



NOVEMBER 2025



BUILDING TOMORROW

Study On Child Rights Mainstreaming
in National Policies and Action Plans on
Business and Human Rights in Africa



Institute for Human Rights and Development in Africa

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First published in November 2025

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ACKNOWLEDGMENTS

The Institute for Human Rights and Development in Africa (IHRDA) extends its sincere appreciation to all individuals and institutions whose contributions made this report possible. This study reflects the collective effort, expertise, and commitment of partners dedicated to strengthening the protection and promotion of children's rights across the African continent.

We express our profound gratitude to the African Committee of Experts on the Rights and Welfare of the Child (ACERWC), particularly the Working Group on Children's Rights and Business, for its guidance, collaboration, and continued leadership in advancing child-centred approaches within business and human rights frameworks. The Committee's vision and normative guidance provided an essential foundation for this research.

Our appreciation goes to the lead researcher Dr Oyeniyi Abe who led the conceptualization and developed our ideas into this report and colleagues at IHRDA who provided research support, reviewed initial drafts and contributed to revision and finalising the report for publication. Their dedication to rigorous analysis, evidence-based recommendations, and high-quality outputs was instrumental in producing a resource that we hope will meaningfully support policymakers, practitioners, and advocates across Africa.

We also acknowledge the valuable input and cooperation from government officials, National Human Rights Institutions, civil society organisations, and private-sector stakeholders who generously shared their insights, experiences, and country-level perspectives. Their engagement enriched the analysis and ensured that the findings reflect the realities, challenges, and opportunities within diverse national contexts.

We are especially grateful to the children and child-focused organisations whose voices, directly or indirectly, continue to inspire efforts toward ensuring that economic development across Africa advances, rather than undermines, the rights and well-being of every child.

Finally, IHRDA acknowledges the invaluable support of our partners and funders, the Swedish International Development Cooperation Agency (SIDA) through the African Children's Charter Project (ACCP 3) led by the African Child Policy Forum (ACPF), whose commitment to strengthening children's rights protection mechanisms in Africa made this work possible.

To all who contributed in diverse ways, we express our heartfelt thanks.

FOREWORD

Across Africa, the intersection between business activities and the rights and welfare of children has become one of the most defining human rights challenges of our time. As African economies expand, driven by agro-industry, extractive industries, infrastructure development, digital innovation, service and global trade, the lives of millions of children are being shaped quite profoundly by the conduct of corporate actors and the policies that regulate them.

Business has immense potential to advance children's well-being through decent work for caregivers, child-sensitive products and services, and responsible investments in communities. Yet, far too often, business activities continue to expose children to exploitation, hazardous labour, environmental degradation, displacement, and digital harms.

Children in Africa make up nearly half of the continent's population, yet their unique vulnerabilities and evolving capacities are still insufficiently recognized in business and human rights frameworks. This gap is not merely a matter of oversight but represents a structural and systemic exclusion that undermines Africa's aspirations for inclusive, sustainable, and equitable development. The African Committee of Experts on the Rights and Welfare of the Child (ACERWC), through its Working Group on Children's Rights and Business, has consistently emphasized that economic growth cannot be pursued at the expense of the dignity, education, health and wellbeing or future of children. Every business decision whether by states, multinational corporations, or local enterprises carries consequences for the lives of children.

It is in this context that the Institute for Human Rights and Development in Africa has developed this Study on Child Rights Mainstreaming in National Policies and Action Plans on Business and Human Rights in Africa.

This report comes at a critical moment, as more African countries adopt or revise their National Action Plans (NAPs) on Business and Human Rights and national human rights policies. It provides an evidence-based analysis diagnosing some of the key challenges relating to child rights and business on the continent and assessing how children's rights are—or are not—being integrated into existing national frameworks. By doing so, the study not only highlights existing gaps but also draws attention to emerging best practices across the continent.

The findings underscore a clear reality: while African States have made commendable strides in adopting international and regional child rights instruments including the African Charter on the Rights and Welfare of the Child (ACRWC) and the UN Convention on the Rights of the Child (CRC) and made commitments under the UN Guiding Principles on Business and Human Rights and other relevant frameworks, mainstreaming these commitments into business and human rights policies remains uneven and incomplete.

Persistent challenges ranging from limited explicit inclusion of children's rights in relevant national legal and policy frameworks, weak enforcement mechanisms and limited corporate accountability to the invisibility of children in policy discourse continue to undermine the transformative potential of these frameworks.



This report is therefore more than a research exercise; it is an urgent call to action. It invites States, businesses, and civil society to move beyond rhetorical commitments and ensure that child rights considerations are embedded in every dimension of economic governance – from labour regulation and taxation to environmental protection and digital innovation.

The study's recommendations – anchored in legal coherence, institutional accountability, and participatory governance – offer a roadmap for governments seeking to operationalize their obligations under the ACERWC and other human rights instruments.

For the Working Group on Children's Rights and Business of the African Committee of Experts on the Rights and Welfare of the Child, this study provides an invaluable resource to strengthen our oversight, advocacy, and standard-setting work. It complements the Committee's earlier continental study on Children's Rights and Business by offering deeper insight into national-level implementation and highlighting practical pathways for reform. The report also reinforces the Committee's ongoing efforts to develop regional guidelines and promote peer learning among Member States in advancing a child-centred approach to business and human rights.

As Chairperson of the ACERWC Working Group on Children's Rights and Business, I commend IHRDA for its leadership, expertise, and commitment to advancing this critical discourse. I also acknowledge the collaborative efforts of stakeholders – governments, national human rights institutions, civil society, and the private sector – who continue to champion children's rights across diverse sectors of Africa's economy.

Ultimately, safeguarding children within business contexts is not merely a question of compliance with legal obligations, it is a moral imperative and a developmental necessity. Children are the heartbeat of Africa's future; protecting their rights in every sphere, including business, is essential to realizing the vision of Agenda 2063 – a prosperous, peaceful, and just Africa that leaves no child behind, an Africa fit for its children as envisioned by Agenda 2040.

