

Guinea

Recent policies strengthen social protections for children and establish mechanisms to raise public awareness on laws and protections for children. Certain gaps remain in protections for children working in agriculture and domestic service, and in the capability to enforce existing provisions.



Statistics on Working Children and School Attendance

Children	Percent
Working	Unavailable
Attending School	Unavailable
Combining Work and School	Unavailable

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Guinea are exploited in the worst forms of child labor,²¹⁰⁴ many of them in the agriculture sector, where they engage in herding and the production of cashews, cocoa, and coffee.²¹⁰⁵ Children in agriculture use sharp objects, handle pesticides, carry heavy loads, climb tall trees to gather fruits, and are exposed to dangerous animals.²¹⁰⁶ Children work in fishing, where they carry heavy fishing nets and risk drowning.²¹⁰⁷ Children also work in gold and diamond mines and quarries, where they work long hours, lack protective gear, and are vulnerable to accidents, broken bones, and respiratory, skin, and other diseases.²¹⁰⁸ Although evidence is limited, there is reason to believe that the worst forms of child labor are used in the production of bauxite, gravel (crushed stones) and sand.²¹⁰⁹

Trafficking and prostitution also exist.²¹¹⁰ Girls are trafficked internally and to Europe, as well as from neighboring West African countries for commercial sexual exploitation and domestic service.²¹¹¹ Boys are also trafficked within Guinea to work as street vendors, shoe shiners, and beggars, where they work long hours and are exposed to severe weather, accidents caused by proximity to vehicles, and criminal activities.²¹¹²

Both Guinean boys and girls are trafficked within West Africa, including to Côte d'Ivoire, Sierra Leone, and Mali, for mining, domestic work, forced labor, and begging.²¹¹³

Through the system of *confiage*, children from rural areas are sent to cities to work or to go to school.²¹¹⁴ If their hosts cannot or choose not to pay their school fees, in order to pay their room and board, children, especially girls, some as young as 5 years, work in domestic service where they carry heavy loads, are not paid for their work, and may be beaten and sexually exploited.²¹¹⁵

The tradition of sending boys to Koranic teachers to receive education, including informal vocational training or apprenticeships, is practiced in some countries, including Guinea.²¹¹⁶ While some boys receive lessons, many are forced by their teachers to beg or work in fields, and sometimes beaten or otherwise mistreated if they fail to meet daily quotas or complete chores.²¹¹⁷

Laws and Regulations on the Worst Forms of Child Labor

The minimum age for employment is 16, as set by the Labor Code and Child Code.²¹¹⁸ Children may work

as apprentices from age 14, or 12 for apprenticeships involving light work in domestic service, agriculture, and other sectors, with the approval of labor inspectors. The Child Code also includes a list of hazardous occupations from which children are prohibited.²¹¹⁹ The Mining Code prohibits children under age 16 from working in mines or quarries, other than as assistants.²¹²⁰ Order 2791/MTASE/DNTLS/96 Working Conditions for Employees Aged under 18 Years excludes children younger than age 18 from working in hazardous conditions.²¹²¹

Children in Guinea are required to attend school until the age of 12. This makes children age 13 to 15 vulnerable to the worst forms of child labor because they are not required to be in school and their legal work options are limited.

The Child Code and Penal Code criminalize child trafficking, sex tourism, pornography, and prostitution.²¹²² The Labor Code prohibits forced labor.²¹²³

The Labor Code does not extend to children in unpaid, temporary, or non-contract work in agriculture or to domestic servants.

Institutional Mechanisms for Coordination and Enforcement

While there is no agency coordinating across the Government on child labor issues, a national committee exists to monitor and protect children’s rights and to implement the Child Code.²¹²⁴

In addition, a National Committee Against Trafficking, chaired by the Ministry of Social Affairs and the Promotion of Women and Children, is a coordinating body that meets quarterly on trafficking issues. It comprises responsible officers from relevant ministries, police, justice, NGOs, and other stakeholders involved in trafficking issues.²¹²⁵

The Ministry of Labor leads in enforcing child labor laws, including by maintaining a list of hazardous work in which children under age 18 cannot be employed.²¹²⁶ However, the implementing text laying out penalties for violations of laws included in the Child Code was not completed during the reporting period.²¹²⁷ Information could not be obtained on the nature and

number of child labor inspections, enforcement of child labor laws, or on the number of labor inspectors.

