



U.S. Department of Labor – 2016 Findings on the Worst Forms of Child Labour (ICI Note)

On 20th September 2017, the U.S. Department of Labor published their [2016 Findings on the Worst Forms of Child Labour](#).

The report presents:

- Country-specific reports and country assessments that identify where Significant, Moderate, Minimal, or No Advancement has been made;
- Findings on the prevalence and sector distribution of the worst forms of child labor;
- Country-specific recommendations for government action; and
- Information on existing policies and programmes for each country.

The Department's Bureau of International Labor Affairs (ILAB) has published the Findings each year since 2002, as mandated by the Trade and Development Act of 2000 (TDA). The TDA requires that countries fulfill commitments to eliminate the worst forms of child labor to be eligible for certain U.S. trade preference programs. It also requires the U.S. Secretary of Labor to issue annual findings on beneficiary country initiatives to implement these commitments.

For the 2016 reports, both [Ghana](#) and [Côte d'Ivoire](#) were categorised as having made "significant advancement". In 2015, only [Côte d'Ivoire](#) had made "significant advancement", while [Ghana](#) had made a "moderate advancement".

Please find below a brief overview of the salient points reported for both countries.

Côte d'Ivoire (Summary and Key Points)

- In 2016, Côte d'Ivoire made a significant advancement in efforts to eliminate the worst forms of child labor. The Government enacted the Anti-Trafficking Law that carries more stringent penalties for offenders and adopted a Constitution that explicitly prohibits child labor and enshrines the right to education for both boys and girls. The National School of Administration integrated new modules on child labor into the curriculum for labor inspectors. With the assistance of UNICEF, the Government published a report on the expansion of its child labor monitoring system, SOSTECI, that included child labor prevalence data in three departments. In addition, the First Ladies of Ghana and Côte d'Ivoire signed a joint declaration and cooperative agreement against cross-border human trafficking. The Government also launched a Ten-Year Education Training Plan and entered a partnership agreement with the International Cocoa Initiative to expand SOSTECI and improve school infrastructure in support of the National Action Plan for the Fight Against the Worst Forms of Child Labor. However, children in Côte d'Ivoire engage in the worst forms of child labor in the harvesting of cocoa and coffee, sometimes as a result of human trafficking. Gaps remain in enforcement efforts, and the labor inspectorate is not authorized to assess penalties. (US DoL report, p.1)
- Children from neighbouring West African countries are brought to Côte d'Ivoire primarily for forced labor in agriculture, especially in cocoa production, and for forced begging and work in mining, construction, domestic work, street vending, and commercial sexual exploitation. A study by the ILO and the Government of Côte d'Ivoire in 2013 estimated that 55 percent of children working in agriculture in rural areas are subject to forced labor. (US DoL report, p2)

ICI Notes: The reference to the 55% of children working in agriculture in rural areas that are subject to forced labour is from the following report: *Etude des phénomènes de la traite et du travail des enfants dans les secteurs de l'agriculture, des mines, du transport, du commerce et du domestique (EPFTE)*. Abidjan; 2013. (Ministère d'Etat de la République de Côte d'Ivoire, Ministère de l'Emploi des Affaires Sociales et de la Formation Professionnelle, ILO, and Côte d'Ivoire National Institute of Statistics, Abidjan, 2013).

Nonetheless, the formulation of the reference itself can be misleading. According to the same EPFTE 2013 report, only 1.6% of economically active children working in agriculture in rural areas are engaged in forced child labour. However, when focusing solely on the percentage of children already engaged in forced labour in rural areas (which represents 2.1% of economically active children overall), 55% of those children engaged in forced labour were working in agriculture.

Sexe / Milieu de résidence	Enfants occupés		Travail des enfants		Travail forcé		Activités dans l'agriculture					
	Effectif (a)	% travail forcé dans l'agriculture (b)	Effectif (c)	% travail forcé dans l'agricultu re (d)	Effectif (e)	% travail forcé dans l'agricultu re (f)	Occupés (g)	Travail des enfants (h)	Travail forcé			
									Effectif (i)	% des occupés (j)	% travail des enfants (k)	
Garçons												
Urbain	307 488	1,1	221 447	1,5	14 098	24,2	132 661	99 372	3 409	2,6	3,4	
Rural	861 886	1,3	637 622	1,8	16 572	67,7	729 332	543 094	11 216	1,5	2,1	
Total	1 169 374	1,3	859 069	1,7	30 670	47,7	861 993	642 466	14 625	1,7	2,3	
Filles												
Urbain	409 108	0,3	290 579	0,4	52 581	2,4	41 611	31 512	1 288	3,1	4,1	
Rural	635 225	0,9	472 492	1,2	14 468	40,6	325 781	238 664	5 869	1,8	2,5	
Total	1 044 334	0,7	763 071	0,9	67 049	10,7	367 392	270 176	7 157	1,9	2,6	
Total												
Urbain	716 597	0,7	512 026	0,9	66 679	7,0	174 272	130 884	4 697	2,7	3,6	
Rural	1 497 111	1,1	1 110 114	1,5	31 040	55,0	1 055 113	781 758	17 085	1,6	2,2	
Ensemble	2 213 708	1,0	1 622 140	1,3	97 719	22,3	1 229 385	912 642	21 782	1,8	2,4	