Hon Hermine Kembo Takam Gatsin

Chairperson, Working Group on Child Rights and Business African Committee of Experts on the Rights and Welfare of the Child (ACERWC)

LIST OF ACRONYMS

ACCP	African Children's Charter Project
ACERWC	African Committee of Experts on the Rights and Welfare of the Child
ACPF	African Child Policy Forum
ACRWC	African Charter on the Rights and Welfare of the Child
AfDB	African Development Bank
ASM	Artisanal and small-scale mining
AU	African Union
BHR	Business and Human Rights
CAR	Central African Republic
CRBP	Children's Rights and Business Principles
CRC	Convention on the Rights of the Child
CRIA	Child Rights Impact Assessment
CSEC	Commercial sexual exploitation of children
DFIs	Development Finance Institutions
DRC	Democratic Republic of Congo
EAC	East African Community
ESIA	Environmental and Social Impact Assessment
ESS	Environmental and Social Standards
EU	European Union
FMCG	Fast-Moving Consumer Goods
HRDD	Human rights due diligence
IFC	International Finance Corporation
IFFs	Illicit financial flows
IHRDA	Institute for Human Rights and Development in Africa
ILO	International Labour Organization
IMF	International Monetary Fund
MNCs	Multinational corporations
NAPs	National Action Plans
NHHI	National Human Rights Institution
OECD	Organisation for Economic Cooperation and Development
SDGs	Sustainable Development Goals
SIDA	Swedish International Development Cooperation Agency
UN	United Nations
UNGC	United Nations Global Compact
UNGP	United Nations Guiding Principles on Business and Human Rights
UNICEF	United Nations Children's Fund

EXECUTIVE SUMMARY

This report examines the extent to which African countries have integrated child rights into their national policy frameworks on business and human rights (BHR). It draws upon legal, policy, and institutional developments across the continent, with particular focus on National Action Plans (NAPs) on Business and Human Rights and related instruments such as national human rights policies, child protection laws, and sectoral frameworks.

The study highlights both gaps and emerging best practices in the mainstreaming of child rights into national governance systems and business regulation.

The report is structured into six interrelated parts, each building on the other to provide a comprehensive understanding of the state of play in mainstreaming child rights within business and human rights frameworks across Africa.

PART I

Introduction and Contextual Framework, lays the conceptual foundation of the report, setting out the issues and frameworks that foreground the report and the methodology and objectives of the study.

PART II

Legal and Policy Frameworks, situates the discourse on child rights and business within key international and regional frameworks such as the UN Guiding Principles on Business and Human Rights (UNGPs), the African Charter on the Rights and Welfare of the Child (ACRWC), the Sustainable Development Goals (SDGs), and social and environmental safeguarding frameworks within development finance institutions.

PART III

Key Challenges in Business and Children's Rights, highlights the structural inequalities and development pressures that influence how

children interact with business environments across the continent and the impacts these structural challenges have on the realisation of children's rights in Africa.

PART IV

Child rights mainstreaming in National Human Rights Policies and NAPs on Business and Human Rights, being the main essence of the study and therefore the bulkiest section of the report, provides a mapping of legal and policy frameworks, including a review of the national legal and policy instruments of 55 African countries. It identifies the constitutional, legislative, and policy provisions that intersect with business activities affecting children. This part of the report reveals the diversity of state approaches – ranging from comprehensive child protection statutes to sector-specific regulations such as labour codes, mining laws, and environmental protection frameworks. It further notes the emerging importance of digital rights and data protection as new dimensions of corporate responsibility.

PART V

Mainstreaming Child Rights in Policy Frameworks: Gaps, Challenges, and Emerging Best Practices in Africa, highlights some of the emerging best practices as well as the challenges that are discernible from the study as far as child rights mainstreaming in national human rights policies and action plans are concerned. For instance, the section, spotlights best practices and lessons on mainstreaming,

and highlights Ghana and Uganda as exemplary cases of integrating child rights into their business and human rights (BHR) frameworks. These countries demonstrate innovative approaches, including explicit legal recognition of children as rights-holders, cross-ministerial coordination mechanisms, and the alignment of BHR objectives with broader national development strategies.

Ghana's incorporation of child rights into its National Action Plan (NAP) and Uganda's reliance on a National Baseline Assessment illustrate how normative commitments can be translated into operational frameworks.

The section distils key lessons emphasizing the significance of legal integration, institutional embedding, and participatory governance.

The section also highlights the gaps and challenges in mainstreaming child rights, and offers a critical analysis of persistent normative, institutional, and implementation deficiencies. Many national frameworks do not explicitly articulate corporate obligations toward children, enforcement remains weak, and the informal sector – where much of child labour occurs – continues to operate outside formal regulation.

The section also emphasizes poor coordination between child protection institutions and business oversight bodies, limited data on child rights impacts, and the absence of child-specific indicators in national monitoring systems.

PART VI

Recommendations, suggests various measures that need to be put in place by state parties, national human rights institutions, business enterprises, civil society organisations and development finance institutions to ensure effective mainstreaming of children's rights in policies relating to business and human rights and ensure effective enforcement of these frameworks. It proposes a three-tiered approach to strengthening child rights mainstreaming across Africa: legal integration, through embedding explicit child rights references in NAPs and sectoral legislation; institutional embedding, by establishing robust enforcement and reporting mechanisms; and participatory governance, which promotes the inclusion of children, communities, and civil society in monitoring corporate practices.

This section also calls on regional bodies – particularly the African Union (AU) and the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) – to play a leading role in developing regional guidelines, facilitating peer learning, and promoting accountability in child rights and business governance across Africa.

Mainstreaming child rights into business and human rights frameworks is not merely aspirational but essential for achieving inclusive and sustainable development. African states are progressively recognizing that protecting children in business contexts – whether in supply chains, digital spaces, or extractive industries – is integral to economic justice. However, sustained progress requires legal coherence, institutional accountability, and regional coordination to ensure that corporate growth does not come at the expense of children's well-being and dignity.



PART 01

BACKGROUND AND CONCEPTUAL FRAMEWORK

1.1 BACKGROUND

The African Charter on the Rights and Welfare of the Child (1999) defines a child as any person under the age of 18¹. By this definition children constitute nearly half of the population of Africa. This demographic reality shows the importance of safeguarding children's rights and ensuring that policies and legal frameworks prioritize their protection, development, and participation in society. Children hold a complex role in the global economy.

1. See Article 2; The UN Convention on the Rights of the Child by contrast define a child as any person under the age of 18 unless the applicable national legislation considers adulthood to be reached earlier.

They participate as consumers, exploited child labourers, emerging members of the workforce (as permitted under relevant legal frameworks), dependents of employed adults, prospective workers or entrepreneurs, and inhabitants of communities affected by business operations. In some of these important roles, children remain particularly susceptible to harm resulting from corporate conduct.

Across Africa, children are particularly susceptible to harm due to their inherent vulnerabilities – such as their young age, dependence on adults for care and protection, limited capacity to make informed decisions, and weaker immune systems. For instance, there are numerous accounts illustrating the exploitation of children across various industries – mining, tourism, agriculture³, fast-moving consumer goods (FMCG), and informal labour services.⁴ For example, the use of child labour in cobalt mining in the Democratic Republic of Congo (DRC),⁵ and cocoa farming in Côte d'Ivoire and Ghana,⁶ directly implicates corporations in global technology and food industries. In some cases, children are exposed to or consume harmful substances, such as lead and other toxic materials, resulting in serious health consequences.

