

²⁷²⁷ U.S. Department of State, "Country Reports- 2008: Nepal," section 6d. See also Government of Nepal, *Child Labor Info.*, section 3.

²⁷²⁸ U.S. Embassy- Kathmandu, *reporting, January 27, 2009*, para 6.

²⁷²⁹ U.S. Department of State, "Country Reports- 2008: Nepal," section 6d.

²⁷³⁰ Ministry of Labor and Transport Management, *National Master Plan on Child Labor, 2004-2014*, Kathmandu, 2004. See also UN Economic and Social Council, *Implementation of the International Covenant on Economic, Social and Cultural Rights: Second Period Reports Submitted by State Parties under Articles 16 and 17 of the Covenant*, August 7, 2006, executive summary, 47; available from http://www.ohchr.org/english/bodies/cescr/docs/E_C12_NPL_2.doc. See also UN Committee on the Rights of the Child, *Concluding Observations of the Committee 2005*, para 93. See also U.S. Embassy- Kathmandu, *reporting, January 27, 2009*, para 1.

²⁷³¹ U.S. Embassy- Kathmandu, *reporting, January 27, 2009*, para 6.

²⁷³² U.S. Department of State, "Country Reports- 2008: Nepal," section 6d. See also ILO- Kathmandu, *8th Kamaiya Liberation Day Observed in Nepal with the Demand for Effective Rehabilitation of Freed Kamaiya*, [online] July 2008 [cited April 7, 2009]; available from http://www.iloktm.org.np/read_more.asp?id=127.

²⁷³³ U.S. Department of Labor, *Sustainable Elimination of Child Bonded labor in Nepal - Phase 2*, ILAB Technical Cooperation Project Summary, Washington, DC, 2007. See also ILO-IPEC, *Sustainable Elimination of Child Bonded Labour Phase II, Project Document*, 44.

²⁷³⁴ United Nations Division for the Advancement of Women, *The UN Secretary-General's Database on Violence Against Women*, April 7, 2009; available from <http://webapps01.un.org/vawdatabase/searchDetail.action?measureId=6960&baseHREF=country&baseHREFId=941>.

²⁷³⁵ U.S. Department of State, "Country Reports- 2008: Nepal," section 5.

²⁷³⁶ U.S. Department of State, "Trafficking in Persons Report- 2008: Nepal."

²⁷³⁷ Ministry of Education and Sports, *EFA National Plan of Action: Nepal*, Kathmandu, April 2003; available from http://portal.unesco.org/education/en/ev.php-URL_ID=30125&URL_DO=DO_TOPIC&URL_SECTION=201.html. See also U.S. Embassy- Kathmandu, *reporting, January 27, 2009*, para 10.

²⁷³⁸ U.S. Department of Labor, *Combating Child Labor through Education in Nepal: The Brighter Futures Program Phase II*, ILAB Technical Cooperation Project Summary, Washington, DC, 2007. See also World Education, *Combating Child Labor through Education in Nepal: The Brighter Futures Program Phase II*, Technical Progress Report, Boston, September 2006. See also World Education, *Combating Child Labor through Education in Nepal: The Brighter Futures Program Phase II*, Project Revision, Boston, June 26, 2007, 1.

²⁷³⁹ USAID, *Operational Plan FY2006*, June 12, 2006, 9-10, 13; available from http://pdf.usaid.gov/pdf_docs/PDACH275.pdf. See also U.S. Embassy- Kathmandu, *reporting*, December 19, 2007, para 1.

²⁷⁴⁰ ILO-IPEC official, E-mail communication to USDOL official, December 18, 2008.

Nicaragua

Incidence and Nature of Child Labor

Children in the agricultural sector of Nicaragua work in the production of crops such as coffee, bananas, sugarcane, and tobacco.²⁷⁴¹ Children also work crushing stone, extracting pumice, mining for gold, and collecting mollusks and shellfish.²⁷⁴² In addition, children work in street sales and personal services, such as domestic service in third-party homes, as well as in restaurants and hotels. Some children engage in construction, manufacturing, and transport.²⁷⁴³ A significant number of children work in the informal sector, and some are engaged in garbage dump scavenging.²⁷⁴⁴