The Ministry of High Crimes and Anti-Drug Enforcement is responsible for the enforcement of anti-trafficking laws.²¹²⁸ The *Police Mondaine*, a unit under the Ministry of Security, investigates crimes of child prostitution and child trafficking.²¹²⁹ Local authorities, police, and border agents in individual prefectures can apprehend child traffickers at the country’s borders.²¹³⁰ While 13 trafficking cases were reported during this period, there is no information available of how many of these were related specifically to children.²¹³¹

In February 2009, following the death of President Lansana Conte and subsequent takeover by the Council for Democracy and Development (CNDD), CNDD leader Captain Moussa Dadis Camara publicly authorized security to shoot anyone found trafficking children. There are no reports of any subsequent shootings.²¹³²

The use of available laws to prosecute worst forms of child labor violations has been limited. There is a lack of trained staff and finances to conduct child labor legal proceedings effectively.²¹³³

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	No
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	No
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	12
	Free Public Education	Yes

Government Policies on the Worst Forms of Child Labor

There is no evidence that the Government of Guinea has a comprehensive policy specifically to combat the worst forms of child labor.

However, the Ministry of Social Affairs and the Promotion of Women and Children developed *Un Monde Digne des Enfants*, a declaration and comprehensive action plan to assist children.²¹³⁴ It includes general protections and objectives against child labor, mistreatment, exploitation, and violence to eliminate trafficking and sexual exploitation.²¹³⁵ The plan does not specify concrete activities, tangible outcomes, and targets to achieve its goals.

The Poverty Reduction Strategy (2007-2010) (PRSP), strengthens social protections for children, establishes mechanisms to raise public awareness on laws and protections for children, and provides implementation strategies for an Education for All Program to improve education in Guinea. The PRSP includes actions to support street children and provisions for combating human trafficking in ECOWAS member countries, including Guinea.²¹³⁶

Guinea has a National Action Plan to Combat Trafficking in Persons and participates in a number of international policies to address trafficking.²¹³⁷ The regional Multilateral Cooperative Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children, in West and Central African Regions, remains active. It requires signatories to investigate and prosecute trafficking offenders, rehabilitate and reintegrate trafficking victims, and assist other signatory countries in implementing measures under the agreement.²¹³⁸ Guinea is a member of the ECOWAS working group on child trafficking, designed to combine resources to monitor cross-border trafficking. In 2009, Guinea signed a regional agreement to provide protection and assistance to trafficking victims.²¹³⁹ The Governments of Guinea and Mali signed a bilateral agreement to combat trafficking in 2005.²¹⁴⁰

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

The Government of Guinea has participated in several USDOL-funded projects, including projects targeting children exploited in agriculture, mining, domestic service, and informal sectors. These projects include the 4-year \$4.4 million child labor education initiative that ended in September 2008 and strengthened institutional capacity to identify and monitor child laborers and provided education and training to children. It also includes a 3-year \$3.5 million project, which began in September 2008 and that targets 7,860 children for withdrawal and prevention from exploitative labor and that collects data on child trafficking. Due to a 2008 *coup d'état* by elements of the military, the Government is no longer participating in this ongoing project.²¹⁴¹

The Government of Guinea participated in a 3-year USDOL-funded project with the goal of enhancing national capacity for child labor data collection, analysis, and dissemination. The project, which ended in September 2010, also funded technical assistance to the government to conduct surveys, research, and training.

Additionally, the Government of Guinea participated in USDOS- and USAID-funded projects to collect data on child trafficking, create a national trafficking database, and provide services and training to trafficking victims.²¹⁴²

The Government of Guinea also took part in programs with other international organizations including creating child protection committees to monitor child labor reviewing human trafficking legislation, providing training and awareness raising on trafficking to media and civil society, and providing officials and law enforcement officers with capacity-building training to manage migration and investigate trafficking prosecution.²¹⁴³ The Government does not provide services directly, but rather refers child trafficking victims to NGO-sponsored services.²¹⁴⁴

Current social programs do not adequately address the scope of the worst forms of child labor in Guinea, particularly in agriculture and domestic service where large number of children work and are unprotected by the legal provisions.²¹⁴⁵

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

IN THE AREA OF LAWS AND REGULATIONS:

- Increase the minimum age for compulsory education from 12 to 16.
- Complete the implementation framework for the Child Code.
- Extend protections to children in unpaid, temporary, or non-contract work.

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Assess budgetary priorities with a view toward providing resources to conduct effective legal proceedings concerning the worst forms of child labor.