Furthermore, extractive projects have caused environmental contamination, large scale displacements, loss of livelihoods, and intergenerational harm. Additionally, the absence of robust data protection and digital rights legislation across most African states leaves children vulnerable to manipulation and privacy violations. Children's involvement in these sectors exposes them to severe risks, often depriving them of basic rights such as



access to education, adequate nutrition, clean water, safe housing, and health care.

In many African countries, children face exploitation in sectors such as the extractives, manufacturing, and informal labour.⁷ These practices deprive them of basic essential needs and exposes them to serious human rights violations. Extended exposure to such harms can cause lasting psychological and developmental damage, particularly for disadvantaged children. While at the global and regional level, and in some cases the national level, there exist child-sensitive and sustainable practices,⁸ recognizing and prioritizing children's rights in these instances requires both a legal and moral duty, as well as a strategic approach to strengthening corporate sustainability and accountability.⁹

3. ACERWC, Study on Children's Rights and Business in Africa <https://www.acerwc.africa/sites/default/files/2023-08/Study_Children%27s%20Rights%20and%20Business_English.pdf> (accessed July 5, 2025).

4. Damilola Olawuyi and Oyeniyi Abe, Business and Human Rights Law and Practice in Africa (2022).

5. Amnesty International, 'This Is What We Die For: Human Rights Abuses in the Democratic Republic of the Congo Power the Global Trade in Cobalt' (2016).

6. International Cocoa Initiative, Tackling Child Labour in Cocoa Supply Chains: Annual Report (2022).

7. International Labour Organisation, "Child Labour in Africa" <<https://www.ilo.org/resource/child-labour-africa>>. (accessed July 8, 2025)

8. UNICEF, Investor Guidance on Integrating Children's Rights into Investment Decision Making, <https://www.unicef.org/childrightsandbusiness/media/836/file/Investor-Guidance-UNICEF-Sustainalytics.pdf>. (accessed July 7, 2025)

9. UN Global Compact, Safeguarding children's rights: The role of business in ending child labour, <https://unglobalcompact.org/compactjournal/safeguarding-childrens-rights-role-business-ending-child-labour>. (accessed July 7, 2025).

Companies that address their negative impacts on children not only protect vulnerable groups but also help reduce wider social challenges and foster inclusive development. As Africa undergoes rapid growth in trade, manufacturing, and investment, business activities increasingly shape the lives of children. Yet legislation, policy and business practices do not seem to sufficiently take children's rights concerns into account.

The risks posed by this limited attention to children's rights concerns can be seen in several critical areas.



First, labour and workplace conditions often fail to protect children. Gaps include the absence of workplace policies that support caregivers, persistent child labour, exposure to hazardous environments, and weak labour inspection and enforcement mechanisms.

Second, lack of clarity on corporate accountability and financial impropriety prevents child-friendly policy and legal environments. For instance, widespread tax evasion and leakages, and the use of tax havens deplete domestic revenues, leaving African governments with fewer resources for essential services such as education, healthcare, water, sanitation, and child protection.

Indeed, illicit financial flows cost the continent significantly more than it receives in international aid – by some estimates, three times more.¹⁰

Third, environmental and health risks disproportionately affect children, whose physiology makes them more vulnerable than adults to toxins and pollutants. Business-related environmental harms therefore have long-lasting and often severe impacts on child health and development. There is mounting evidence that children remain particularly vulnerable in these contexts: those working in supply chains or domestic labour, those exposed to unsafe products or company premises, victims of exploitation in tourism, migration-related industries, and commercial sexual activities, as well as children of migrant workers who are left behind without adequate care.¹¹

The relationship between business operations and children's rights in Africa poses significant challenges but also offers opportunities for both state and non-state actors. Although global and regional frameworks such as the United Nations Guiding Principles on Business and Human Rights (UNGPs),¹² the Children's Rights and Business Principles (CRBP),¹³ the African Charter on the Rights and Welfare of the Child (ACRWC), and the UN Convention on the Rights of the Child (CRC) call for the protection and promotion of children's rights in business contexts, implementation across the continent remains inconsistent and fragmented.

10. Open Society Foundation, How Illicit Financial Flows Drain African Economies, <https://www.opensocietyfoundations.org/voices/how-illicit-financial-flows-drain-african-economies>. (accessed July 6, 2025).

11. ACERWC, Study on Children's Rights and Business in Africa, https://www.acerwc.africa/sites/default/files/2023-08/Study_Children%27s%20Rights%20and%20Business_English.pdf. (accessed July 5, 2025).

12. Human Rights Council, 'Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework', Report of the Special Representative of the Secretary-General on the issue of Human Rights and Transnational Corporations and Other Business Enterprises, UN Doc. A/HRC/17/31 (21 March 2011) [UNGPs].

13. UNICEF, "Children's Rights and Business Principles", available at: https://d306pr3pise04h.cloudfront.net/docs/issues_doc%2Fhuman_rights%2FCRBP%2FChildrens_Rights_and_Business_Principles.pdf (accessed July 4, 2025).

For example, the UNGPs affirm that states have a duty to enforce laws requiring businesses to respect human rights.¹⁴ They also recommend appropriate measures – such as human rights due diligence – to ensure that issues related to gender, vulnerability, and marginalization are effectively addressed, with particular attention to the unique challenges faced by children, amongst other vulnerable groups.¹⁵ The UNGPs also call on businesses to apply additional standards when their operations may negatively affect individuals from groups that require special consideration – such as children – ensuring that their rights are fully respected.¹⁶ Yet, businesses continue to impact children’s rights in complex and far-reaching ways. These impacts are often intensified by overlapping factors such as age, gender, and socio-economic status. For example, a young girl may face compounded vulnerabilities due to the combined effects of her age and gender.¹⁷

Some of these vulnerabilities inherent in the negative influences from corporate activities include advertising practices, product distribution, environmental degradation, and inadequate labour conditions. For instance, harmful advertising may contribute to distorted self-image among children – particularly girls – by promoting unattainable beauty standards or reinforcing harmful gender roles.¹⁸ Marketing campaigns that promote breast milk substitutes to mothers of infants under six months can undermine child health and breastfeeding efforts, and the distribution of violent digital games or toys designed around rigid gender norms also raises concern, as such products can shape children’s views about societal roles from an early age.¹⁹



Other instances include inadequate workplace policies that fail to support employees who are parents or caregivers in meeting their caregiving responsibilities. Children may also face direct harm through exploitative labour practices and exposure to dangerous working conditions. In many African countries, labour inspection and enforcement mechanisms are weak or ineffective, making it difficult to meaningfully and adequately detect and prevent such abuses.²⁰ Furthermore, there is often a lack of comprehensive state-led initiatives aimed at supporting the physical and psychological recovery of children who have suffered violence, neglect, exploitation, or abuse, including economic exploitation. The absence of rigorous due diligence procedures and robust monitoring frameworks exacerbates these risks. Additionally, securing remedies for rights violations linked to transnational business activities remains a significant challenge due to jurisdictional and legal complexities.