Child prostitution and sex tourism are problems in Nicaragua.²⁷⁴⁵ Nicaragua is a source and transit country for children trafficked for sexual exploitation.²⁷⁴⁶ Some children are trafficked within Nicaragua for sex tourism and to work as domestic servants.²⁷⁴⁷ Children, especially girls, from poor rural areas are among the most vulnerable to trafficking. The victims are often deceived with promises of good jobs and then forced to work as prostitutes in neighboring countries.²⁷⁴⁸ The Government reported that trafficking was linked to organized crime, including prostitutes and brothel owners who recruit trafficking victims.²⁷⁴⁹ The Government

has also acknowledged that the lack of life opportunities, increased regional trade, semi-porous borders, and the development of communications technology have been factors contributing to the recruitment of children and youth into sexual exploitation and trafficking.²⁷⁵⁰

<i>Selected Statistics and Indicators on Child Labor</i> ²⁷⁵¹	
Population, children, 5-14 years, 2005:	1,300,494
Working children, 5-14 years (%), 2005:	8.4
Working boys, 5-14 years (%), 2005:	13.5
Working girls, 5-14 years (%), 2005:	3.2
Working children by sector, 5-14 years (%), 2005:	
- Agriculture	70.7
- Manufacturing	9.6
- Services	19.2
- Other	0.5
Minimum age for work:	14
Compulsory education age:	15
Free public education:	Yes*
Gross primary enrollment rate (%), 2006:	115.9
Net primary enrollment rate (%), 2006:	89.8
School attendance, children 5-14 years (%), 2005:	84.9
Survival rate to grade 5 (%), 2005:	53.7
ILO Convention 138:	11/2/1981
ILO Convention 182:	11/6/2000
CRC:	10/5/1990
CRCOPAC:	3/17/2005**
CRCOPSC:	12/2/2004**
Palermo:	10/12/2004**
ILO-IPEC participating country:	Yes

*In practice, must pay for various school expenses

**Accession

Child Labor Laws and Enforcement

The law sets the minimum age for employment at 14 years.²⁷⁵² Children 14 and 16 years must have parental permission and be under the supervision of the Labor Ministry in order to work.²⁷⁵³ Children 14 to 18 years cannot work more than 6 hours a day or 30 hours a week. Minors are also prohibited from engaging in work that may interfere with their schooling or that endangers their health and safety, such as work in mines,

garbage dumps, and night entertainment venues.²⁷⁵⁴ The Ministry of Labor has published a list of types of work that are harmful to the health, safety, and morals of children.²⁷⁵⁵ An inter-ministerial resolution specifically prohibits children under 14 years from work in export processing zones, while another prohibits contracting children under 16 years for work at sea.²⁷⁵⁶ In July 2008, the labor code was revised to include stricter requirements for employers who contract adolescents to work in their homes, such as obligating employers to facilitate and promote the education of those adolescent workers.²⁷⁵⁷

The law provides for fines in cases of violations of child labor laws. Within the Ministry of Labor, the National Commission for the Progressive Eradication of Child Labor and Protection of the Young Worker (CNEPTI) receives revenues from fines that are put toward drawing attention to the rights and protection of minors.²⁷⁵⁸

The Constitution prohibits forced labor, slavery, and indentured servitude.²⁷⁵⁹ The Constitution was amended in 1995 to prohibit military conscription. The minimum legal age for entry into the Armed Forces is 18 years.²⁷⁶⁰

Prostitution is legal for individuals 14 years and older.²⁷⁶¹ The new penal code published in May 2008 increased penalties related to the commercial sexual exploitation of children.²⁷⁶² The law establishes a penalty of 5 to 7 years of imprisonment for those found guilty of recruiting children under 16 years into prostitution, and 4 to 6 years of imprisonment for recruiting children between ages 16 and 18.²⁷⁶³ Promoting, filming, or selling child pornography is prohibited.²⁷⁶⁴ Trafficking of children under 18 years is penalized by 10 to 12 years in prison.²⁷⁶⁵ The Ministry of Labor is responsible for enforcing labor laws.²⁷⁶⁶ The Ministry of Labor's Inspector General's Office is responsible for conducting all inspections, including those regarding child labor.²⁷⁶⁷ Although the law imposes fines for violators and allows inspectors to close establishments employing children, according to USDOS, the Ministry of Labor does not have sufficient resources to adequately enforce the law, with the exception of the small formal sector.²⁷⁶⁸

The Ministry of Government is responsible for combating trafficking, operates an anti-trafficking unit, and leads the National Coalition against Trafficking in Persons. However, USDOS notes that a lack of sufficient funding and coordination weakened the Government's anti-trafficking efforts at the national level.²⁷⁶⁹

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

The Government's Policy on Special Protection for Children and Adolescents includes special protections for victims of commercial sexual exploitation and trafficking in persons.²⁷⁷⁰ As a member of the Central American Parliament Commission on Women, Children, Youth, and Family, the Government is participating in a regional Plan to Support the Prevention and Elimination of Human Trafficking and Commercial Sexual Exploitation of Children and Adolescents.²⁷⁷¹