IN THE AREA OF POLICIES:

- Develop a child labor policy.
- Set targets and establish concrete outcomes for all policies related to child labor.

IN THE AREA OF PROGRAMS:

- Expand social programs to provide services to children engaged in or at risk of entering the worst forms of child labor, particularly in agriculture, mining, and domestic service.

²¹⁰⁴ Data provided in the chart at the beginning of this country report are not available from the data sources that are used by USDOL. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. For more information on sources used for these statistics, the definition of working children, and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section.

²¹⁰⁵ U.S. Department of State, “Guinea,” in *Country Reports on Human Rights Practices- 2009*, Washington, DC, March 11, 2010; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/af/135957.htm>. See also ILO-IPEC, *Rooting Out Child Labour from Cocoa Farms: Paper No. 3, Sharing Experiences*, Geneva, 2007; available from http://www.ilo.org/ipecinfor/product/download.do?sessionId=0a038009ceb894400a9b81d4f9e93c38d63c1e604c7.hkzFngTDp6WImQuUaNaKbND3IN4K-xaIah8S-xyIn3uKmAiN-AnwbQbxaNvzaAmI-huKa30xgx95fjWta3eIpkzFngTDp6WImQuxahySbxaTbN8TbMb48OX3b4Dtgj15eMbyknvrkLOIQzNp65In0__?type=document&id=6446. See also ILO Committee of Experts, *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Guinea (ratification: 2003)* [online] 2007 [cited April 14, 2010]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=20442&chapter=9&query=Guinea%5F%40ref&highlight=&querytype=bool&context=0>. See also ILO, *Etude de Base sur le Travail d’Enfants en Guinée*,

Rapport d’analyse des résultats, Conakry, October 2006, 41. See also World Education, *SELECT - Stop Exploitive Labor and Educate Children for Tomorrow*, Project Document (draft), January 2009, 16.

²¹⁰⁶ World Education, *SELECT, Project Document (January 2009)*, 12.

²¹⁰⁷ Ibid.

²¹⁰⁸ Government of Guinea, *Conditions de travail des salariés âgés de moins de 18 ans*, (April 22, 1996); available from <http://www.droit-afrique.com/images/textes/Guinee/Guinee%20-%20Travail%20des%20mineurs.pdf>. See also Republic of Guinea and UNICEF, *Etude sur les «Enfants Travaillant dans les Mines et Carrières»*, Ministère des Affaires Sociales and Ministère de l’Emploi, Conakry, 2006. See also U.S. Department of State, «Country Reports- 2009: Guinea,» section 7d. See also USDOL official, E-mail communication to USDOL official, February 4, 2010. See also Association Guinéenne de Recherche - Action Et d’Alphabétisation pour le Développement, *Etude Dans les Zones Minières (Diamantifère & de l’Or) de Bonodou & Dandano: Lutte Contre la Traite des Personnes à des fins d’exploitation de leur Travail*, 2007. See also World Education, *SELECT, Project Document (January 2009)*, 19.

²¹⁰⁹ World Education, *SELECT- Stop Exploitive Labor and Educate Children for Tomorrow*, Cooperative Agreement, September 30, 2008, 19.

²¹¹⁰ International Confederation of Free Trade Unions (ICFTU), *Internationally Recognized Core Labour Standards in Guinea: Report for the WTO General Council*

Review of the Trade Policies of Guinea, Geneva, October 12 and 14, 2005; available from <http://www.icftu.org/www/pdf/clsguinea2005.pdf>. See also U.S. Embassy- Conakry, *reporting*, January 21, 2009, para 5.

²¹¹¹ U.S. Department of State, “Guinea (Tier 2 Watch List),” in *Trafficking in Persons Report- 2010*, Washington, DC, June 14, 2010; available from <http://www.state.gov/documents/organization/142983.pdf>.

²¹¹² U.S. Department of State, “Country Reports- 2009: Guinea.” See also UN General Assembly Human Rights Council, *Promotion and Protection of All Human Rights, Civil, Political, Economic, Social, and Cultural, Including the Right to Development (A/HRC/7/8/Add.1)*, A/HRC/7/8/Add.1, March 4, 2008; available from <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G08/23/77/PDPF/G0811377.pdf?OpenElement>. See also U.S. Department of State, “Trafficking in Persons Report- 2010.”