14. Principle 3.

15. Commentary to Principle 3.

16. Commentary to Principle 12.

17. Brown, S., Budimir, M., Upadhyay Crawford, S., Clements, R., and Sneddon, A., (2019) Gender and Age Inequality of Disaster Risk: Research Paper, UNICEF and UN Women, available at https://www.preventionweb.net/files/72229_bls19312unwdisasterriskreport003web.pdf. (accessed July 4, 2025)

18. Ibid.

19. UNICEF, “Charting the Course: Embedding children’s rights in responsible conduct. A Brief”, available at: <https://www.unicef.org/media/121001/file/Charting%20The%20Course.pdf>. (accessed July 4, 2025)

20. International Labour Organization, The Global Challenges of Labour Inspection, Labour Education 2005/3-4. No. 140-141.

Beyond these institutional and procedural gaps lies the deeper challenge of state complicity. In many African contexts, governments often align themselves with powerful corporate actors, including Chinese state-owned enterprises and multinational investors, in the pursuit of foreign investment and rapid infrastructure development.²¹ This political and economic interdependence frequently results in the selective enforcement or deliberate neglect of human rights and environmental standards, particularly in extractive and infrastructure sectors. Consequently, a major legal accountability gap persists – states that should act as primary protectors of rights instead become enablers of corporate impunity. This convergence of state and corporate interests undermines the effectiveness of both domestic regulatory regimes and international accountability mechanisms.

Within this context, it becomes clear that businesses in Africa play a dual role in driving economic growth through innovation, investment, and job creation, and yet they also have profound impacts on children's rights and welfare. Despite the scale of business operations across the continent, there is limited evidence on how companies integrate child rights into their practices.



In response to these challenges, the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) established a Working Group on Children's Rights and Business during its 35th Ordinary Session in 2020.

The Working Group undertook its first continental study to map the intersection of business and children's rights, providing an evidence base to inform policy, legislation, and programmatic priorities.²² However, the study did not significantly cover the extent to which child rights are explicitly addressed in existing national human rights policies, and the growing adoption of National Action Plans (NAPs) on Business and Human Rights (BHRs) in some African countries, and the degree to which these plans integrate specific provisions for children's rights.



Equally, gaps remain in laws, policies, and governance systems designed to safeguard children in the business context, leaving many exposed to exploitation, neglect, and environmental harm or deprived of resources that states need to secure their socio-economic rights such as healthcare, education, and adequate standards of living, including food, water clothing, shelter and sanitation.

21. Gady Epstein, John McDermott, Unequal partnership-China in Africa, The Economist, May 28 2022, https://www.economist.com/special-report/2022-05-28?utm_medium=cpc.adword.pd&utm_source=google&ppccampaignID=17210591673&ppcadID=&utm_campaign=a.22brand_pmax&utm_content=conversion.direct-response.anonymous&gclid=CjwKCAiAwqHIBhAEIiwAx9cTecIXJjMZcKdOE6M9Nc2NZjAXcvcPCh_zvBjFqAq8nbU1qOtGGD0dSwwRoCf3oQAvD_Bw.E. (accessed September 30)

22. ACERWC, Study on Children's Rights and Business in Africa, https://www.acerwc.africa/sites/default/files/2023-08/Study_Children%27s%20Rights%20and%20Business_English.pdf. (accessed July 5, 2025)

This study complements the ACERWC Working Group on Children's Rights and Business' continental study by critically evaluating the extent and manner in which children's rights have been mainstreamed in national human rights policies and NAPs on BHRs in Africa. It identifies gaps and challenges in mainstreaming child rights into these policy frameworks, highlighting best practices and lessons from countries that have effectively mainstreamed child rights. It also provides actionable recommendations for strengthening child rights considerations in these policies including NAPs on BHRs. Framing the conversation around the potential for responsible business to positively shape children's lives and the obligation of African states to ensure effective regulation and accountability is essential to advancing the African Union's Agenda 2063 and Agenda 2040 – Fostering and Africa fit for children.

This report is structured into five main parts. Following the introduction, it provides an overview of the international and regional legal and policy framework governing child rights and business including how treaty bodies have addressed state party obligations to promote, protect and fulfil children's rights through effective regulation of the business sector and remediation of child rights violations resulting out of business activities. The discussion then moves to the key challenges children face in the context of business activities. Subsequent sections assess the extent to which child rights have been integrated into national human rights policies and national action plans on business and human rights, supplemented by selected country case studies. The report concludes with a set of recommendations directed at governments, businesses, national human rights institutions, civil society, and other stakeholders.

1.2 METHODOLOGY

The study adopts a mixed-methods approach, combining qualitative content analysis of

policy documents with key stakeholder consultations and case studies. This design enables both breadth and depth in assessing how child rights are mainstreamed. The report is primarily based on desk research, drawing on qualitative analysis of policy documents and National Action Plans (NAPs) on BHR, complemented by stakeholder consultations and case studies. It is further informed by survey responses from human rights institutions as well as a series of interviews with key stakeholders.



1.3 AIMS AND OBJECTIVES OF THE STUDY

At its core, this study seeks to achieve a number of objectives, including to:

- Highlight some of the key challenges concerning the impact of business activities on children's rights in Africa.
- Evaluate the extent to which child rights have been mainstreamed into national human rights policies and National Action Plans (NAPs) on Business and Human Rights across Africa.
- Identify gaps and challenges in mainstreaming child rights into these NAPs on BHRs and human rights policies.
- Highlight best practices and lessons from countries that have effectively mainstreamed child rights.
- Provide actionable recommendations for strengthening child rights considerations in national human rights policies including NAPs on business and human rights.



PART 02

LEGAL AND POLICY FRAMEWORKS ON CHILD RIGHTS AND BUSINESS

This section examines the international and regional legal frameworks for the protection of child rights in Africa, including relevant treaties of the African Union and United Nations, International Labour Organisation, voluntary commitment of businesses, and key safeguarding policies of development finance institutions that have shaped the development of child rights standards. This section also explores the implications for business practices.



The aim of the section is to spotlight some of the key commitments that are supposed to be the basis for states' protection of children against the harmful impacts of business activities as well as guide businesses in their policies and practices.