Source : *Etude des phénomènes de la traite et du travail des enfants dans les secteurs de l'agriculture, des mines, du transport, du commerce et du domestique (EPFTE)*, p. 65).

Similarly, in the *l'Enquête sur le Niveau de Vie des Ménages 2008*, 2.2% of economically active children (urban and rural) were engaged in forced labour, of which agriculture accounted for 44.9% of the cases (ENV 2008, p.68).

- **Government Policies on the Worst Forms of Child Labour (US DoL report, p.6)**

Partnership Agreement† Forms an agreement between the International Cocoa Initiative and CNS in support of the National Action Plan for the Fight Against the Worst Forms of Child Labor. Aims to reinforce and expand SOSTECI and improve school infrastructure.

ICI Notes: The way the MoU is presented is not really correct, notably regarding SOSTECL. This should rather mention coordination on CLMRS rather than support, as per the MoU.

- **Social Programmes to Address Child Labour (US DoL report, p.7)**

USDOL-Funded Projects in Support of the 2010 Declaration USDOL projects in cocoa-growing areas of Ghana and Côte d'Ivoire..... Eliminating Child Labor in Cocoa (2015–2019), \$4.5 million project implemented by the International Cocoa Initiative.

Ghana (Summary and Key Points)

- In 2016, Ghana made a significant advancement in efforts to eliminate the worst forms of child labor. The Government drafted regulations to the Labor Act that include protections for child domestic workers and developed standard operating procedures to refer victims of child trafficking to social service providers as part of the Child Protection Compact. In addition, the Government continued developing the National Plan of Action Phase II on the Elimination of the Worst Forms of Labor, signed memoranda of understanding with 20 institutions responsible for its implementation, and expanded its Livelihood Empowerment Against Poverty program into 28 new districts. The Ministry of Local Government and Rural Development also introduced a new program to transition from a manual birth registration process to automated registration, which is likely to increase the number of children with birth certificates and facilitate school registrations and employment age verification. However, children in Ghana continue to engage in the worst forms of child labor, including in forced labor in fishing and cocoa harvesting. Resource constraints severely limited the Government's ability to fully implement policies and social programs during the reporting period. (US DoL report, p1)
- The majority of children subject to human trafficking are transported within Ghana for forced labor in cocoa, domestic work, and aquaculture. Children as young as 4 years old are subjected to forced labor in fishing in the Lake Volta region, sometimes as a result of human trafficking. Children also engage in hazardous work in the cocoa sector, including the use of sharp tools and exposure to agro-chemicals. (US DoL report, p2)
- In 2016, Ghana drafted Regulations to the Labor Act, which include protections for domestic workers, including minimum age for employment. Although Ghana has two Hazardous Activities Frameworks, which include detailed types of hazardous activities prohibited to children, neither is considered a legal instrument and no penalties can be imposed for violations of the activities listed in the Frameworks. Furthermore, laws regarding the types of hazardous work prohibited for children are not comprehensive as they do not cover the use of sharp tools in cocoa production or lake fishing (US DoL report, p3)

ICI Notes: It is worth noting that although the use of sharp tools is prohibited in the Hazardous Activities Frameworks for Ghana, this is not a legal instrument. Therefore, there are no laws in place prohibiting the use of sharp tools in cocoa production.

- In 2016, the Government failed to allocate funding to the Human Trafficking Fund for victim support and the National Program for the Elimination of Child Labor in Cocoa (NPECLC), which ceased to function as a result. The CLU, the AHTU, MOGCSP, and local NGOs cite the lack of funding as one of the primary obstacles in implementing programs to address child labor, including its worst forms. (US DoL report, p8)
- Although the Government has worked closely with industry, NGOs, and international organizations to implement child labor programs in cocoa, fishing, and mining, the magnitude of these programs remains insufficient to address the scope of the problem. (US DoL report, p8)