The Government provided oversight to the 5-year National Plan against the Commercial Sexual Exploitation of Children (2003-2008) and a 10-year National Action Plan for Children and Adolescents.²⁷⁷² The Ministry of Labor (CNEPTI) supports a 10-year plan (2007-2016) to end child labor that requires that all government programs and projects to include child labor prevention and eradication initiatives.²⁷⁷³ First Lady Rosario Murillo, in coordination with the Ministries of Family, Health, Education and Government, launched a child labor initiative called Program Amor (Love) that targets 25,000 street children and their families primarily in Managua. The program aims to eliminate child labor and provide education for children and vocational training for parents.²⁷⁷⁴

The Government of Nicaragua is participating in a USDOL-funded 3-year USD 5 million initiative implemented by the American Institutes for Research. The project aims to withdraw and prevent 10,045 children from exploitive labor in the Departments of Madriz, Jinotega, and Managua through the provision of education and training opportunities.²⁷⁷⁵

The Government of Nicaragua participated in regional projects funded by USDOL, including a 7-year USD 8.8 million project implemented by ILO-IPEC which concluded in April 2009 and sought to combat commercial sexual exploitation through a variety of activities, including capacity building and legal reform. In addition, the project targeted 713 children for withdrawal and 657 children for prevention from commercial sexual exploitation in Central America.²⁷⁷⁶ The Government also participated in the 4-year USD 5.7 million Child Labor Education Initiative regional project implemented by CARE that worked to strengthen the Government and civil society's capacity to combat child labor through education and withdrew or prevented 4,105 children from exploitive child labor.²⁷⁷⁷

The Nicaraguan Government participated in a regional ILO-IPEC project that ended in August 2008 and was funded by the Government of Canada to prevent and combat the worst forms of child labor by strengthening the country's labor ministry.²⁷⁷⁸ The Government of Nicaragua also participated in a Phase III USD 3.3 million regional project to eradicate child labor in Latin America, funded by the Government of Spain and implemented by ILO-IPEC.²⁷⁷⁹

²⁷⁴¹ ILO-IPEC, *Trabajo Infantil Peligroso en Nicaragua*, November 2007, 8.

²⁷⁴² Ibid. See also Government of Nicaragua- Ministerio del Trabajo, *Situación del Trabajo Infantil En Nicaragua, Riesgos Y Daños*, Managua, 2008.

²⁷⁴³ Government of Nicaragua- Ministerio del Trabajo, *Situación del Trabajo Infantil En Nicaragua, Riesgos Y Daños*. See also ILO-IPEC, *Trabajo Infantil Peligroso en Nicaragua*.

²⁷⁴⁴ Government of Nicaragua- Ministerio del Trabajo, *Situación del Trabajo Infantil En Nicaragua, Riesgos Y Daños*. See also ILO-IPEC, *Trabajo Infantil Peligroso en Nicaragua*. See also U.S. Embassy- Managua, *reporting*, February 13, 2009.

²⁷⁴⁵ U.S. Department of State, "Nicaragua (Tier 2)," in *Trafficking in Persons Report- 2008*, Washington, DC, June 4, 2008; available from <http://www.state.gov/g/tip/rls/tiprpt/2008/>. See also U.S. Department of State, "Country Reports- 2008: Nicaragua," section 5.

²⁷⁴⁶ U.S. Department of State, "Trafficking in Persons Report- 2008: Nicaragua." See also UN Committee on Human Rights, *Consideration of Reports Submitted by States Parties Under Article 44 of the Covenant: Concluding Observations of the Human Rights Committee*,

CCPR/C/NIC/CO/3, Geneva, December 12, 2008; available from [http://www2.ohchr.org/english/bodies/treaty/CD_Concl_Obs_2008/CCPR/94th%20session/CCPR%20C%20NIC%20CO%203%20\(e\).doc](http://www2.ohchr.org/english/bodies/treaty/CD_Concl_Obs_2008/CCPR/94th%20session/CCPR%20C%20NIC%20CO%203%20(e).doc).

²⁷⁴⁷ U.S. Department of State, "Country Reports- 2008: Nicaragua," section 5. See also U.S. Department of State, "Trafficking in Persons Report- 2008: Nicaragua."

²⁷⁴⁸ U.S. Department of State, "Country Reports- 2008: Nicaragua," section 5. See also U.S. Embassy-Managua, *reporting*, February 13, 2009.