2.1

AFRICAN CHARTER ON THE RIGHTS AND WELFARE OF THE CHILD

The African Charter on the Rights and Welfare of the Child (1990) provides a comprehensive legal framework for safeguarding children's rights in Africa. The Charter has been ratified by 52 African countries who are obligated to implement it.²³ It emphasizes non-discrimination,²⁴ best interests of the child,²⁵ survival and development,²⁶ and participation rights.²⁷ These principles are particularly significant in contexts where children's well-being and development are compromised by child labour or other harmful business practices, and they help frame the application of other substantive rights contained in the Charter. State parties must protect children from business conduct that may violate rights guaranteed in the Charter, including the rights to expression, association, participation, survival and development, education, health, leisure, recreation and cultural activities.



A central provision is Article 15, which guarantees protection against economic exploitation and prohibits any form of work that is hazardous or harmful to a child's physical, mental, moral, spiritual, or social development.²⁸ It further obliges States Parties to enact legislative and administrative measures ensuring the article's effective implementation across both the formal and informal sectors. Such measures include establishing a minimum age of employment, setting out prohibited

categories of hazardous work for those under 18, regulating permissible hours and conditions of employment. On the administrative side, States are expected to maintain effective labour inspectorates to monitor compliance and raise public awareness about the dangers of child labour.

Article 15 calls for businesses to look beyond compliance and toward ethics especially in economies where informal work dominates. States are to ensure the implementation of this provision by putting in place strong legal frameworks including imposing penalties for violations.

While Article 31 outlines responsibilities for children, it does not endorse exploitative labour practices that undermine their fundamental rights. In many societies, cultural views that normalize child labour as a form of socialisation are inconsistent with the Charter's protective framework. In addition, Article 22 provides for children's protection in situations of armed conflict, including prohibiting their recruitment. This is important since private actors, including businesses, may directly or indirectly contribute to conflict situations that endanger children.

Article 27 addresses protection from sexual exploitation and abuse. The ACERWC has elaborated this provision in General Comment No. 7, noting that the rise of travel and tourism in Africa has increased the risks of sexual

23. Morocco, South Sudan and Tunisia have not ratified the African Charter.

24. Article 3 of the ACERWC.

25. Article 4 of the ACERWC.

26. Article 5 of the ACERWC.

27. Article 7 of the ACERWC.

28. See the equivalent article in the UN Convention on the Rights of the Child (1989) is article 32 which is identical.

exploitation.²⁹ The Committee recommends that tourism industry actors adopt and enforce codes of conduct, protocols, and guidelines to prevent and respond to sexual exploitation of children. The General Comment also identifies significant regulatory gaps in the digital environment, particularly the lack of clear obligations on internet service providers to report, block, or remove child sexual abuse material.³⁰

Through its Concluding Observations on State Party reports, the ACERWC provides authoritative guidance on how states should implement the Charter's provisions in light of evolving socio-economic realities, including the growing influence of corporate activities on children's lives. For instance, in its Concluding Observations on Nigeria's state report (2018), the Committee expressed concern about the persistence of child labour in artisanal mining and agriculture and urged the government to strengthen regulatory oversight of private sector actors.³¹ Similarly, in its review of the Republic of Congo (2020), the Committee recommended:

- the State Party to prevent and combat child labor in action and to ensure that the minimum age of child labor and hazardous works is respected;
- to strengthen its inspection mechanisms;
- prosecute individuals and companies that engage children in the worst forms of child labor;
- introduce corporate social responsibility for the private sector; and



- review existing programs aimed at addressing child labor and economic exploitation of children.³²

Similar measures were recommended to Zambia (2024), including recommending that the state:

- collect, monitor, and publish data on child labour complaints, including details of inspections, citations issued, prosecutions undertaken, and penalties related to violations;
- Ensure corporate regulations on due diligence, transparency, remediation, and legal accountability incorporate child rights, and that they are implemented in a child-friendly manner.³³

29. General Comment No 7 on Article 27 of the ACRWC "Sexual Exploitation" (July 2021), https://reporting.acerwc.africa/sites/default/files/2022-09/General-Comment-on-Article-27-of-the-ACRWC_English_0.pdf. (accessed September 10, 2025).

30. Ibid.

31. ACERWC, Concluding Recommendations, Nigeria (2018) <https://www.acerwc.africa/sites/default/files/2022-06/CO_Nigeria_Eng.pdf> (accessed October 28, 2025)

32. ACERWC, Concluding Observations and Recommendations, Republic of Congo (2020). <https://www.acerwc.africa/sites/default/files/2022-09/Congo-CO-1.pdf>. (accessed October 28, 2025).

33. ACERWC, Concluding Observations and Recommendations, Zambia (2024) <https://www.acerwc.africa/sites/default/files/2025-01/ACERWC_Concluding%20Observations%20on%20Zambia%20Periodic%20Report.pdf> (accessed October 28, 2025).

The ACERWC's Concluding Observations consistently emphasize the need to integrate children's rights into national human rights policies and frameworks, including NAPs on BHRs. The Committee urges states to ensure that NAPs move beyond general human rights principles to explicitly recognize children as a vulnerable group disproportionately impacted by corporate activities. For instance, in its 2023 observations on South Africa's state report, the Committee recommended that the government incorporate children's rights into its NAPs on BHRs and its National Baseline Assessment.³⁴

While the ACRWC was adopted in an era before the internet was widely accessible and before climate change was a dominant global concern, its provisions have implications for the protection of the rights children, as they interact with both phenomena. The Charter now faces pressure to respond to 21st-century risks that are transnational, digital, and environmental. There is little doubt that the provisions of the Charter and the protections it provides to children apply both offline and online, including protection of children's privacy online and protection from online sexual exploitation among other online harms.

2.2

CONVENTION ON THE RIGHTS OF THE CHILD

The United Nations Convention on the Rights of the Child (CRC) (1989) remains the most widely ratified human rights treaty in the world. All African states have ratified or acceded, and globally only the United States of America is yet to ratify.

The CRC includes provisions closely aligned with those concerning the impact of business activities on children's rights.

The CRC establishes that children are rights-holders entitled to protection, provision, and participation in all matters affecting them. While the CRC primarily addresses state obligations, its principles are increasingly relevant to the private sector, particularly as businesses shape children's lives through their operations, products, and services. The CRC is underpinned by four foundational principles: non-discrimination, the best interests of the child, the right to life, survival and development, and the right of the child to participate in matters that affect them.³⁵

The CRC requires that in all decisions affecting children, the child's best interests must be a primary consideration.³⁶ This principle applies not only to public authorities but also to private entities. For businesses, it means that activities in areas such as advertising, technology, and employment should always be assessed against their impact on children.



