 Ibid.
4861 Ibid.
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school construction and sharp declines in teaching time due to problems with teacher attendance.\footnote{In 2001, the government agreed to build 245 new classrooms in East Jerusalem within 4 years to alleviate problems of overcrowding.} However, no funds were budgeted for the construction in 2001. In 2002, the budget included funds for 60 new classrooms.

Under a new Labor Code that was passed in 2002, the minimum age for work is 15 years, but there are restrictions on the employment of children between the ages of 15 and 18, including prohibitions against night work, work under conditions of hard labor and/or jobs that require them to travel outside their domicile.\footnote{The Palestinian Authority is responsible for enforcing the area’s labor laws; however, with only 40 labor inspectors for an estimated 65,000 enterprises, the Authority has limited capacity to enforce labor laws.} There is no law specifically prohibiting trafficking in persons, but no trafficking incidents have been reported.

The Palestinian Authority is working with the ILO and UNICEF to improve child labor law enforcement, and to conduct a study to determine the extent and nature of child labor in the West Bank and Gaza Strip.\footnote{In partnership with the Palestinian National Authority’s Ministry of Education and Higher Education, UNICEF is conducting a campaign to help 10,000 children return to school. Assistance includes provision of uniforms and school supplies, teacher training, a media campaign to promote education, and support for alternative education projects.} UNICEF has also supported summer camps aimed at minimizing the impact of disruptions on psycho-social growth and development for 42,000 children ages 6 to 18 years.

**Western Sahara**

Statistics on the number of working children under the age of 15 in Western Sahara are unavailable, but reports indicate that the few remaining nomadic children work as shepherds.\footnote{Residents of Western Sahara are subject to Moroccan labor laws that set the minimum age for employment at 15 years.} Forced labor is prohibited under Moroccan law.\footnote{Information regarding government policies and programs to eliminate the worst forms of child labor in Western Sahara is unavailable.}

\footnote{This report was based on a study conducted between April and June 2001 that collected information through focus groups in four areas of the Palestinian Territories: Tulkarem, Hebron, South Hebron and Khan Younis. Save the Children UK and Save the Children Sweden, *Education Under Occupation: Palestinian Children Talk About Life and School*, March 2002, 14.}

\footnote{U.S. Department of State, *Country Reports- 2002: Israel and the Occupied Territories*, Section 5.}
\footnote{Ibid.}
\footnote{Ibid., Sections 5 and 6d.}
\footnote{Ibid., Section 6d.}
\footnote{Ibid., Section 6f.}
\footnote{Ibid., Section 6d.}
\footnote{UNICEF, *One Million Go Back to School in Occupied Palestinian Territory*, press release, Jerusalem, September 1, 2003; available from http://www.unicef.org/media/media_13753.html.}
\footnote{Ibid.}
\footnote{Ibid.}
\footnote{Ibid. See also Lawrence Connell, electronic communication to USDOL official, January 29, 2002.}
\footnote{Ibid.}
\footnote{U.S. Department of State, *Country Reports- 2002: Western Sahara*.}
\footnote{UNESCO Institute for Statistics, *National Education Systems*.}
Other Territories and Non-Independent Countries

Information on the incidence and nature of child labor, child labor laws and legislation, and government polices and programs to eliminate the worst forms of child labor is unavailable for the following territories and non-independent countries: British Indian Ocean Territory (territory of the United Kingdom), Christmas Islands (territory of Australia), Cocos (Keeling) Islands (territory of Australia), Heard Island and MacDonald Islands (territory of Australia), Norfolk Island (territory of Australia), and Wallis and Futuna (territory of France).
THE U.S. DEPARTMENT OF LABOR'S
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