²⁷⁴⁹ U.S. Embassy- Managua, *reporting*, February 13, 2009. See also U.S. Department of State, "Nicaragua," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100647.htm>.

²⁷⁵⁰ U.S. Embassy- Managua, *reporting*, August 19, 2008.

²⁷⁵¹ For statistical data not cited here, see the Data Sources and Definitions section. For ratifications and ILO-IPEC membership, see the Introduction. For minimum age for admission to work, see Government of Nicaragua, *Ley núm. 474 por la que se dicta la Ley de reforma al Título VI, Libro Primero del Código de Trabajo*, (October 21, 2003), article 2; available from http://www.ilo.org/dyn/natlex/natlex_browse.detail?s?p_lang=en&p_isn=67286. For age to which education is compulsory, see Government of Nicaragua, *Constitución Política de la República de Nicaragua*, (1987, with 1995, 2002 and 2005 reforms), article 121; available from <http://pdba.georgetown.edu/Constitutions/Nica/nica05.html>. For free public education, see Government of Nicaragua, *Constitución Política de Nicaragua*, article 121. See also U.S. Department of State, "Nicaragua," in *Country Reports on Human Rights Practices- 2008*, Washington, DC, February 25, 2009, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2008/wha/119167.htm>. See also U.S. Embassy-Managua, *reporting*, February 13, 2009.

²⁷⁵² Government of Nicaragua, *Ley núm. 474*, article 2. See also Government of Nicaragua, *Código de la Niñez y la Adolescencia*, Ley. No. 287, (May 1998), article 73; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/55822/66754/S98NIC01.htm>.

²⁷⁵³ Government of Nicaragua, *Ley núm. 474*, article 2.

²⁷⁵⁴ *Ibid.*, articles 3-5.

²⁷⁵⁵ ILO NATLEX National Labor Law Database, *Acuerdo Ministerial núm. VGC-AM-0020-10-06 sobre el listado de trabajos peligrosos aplicado para el caso de Nicaragua*, accessed December 7, 2007; available from http://www.ilo.org/dyn/natlex/natlex_browse.detail?s?p_lang=en&p_country=NIC&p_classification=04&p_origin=COUNTRY.

²⁷⁵⁶ Ministry of Labor and ILO-IPEC, *National Report on the Results of the Child and Adolescent Labour Survey in Nicaragua*, April 2003, 17.

²⁷⁵⁷ Government of Nicaragua, *Ley de Reformas y Adiciones al Capítulo I del Título VIII Del Código del Trabajo De La República de Nicaragua*, Ley. No. 666, (July 2, 2008); available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/45784/65050/S96NIC01.htm>.

²⁷⁵⁸ Government of Nicaragua, *Ley núm. 474*, article 6.

²⁷⁵⁹ Government of Nicaragua, *Constitución Política de Nicaragua*, article 40. See also U.S. Department of State, "Country Reports- 2008: Nicaragua," section 6c.

²⁷⁶⁰ Coalition to Stop the Use of Child Soldiers, "Nicaragua," in *Child Soldiers Global Report 2008*, London, 2008; available from <http://www.child-soldiers.org/regions/country?id=154>.

²⁷⁶¹ U.S. Department of State, "Country Reports- 2008: Nicaragua," section 5.

²⁷⁶² Government of Nicaragua, *Código Penal de la República de Nicaragua*, Ley 641, (May 6, 2008), articles 167-183; available from <http://www.asamblea.gob.ni/opciones/constituciones/Codigo%20Penal.pdf>.

²⁷⁶³ *Ibid.*, article 175.

²⁷⁶⁴ *Ibid.*

²⁷⁶⁵ *Ibid.*, article 182.

²⁷⁶⁶ U.S. Department of State, "Country Reports- 2008: Nicaragua," section 6d. See also Ministry of Labor, *Mision*, [online] [cited February 8, 2009]; available from <http://www.mitrab.gob.ni/mision.html#>.

²⁷⁶⁷ Ministry of Labor, *Servicios*, [online] [cited February 8, 2009]; available from <http://www.mitrab.gob.ni/sevicios.html>.

²⁷⁶⁸ U.S. Department of State, "Country Reports- 2008: Nicaragua," section 6d.

²⁷⁶⁹ *Ibid.*, sections 5 and 6d.

²⁷⁷⁰ ILO-IPEC, "Stop the Exploitation" ("Alto a la explotación") *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, Technical Progress Report, RLA/02/P51-05/52/USA, September 13, 2006, 2.