Companies whose activities influence health, safety, or the environment must ensure they do not jeopardize children's survival or development.³⁷

Industrial pollution, unsafe consumer products, or harmful workplace conditions are clear examples of practices that contravene this obligation. Also, children are entitled to express their views on issues that affect them.³⁸ Businesses that design services or market products for young people - especially in digital spaces - have a responsibility to create opportunities for meaningful child participation and feedback. Businesses in industries such as tourism, entertainment, and

34. ACERWC, Concluding Observations and Recommendations, Republic of South Africa, (2023) <https://www.acerwc.africa/sites/default/files/2023-10/CONCLUDING%20OBSERVATIONS%20AND%20RECOMMENDATIONS%20SOUTH%20AFRICA.docx_.pdf> (accessed October 28, 2025).

35. Article 32 CRC.

36. Article 3 of CRC.

37. Article 6 of CRC.

38. Article 12 of CRC.

digital media must actively prevent exploitation and abuse of children. This responsibility also extends to supply chains, where companies must ensure that child labour or abusive practices are not present.³⁹ Further, Article 32 specifically obliges states to regulate industries so that children are protected from hazardous or exploitative work, reinforcing the expectation that businesses must not profit from such practices.

Recognizing the growing influence of corporate actors on child rights, the CRC Committee published General Comment No. 16 (2013),⁴⁰ which outlines how States should address the business sector's responsibilities in this context. This commentary acknowledges that globalization, increased outsourcing, and the privatization of public functions have intensified the private sector's role in shaping children's rights outcomes.⁴¹ The General Comment provides States with strategic guidance on implementing the CRC and its Optional Protocols, with a particular focus on areas where corporate activity may significantly affect children's well-being. It stresses the necessity for States to prioritize the child's best interests in shaping policies and legislation related to commerce, such as employment law, tax systems, anti-corruption strategies, privatization, infrastructure, trade, and economic development.

Furthermore, businesses involved in providing direct services to children - including education, healthcare, foster care, or juvenile detention must integrate child-centred considerations into their operations. Regulatory bodies, such as labour and education inspectorates, should also engage with children when evaluating corporate practices.⁴² States are encouraged to ensure

that children's perspectives are integrated into child-rights impact assessments, especially when introducing new laws or policy measures that might influence business behaviour. Where businesses hold consultations within communities affected by their operations, they should actively seek and meaningfully consider children's input.⁴³



It is the responsibility of States to hold all stakeholders accountable for upholding child rights within the scope of business activities.⁴⁴

This entails ensuring that all decisions, policies, and laws related to business are transparent, well-informed, and fully reflect potential implications for children. Moreover, when States are involved in business - directly or through partnerships - they must not support, enable, or ignore practices that violate child rights. For instance, they should guarantee that public procurement processes are reserved for companies that demonstrate a clear commitment to respecting the rights of children.⁴⁵ When it comes to the informal economy, the General Comment notes that this sector employs a large share of the active workforce in many countries and makes a substantial contribution to national income. Yet, children are particularly vulnerable when business activities occur outside established legal and institutional protections. To address this, states are required to ensure that all business operations - regardless of size or sector - are brought under appropriate regulatory frameworks that explicitly recognize and safeguard children's rights.

39. Article 19 of CRC.

40. UNHCR, General comment No. 16 (2013) on State obligations regarding the impact of the business sector. <https://www.refworld.org/legal/general/crc/2013/en/102811> (accessed October 28, 2025).

41. Para 1.

42. Para 16.

43. Para 23.

44. Para 26.

45. Para 27.

Governments must regulate working conditions and enforce safeguards that protect children from economic exploitation, hazardous forms of labour, and work that undermines education or negatively impacts their health and overall development. These risks are especially prevalent, though not exclusively, in the informal sector and within family-based economies.⁴⁶ Furthermore, states are obligated to engage in international cooperation to advance children's rights even beyond their borders, provided there is a reasonable connection between the business and the extraterritorial conduct in question.⁴⁷ While host states bear the primary duty to protect and fulfil children's rights within their jurisdictions, they must also ensure that robust legal and regulatory frameworks are in place to prevent violations.⁴⁸

2.3

UNITED NATIONS GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS (UNGPs)

The UNGPs,⁴⁹ adopted in 2011, marked a turning point in the global regulation of corporate conduct. Unanimously endorsed by the UN Human Rights Council, the framework is built on three interrelated pillars:

01 The duty of states to protect against human rights abuses.

02 The responsibility of companies to respect human rights in all their operations.

03 The need for effective access to judicial and non-judicial remedies for victims of human rights violations.

While the UNGPs apply to all individuals, they hold particular significance for children, who are often disproportionately affected by business operations. Children are not only more physically and psychologically vulnerable to harm, but they are also frequently “invisible” in corporate policies and practices. Their rights can be undermined across various sectors – from child labour in supply chains to digital exploitation, targeted advertising, environmental pollution, and unsafe products.

Since their adoption, the UNGPs have shaped laws, policies, and corporate practices worldwide. They provide a rights-based approach that extends to the protection of children's rights, including environmental and social concerns that directly affect them.⁵⁰ However, children are mentioned explicitly in only two parts of the commentary.

First, the Commentary to Principle 3 stresses that corporate guidance on respecting human rights must include clear outcomes and best practices, with explicit consideration of groups in vulnerable situations – such as women, persons with disabilities, and children – alongside their families.

Second, the Commentary to Principle 12 requires businesses to apply additional standards when evaluating the effects of their activities on specific groups, including children. For example, failure to pay fair wages may indirectly harm children who rely on caregivers' income. In West Africa's cocoa industry, for instance, hundreds of thousands of children work in hazardous conditions involving machetes, pesticides, and heavy loads.⁵¹ Weak enforcement of labour laws perpetuates such exploitation. States also have extraterritorial duties: for example, European governments are

46. Paras 36 and 37.

47. Para 41.

48. Para 42.

49. See for example, the Human Rights Council, 'Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework', Report of the Special Representative of the Secretary-General on the issue of Human Rights and Transnational Corporations and Other Business Enterprises, UN Doc. A/HRC/17/31 (21 March 2011) [UNGPs].

50. Ibid, Commentary to Principles 3 and 12. Oyeniyi Abe, Implementing Business and Human Rights Norms in Africa: Law and Policy Intervention (2022) 14.

51. Peter Whoriskey and Rachel Siegel, Cocoa's Child Laborers, The Washington Post (June 5, 2019).

increasingly being called upon to regulate multinational companies whose overseas supply chains rely on child labour.⁵²

Businesses are expected to avoid infringing on children's rights and to address adverse impacts with which they are involved. This requires child rights due diligence, including assessing how corporate activities, supply chains, and products affect children; integrating safeguards into business operations; and monitoring outcomes.

Principle 15 requires companies to adopt policies and processes that identify, prevent, mitigate, and account for their human rights impacts.