²¹¹³ U.S. Department of State, “Country Reports- 2009: Guinea,” 5. See also U.S. Department of State, “Trafficking in Persons Report- 2010.” See also U.S. Embassy- Conakry, *reporting*, May 15, 2008, para 1. See also U.S. Department of State, “Sierra Leone (Tier 2),” in *Trafficking in Persons Report- 2010*, Washington, DC, June 14, 2010; available from <http://www.state.gov/documents/organization/142983.pdf>.

²¹¹⁴ Human Rights Watch, *Bottom of the Ladder: Exploitation and Abuse of Girl Domestic Workers*, New York, June 2007; available from <http://hrw.org/en/node/10932/section/1>. See also Global Eye on Human Trafficking, *Finding Hope in West Africa*, [online] 2006 [cited March 12 2010]; available from http://www.iom.ch/jahia/wedav/site.myjahiasite.shared/mainsite/projects/showcase_pdf/global_eye_fifth_issue.pdf.

²¹¹⁵ Human Rights Watch, *Exploitation and Abuse of Girl Domestic Workers*, 27-28. See also Human Rights Watch, *Legal, Policy and Programmatic Responses to Protect Child Domestic Workers*, [online] 2007 [cited March 12 2010]; available from <http://hrw.org/reports/2007/guinea0607/10.htm>. See also Action Against the Exploitation of Children and Women, *Etude sur le trafic et travail domestique des enfants en Guinée (rapport provisoire)*, Anti Slavery International, Conakry, November, 2005, 26; available from http://www.crin.org/docs/ACEEF_Trafic_Enfants_Guinée.doc. See also ILO, *Rapport d'analyse des résultats*, 40-42.

²¹¹⁶ Peter Easton, “Education and Koranic Literacy in West Africa,” *IK Notes* no. 11 (August 1999), 1, 3; available from <http://www.worldbank.org/afr/ik/iknt11.pdf>. See also Peter Easton, Mark Peach, Ibrahima Lalya Bah, ElHadj Bella Doumboula, and Mohammed Lamine Barry, *Research Studies Series no. 8*, International Working Group on Nonformal Education of the Association for the

Development of Education in Africa, May 1997; available from <http://www.adeanet.org/wgnfe/publications/abel/abel2.html>. See also U.S. Department of State, “Country Reports- 2009: Guinea.”

²¹¹⁷ U.S. Embassy- Conakry, *reporting*, February 29, 2008, para 1, 5, 8.

²¹¹⁸ Government of Guinea, *Code du travail de la République de Guinée (003/PRG/SGG/88)*, (1988). See also Government of Guinea, *Loi Portant Code de l'Enfant (L/2008/011)*, (August 2008).

²¹¹⁹ Government of Guinea, *Code de l'enfant, 2008*, article 415.

²¹²⁰ Government of Guinea, *Code Minier: L/95/036/CTRN constituting the mining code of the Republic of Guinea* (1995), article 135; available from <http://www.droit-afrique.com/images/textes/Guinee/Guinee%20-%20Travail%20des%20mineurs.pdf>. See also Government of Guinea, *Code du travail de la République de Guinée*, (1988), article 5.

²¹²¹ Government of Guinea, *Code de travail des mineurs, 1996*, articles 1-5, 7, 10, 11. See also Government of Guinea, *Code du travail, 1988*, article 5, 31. See also Government of Guinea, *Code de l'enfant, 2008*, articles 411-416.

²¹²² Government of Guinea, *Code du travail, 1988*. See also Government of Guinea, “Guinea,” in *Legislation of Interpol Member States on Sexual Offences against Children*, 2006; available from <http://www.interpol.int/public/children/sexualabuse/nationallaws/csaGuinea.asp>.

²¹²³ Government of Guinea, *Code du travail, 1988*, article 5. See also International Confederation of Free Trade Unions (ICFTU), *Report for the WTO General Council Review of the Trade Policies of Guinea*, 5.

²¹²⁴ Government of Guinea, *Rapport de la Guinée sur le suivi de la Déclaration et du Plan d'action «Un monde plus digne des enfants»*, prepared by Direction Nationale de l'Education Préscolaire et de la Protection de l'Enfance (DNEPPE), 2006, 8; available from http://www.unicef.org/worldfitforchildren/files/Guinea_WFFC5_Report.pdf.

²¹²⁵ Government of Guinea, *Rapport de la Guinée sur le suivi de la Déclaration et du Plan d'action «Un monde plus digne des enfants»*, prepared by Direction Nationale de l'Education Préscolaire et de la Protection de l'Enfance (DNEPPE), 2007; available from http://www.unicef.org/worldfitforchildren/files/Guinea_WFFC5_Report.pdf.