²⁷⁷¹ Comisión de la Mujer Niñez Juventud y Familia del Parlamento Centroamericano, *I Plan de Trabajo Regional de la Comisión para Apoyar la Prevención y Eliminación la Trata de Personas y la Explotación Sexual Comercial de Niños, Niñas y Adolescentes, 2008-2010*, 2008.

²⁷⁷² U.S. Embassy- Managua, *reporting*, December 14, 2007. See also CONAPINA, *Plan Nacional Contra La Explotación Sexual Comercial de Niñas, Niños y Adolescentes 2003-2008*, November 2003.

²⁷⁷³ U.S. Embassy- Managua, *reporting*, December 14, 2007.

²⁷⁷⁴ Government of Nicaragua, *Sistema Nacional Para el Bienestar Social: Programa Amor*, Managua, September

2008. See also U.S. Embassy- Managua, *reporting, February 13, 2009.*

²⁷⁷⁵ American Institutes for Research, *ENTERATE: Combating the Worst Forms of Child Labor through Education in Nicaragua*, Cooperative Agreement, 2008.

²⁷⁷⁶ ILO-IPEC, "Stop the Exploitation" ("Alto a la explotación") *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, Project Document, RLA/02/P51-05/52/USA, San Jose, 2002, 2005, 1 and 63. See also ILO-IPEC, *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, Project Addendum, Geneva, September 2005, 1 and 22.

²⁷⁷⁷ CARE, *Primero Aprendo Project: Combating Exploitive Child Labor through Education in Central America (Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua) and the Dominican Republic*, Project Document, 2004, 5. See also ILO-IPEC, *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, Project Addendum, 22-23.

²⁷⁷⁸ ILO-IPEC official, E-mail communication to USDOL official, December 18, 2008. See also ILO-IPEC official, E-mail communication to USDOL official, February 4, 2008.

²⁷⁷⁹ ILO-IPEC official, E-mail communication, December 18, 2008. See also ILO-IPEC official, E-mail communication, February 4, 2008.

Niger

Incidence and Nature of Child Labor

In Niger, children work in the agricultural, commercial, and artisanal sectors, often in family businesses. In rural areas, children work on family farms, including gathering water or firewood, pounding grain, and raising animals.²⁷⁸⁰ Children work in manufacturing and maintenance, including welding, carpentry, and metal work. Children also work in tanneries and slaughterhouses.²⁷⁸¹ Girls especially work as domestic servants and as vendors, risking harassment and sexual abuse.²⁷⁸² Street children, who beg or perform tasks such as dishwashing or portering, are prevalent in the capital, Niamey, as well as in Dosso, Maradi, Zinder, and Tahoua.²⁷⁸³

The practice of sending boys to Koranic teachers to receive education, which may include a vocational or apprenticeship component, is a tradition in various countries, including Niger.²⁷⁸⁴ While some boys receive lessons, others are forced by their teachers to beg and surrender the money that they have earned or perform manual labor.²⁷⁸⁵

Children work in hazardous conditions in mines and quarries, including salt quarries in Tounouga; trona mines in the Boboye region; gypsum mines in Madaoua; and gold mines in Liptako-Gourma, Komabangou, M'bangou, and the area near the border with Burkina Faso.²⁷⁸⁶ In mining and

quarrying, children participate in many hazardous activities, such as breaking rocks; extracting, processing, and hoisting up ore; and transporting heavy loads.²⁷⁸⁷ Gold mining is particularly hazardous because gold-washing may expose children to mercury.²⁷⁸⁸ Children are also victimized in prostitution, especially along the highway between Zinder and Birni n'Konni.²⁷⁸⁹

Traditional forms of caste-based servitude, including that of children, still exist in parts of Niger.²⁷⁹⁰ This practice is more prevalent among the nomadic populations. Slaves often work as shepherds, agricultural workers, or domestic servants.²⁷⁹¹

Niger serves as a source, transit, and destination country for children trafficked for forced labor and commercial sexual exploitation.²⁷⁹² Children are trafficked internally for forced labor in mines, agricultural labor, and domestic service, as well as for commercial sexual exploitation and begging.²⁷⁹³ Children from Benin, Burkina Faso, Ghana, Mali, Nigeria, and Togo are trafficked to Niger for exploitive labor, including working in mines, on farms, and on the streets as menial laborers.²⁷⁹⁴ Children from Mali are trafficked to the rice fields in the Tillabery region of Niger, as well as in transit to Europe or North Africa.²⁷⁹⁵ Nigerien children are trafficked to work as beggars or manual laborers in Mali and