Principle 17 explains this further, outlining a due diligence process that includes assessing both actual and potential risks, integrating findings into operations, taking corrective actions, tracking results, and communicating outcomes transparently.

In the technology sector, social media platforms have come under scrutiny for failing to protect children from digital exploitation, grooming, addictive design features and failing to protect children from harmful content.

Similarly, in the extractive industries, children living near mining sites – such as cobalt mines in the DRC and lead and manganese mines in Kabwe, Zambia – face health hazards from toxic exposure and are sometimes drawn into hazardous labour. Companies sourcing minerals must ensure their supply chains are free from such practices.⁵³ Food and beverage companies that market sugary drinks or unhealthy foods to children directly affect their long-term health, and businesses in tourism and travel must adopt strict codes of conduct

to prevent the sexual exploitation of minors, a problem that has grown with increased cross-border mobility. Child rights due diligence ensures that businesses can continuously monitor the impact of their operations on children to enable them to put in place relevant preventative, mitigation and remedial measures.



By placing children at the centre of human rights due diligence, businesses not only fulfil international obligations but also contribute to sustainable and inclusive development.

The UNGPs also highlight the importance of effective remedies for children when their rights are violated by business activities.⁵⁴ This includes judicial remedies (such as courts and labour tribunals) and non-judicial mechanisms (such as grievance procedures and company-led complaint systems).⁵⁵

Remedies must be child-sensitive, ensuring that processes are accessible, safe, and adapted to children's developmental needs. Doing so not only fulfils international human rights obligations but also promotes sustainable development, as healthy, educated, and protected children form the foundation of future societies and economies.

52. European Union, Directive (EU) 2024/1760 of the European Parliament and of the Council of 13 June 2024 on corporate sustainability due diligence and amending Directive (EU) 2019/1937 and Regulation (EU) 2023/2859.

53. Amnesty International, Powering Change or Business as Usual (2023), <https://www.amnesty.org/en/latest/news/2023/09/drc-cobalt-and-copper-mining-for-batteries-leading-to-human-rights-abuses/> (accessed October 28, 2025).

54. Principle 29, UNGP.

55. Principle 31, UNGP.



2.4

INTERNATIONAL LABOUR ORGANIZATION (ILO) CONVENTIONS

a) C138 - Minimum Age Convention, 1973 (No. 138)

The Minimum Age Convention was adopted to establish a comprehensive, global framework for the progressive elimination of child labour. It consolidates and replaces earlier conventions that applied to specific industries, with the goal of setting a universal standard for the minimum age of employment. Article 1 provides that States must pursue policies aimed at abolishing child labour and progressively raising the minimum age for work to promote the full physical and mental development of young people. The Convention prohibits children from engaging in work that is hazardous to their health, safety, or morals due to its nature or the conditions under which it is performed,⁵⁶ and requires states to specify a minimum age for work, not lower than the completion of compulsory schooling and in any case not below 15 years (14 years may be set temporarily in countries with limited economic and educational capacity).

Unlike earlier ILO instruments that applied only to specific sectors (such as mining or seafaring), C138 is a universal instrument covering all forms of employment. States may initially limit its application in cases of

administrative difficulty, but they must extend its coverage over time to sectors such as manufacturing, construction, transport, and commercial agriculture. To ensure compliance, governments are required to adopt enforcement measures, penalties, and record-keeping systems. The Minimum Age Convention is a cornerstone of international labour standards. In promoting education and prohibiting harmful work, it directly supports the realization of children's rights as enshrined in the CRC and ACRWC. It also underpins the Sustainable Development Goals (SDG 8.7), which call for the elimination of child labour in all its forms by 2025. Somalia is the only African country that has not ratified this Convention.

b) C182 - Worst Forms of Child Labour Convention, 1999 (No. 182)

Adopted by the ILO in June 1999, the Worst Forms of Child Labour Convention (C182) is a binding global treaty that requires urgent action to eliminate the gravest forms of child labour. The convention requires member states to take immediate and effective measures to prevent children under 18 from being engaged in exploitative practices such as slavery, child trafficking, debt bondage, forced labour, recruitment into armed conflict, sexual exploitation through commercial sex work or pornography, involvement in illicit activities like drug trafficking, and hazardous work that endangers children's health, safety, or morals.⁵⁷ It builds on earlier instruments, especially the Minimum Age Convention of 1973, but focuses

⁵⁶. Articles 2 and 3 of the Convention.

⁵⁷. Ibid.

on the most dangerous and exploitative practices that demand immediate prohibition. States are required to identify hazardous forms of work and update these lists regularly, establish monitoring systems and action programmes in consultation with employers and workers, and prioritize the prevention, removal, rehabilitation, and social reintegration of affected children, with particular attention to the needs of girls.⁵⁸

The Minimum Age Convention, 1973 (C138) and the Worst Forms of Child Labour Convention, 1999 (C182) form the backbone of the international legal framework to eliminate child labour. While distinct in focus, they are complementary instruments that together address both the structural and urgent dimensions of child exploitation. C138 establishes a broad, long-term framework for abolishing child labour by requiring states to set and progressively raise the minimum age for admission to employment. It ties child labour policy to education, mandating that no child should work before completing compulsory schooling. It also distinguishes between “light work” permissible for adolescents and hazardous work prohibited until at least age 18.

In contrast, C182 targets the most extreme and harmful forms of exploitation and thus requires immediate and effective action. It prohibits slavery, trafficking, forced recruitment for armed conflict, sexual exploitation, use in illicit activities such as drug trafficking, and hazardous work that threatens health, safety, or morals. C182 stresses urgent rescue, rehabilitation, and reintegration, especially for the most vulnerable groups, including girls. Both conventions reflect the understanding that child labour is a violation of children’s fundamental rights and that its persistence is closely linked to poverty, inequality, and lack of education. They require states not only to

adopt strong legal frameworks but also to enforce them through monitoring systems, penalties, and international cooperation. All African States (with the exception of Western Sahara) have ratified this Convention.

2.5 CHILDREN’S RIGHTS AND BUSINESS PRINCIPLES

The Children’s Rights and Business Principles (CRBPs), launched in 2012 by UNICEF, the UN Global Compact, and Save the Children, provide the first comprehensive global framework to guide companies in respecting and supporting children’s rights.⁵⁹ While businesses have long been expected to consider human rights broadly, the CRBPs highlight the unique vulnerabilities and needs of children, who are not only future workers and consumers, but also present-day stakeholders affected by corporate activities. The CRBPs cover issues such as the elimination of child labour, workplace safety and health, responsible marketing and advertising, the safety of products and services, and the broader impact of corporate activities on parents, caregivers, and the environment.