²¹²⁶ U.S. Department of State, “Country Reports- 2009: Guinea,” section 7d. See also U.S. Embassy- Conakry, *reporting, January 21, 2009*, para 4.

²¹²⁷ U.S. Embassy- Conakry, *reporting, January 21, 2009*, para 1.

- ²¹²⁸ U.S. Department of State, “Trafficking in Persons Report- 2010.”
- ²¹²⁹ Human Rights Watch, *Legal, Policy and Programmatic Responses*. See also Government of Guinea, *Rapport de la Guinée sur le suivi de la Déclaration et du Plan d’action «Un monde plus digne des enfants»*, 6.
- ²¹³⁰ U.S. Embassy- Conakry, *reporting, February 29, 2008*, para 5-7.
- ²¹³¹ U.S. Embassy- Conakry, *reporting*, January 26, 2010.
- ²¹³² U.S. Department of State, “Country Reports- 2009: Guinea,” section 7d.
- ²¹³³ Human Rights Watch, *Legal, Policy and Programmatic Responses*. See also Government of Guinea, *Rapport de la Guinée sur le suivi de la Déclaration et du Plan d’action «Un monde plus digne des enfants»*, 6.
- ²¹³⁴ Government of Guinea, *Rapport de la Guinée sur le suivi de la Déclaration et du Plan d’action «Un monde plus digne des enfants»*.
- ²¹³⁵ *Ibid.*
- ²¹³⁶ Government of Guinea, *Second Progress Report on the Poverty Reduction Strategy*, January 2006, 35, 36; available from [http://siteresources.worldbank.org/INTPRS1/Resources/Guinea_APR2\(Jan2006\).pdf](http://siteresources.worldbank.org/INTPRS1/Resources/Guinea_APR2(Jan2006).pdf).
- ²¹³⁷ World Education, *SELECT, Project Document (January 2009)*, 6, 40-42.
- ²¹³⁸ Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006. See also ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006, 7. See also Government of Guinea, *Rapport de la Guinée sur le suivi de la Déclaration et du Plan d’action «Un monde plus digne des enfants»*..
- ²¹³⁹ USDOL official, E-mail communication to USDOL official, February 19, 2010. See also Integrated Regional Information Networks, “Burkina Faso: New child trafficking law hard to enforce “, IRINnews.org, [online], June 4, 2008 [cited March 18, 2010]; available from <http://www.unhcr.org/refworld/country,,,,BFA,,4847bb9120,0.html>.
- ²¹⁴⁰ Government of Guinea, *Rapport de la Guinée sur le suivi de la Déclaration et du Plan d’action «Un monde plus digne des enfants»*, 6.
- ²¹⁴¹ Save the Children- U.S., *Combating Child Labor and Exploitation in Guinea (CCLEE)*, Project Document, Westport, November 6, 2006, 1. See also Save the Children- U.S., *Combating Child Labor and Exploitation in Guinea (CCLEE)*, Final Report, Westport, January 6, 2009, cover page, G-18. See also World Education Inc., 2010 [cited March 9 2010]; available from <http://www.worlded.org/WEIInternet/projects/ListProjects.cfm?Select=Country&ID=148>. See also World Education, *SELECT, Project Document (January 2009)*, 1, 9. See also U.S. Department of State, “Country Reports- 2009: Guinea.”
- ²¹⁴² USAID official, E-mail communication to USDOL official, July 27, 2009. See also USDOL official, E-mail communication to USDOL official, October 13, 2009. See also USDOS official, E-mail communication to USDOL official, July 22, 2009.
- ²¹⁴³ Government of Guinea, *Rapport de la Guinée sur le suivi de la Déclaration et du Plan d’action «Un monde plus digne des enfants»*, 6, 7. See also IOM, *Migration Initiatives Appeal 2009*, accessed March 12, 2010; available from http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/books/Migration%20Initiatives09.pdf. See also IOM, *Guinea*, [online] 2010 [cited March 9 2010]; available from <http://www.iom.int/jahia/Jahia/guinea>.
- ²¹⁴⁴ Government of Guinea, *Rapport de la Guinée sur le suivi de la Déclaration et du Plan d’action «Un monde plus digne des enfants»*, 6. See also U.S. Department of State, «Trafficking in Persons Report- 2010.»
- ²¹⁴⁵ Government of Guinea, *Code du travail, 1988*.