The CRBPs emphasize that safeguarding children’s rights is not just a moral obligation but also central to building sustainable, responsible businesses that contribute to long-term development. Although the CRBPs provide useful guidance for states and corporate actors, it is important to note that they are non-treaty-based and non-binding instruments. Nonetheless, the ACERWC encourages states to draw on these principles to ensure that NAPs go beyond general human rights commitments and that businesses adopt such voluntary commitments that align with international child rights standards.⁶⁰ By doing so, companies can ensure their operations generate positive outcomes for children in the

58. See Articles 4 to 6.

59. UNICEF, Children’s Rights and Business Principles, <https://www.unicef.org/media/96136/file/Childrens-Rights-Business-Principles-2012.pdf> (access October 28, 2025)

60. ACERWC, Study on Children’s Rights and Business in Africa. https://www.acerwc.africa/sites/default/files/2023-08/Study_Children%27s%20Rights%20and%20Business_English.pdf (accessed July 5, 2025).

workplace, marketplace, and community. The framework stresses the importance of human rights due diligence, impact assessments, and remediation mechanisms as tools for integrating children's rights into corporate practice, particularly in regions such as Africa. Importantly, the CRBPs recognize children as both rights-holders and stakeholders whose interests must be considered in all business decisions.

The ten principles guiding this framework are:

1. Businesses must respect and support children's rights.
2. Eliminate all forms of child labour in business activities and supply chains.
3. Provide decent work for young workers, parents, and caregivers.
4. Safeguard children in all business activities and facilities.
5. Ensure products and services are safe and promote children's rights.
6. Use marketing and advertising that respects children's dignity and rights.
7. Protect children's rights in relation to environmental practices and land use.
8. Ensure security arrangements uphold children's rights.
9. Support children affected by emergencies and crises.
10. Strengthen community and government initiatives that advance children's rights.⁶¹

The CRBPs serve as a practical tool for companies to integrate children's rights into corporate governance, human rights due diligence, sustainability reporting, and community engagement. For example, they have informed sectoral initiatives in industries such as cocoa (addressing child labour in supply chains), digital technology (tackling online exploitation and privacy concerns), and extractives (mitigating environmental harm in mining communities).

2.6 THE UNITED NATIONS GLOBAL COMPACT

The United Nations Global Compact (UNGC), launched in 2000, is a voluntary platform that invites businesses of all sizes and sectors to align their operations with universal principles of responsible practice.⁶²



By joining the UNGC, companies commit to embedding its Ten Principles into their strategies,⁶³ corporate culture, and everyday activities.

Participants are also expected to champion the initiative publicly – for instance, through press releases, speeches, or other forms of communication and to issue an annual report to stakeholders outlining progress in implementing the principles and contributing to broader societal goals. The UNGC principles are drawn from key international instruments, including the Universal Declaration of Human

61. Ibid.

62. United Nations Global Compact, The Ten Principles of the UN Global Compact, <https://unglobalcompact.org/what-is-gc/mission/principles> (accessed October 28, 2025).

63. The Ten Principles are: Human Rights: (Principle 1: Businesses should support and respect the protection of internationally proclaimed human rights; and Principle 2: make sure that they are not complicit in human rights abuses); Labour: (Principle 3: Businesses should uphold the freedom of association and the effective recognition of the right to collective bargaining); Principle 4: the elimination of all forms of forced and compulsory labour; Principle 5: the effective abolition of child labour; and Principle 6: the elimination of discrimination in respect of employment and occupation); Environment: (Principle 7: Businesses should support a precautionary approach to environmental challenges; Principle 8: undertake initiatives to promote greater environmental responsibility; and Principle 9: encourage the development and diffusion of environmentally friendly technologies); Anti-Corruption: (Principle 10: Businesses should work against corruption in all its forms, including extortion and bribery).

Rights, the International Labour Organization's core conventions,⁶⁴ the Rio Declaration on Environment and Development, and the UN Convention Against Corruption.⁶⁵

The UNGC carries significant influence. Currently, the UNGC includes thousands of companies and non-business participants across more than 160 countries.⁶⁶ Its influence extends into major sectors such as energy, finance, technology, and manufacturing, where it promotes responsible supply chains, climate action, gender equality, and respect for human rights. By linking corporate action with the SDGs, the UNGC helps businesses become active partners in tackling global challenges, from poverty and inequality to climate change. Further, companies that align their operations with the provisions of the UNGC and the CRBPs strengthen compliance with international labour standards, including ILO Conventions on child labour, and enhance corporate reputation by demonstrating leadership in protecting children's rights.

2.7

DEVELOPMENT FINANCE INSTITUTIONS

Development Finance Institutions (DFIs) play a very important role as funders of some of the activities that have significant impact on children's rights. Under international law, DFIs are generally regarded as indirect or secondary actors rather than primary duty bearers, since states remain the principal entities responsible for upholding and



protecting human rights. However, under the International Law Commission's Articles on the Responsibility of International Organizations (ARIO),⁶⁷ DFIs may incur responsibility for their own internationally wrongful acts. They are also prohibited from aiding or assisting another actor in committing an internationally wrongful act when they are aware of the circumstances surrounding that act - a standard often expressed as the obligation to "do no harm." This establishes a duty of due diligence, requiring DFIs to carefully design, appraise, supervise, and remedy projects that present foreseeable risks to children's rights.

The World Bank's Environmental and Social Framework (ESF, 2016) prohibits child labour and any hazardous work involving persons under 18.⁶⁸ Borrowers must establish Labour Management Procedures that include child-labour safeguards, specify a minimum employment age of at least 14 (or higher, if required by national law), and prevent all forms of forced or child labour.

64. The Core Conventions are: C29 Forced Labour Convention, 1930 (No. 29); C87 Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); C98 Right to Organise and Collective Bargaining Convention, 1949 (No. 98); C100 Equal Remuneration Convention, 1951 (No. 100); C105 Abolition of Forced Labour Convention, 1957 (No. 105); C111 Discrimination (Employment and Occupation) Convention, 1958 (No. 111); C138 Minimum Age Convention, 1973 (No. 138); C155 - Occupational Safety and Health Convention, 1981 (No. 155); C182 Worst Forms of Child Labour Convention, 1999; C187 - Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187).

65. The Ten Principles are anchored on respect and uphold internationally recognized human rights; avoid complicity in human rights violations; recognize and protect freedom of association and the right to collective bargaining; work towards eliminating all forms of forced and compulsory labour; ensure the abolition of child labour; eliminate workplace discrimination in employment and occupation; take a precautionary approach to environmental risks; advance environmental responsibility through proactive initiatives; support the development and spread of sustainable and eco-friendly technologies; and combat corruption in every form, including bribery and extortion.

66. UN Global Compact, 'The World's Largest Corporate Sustainability Initiative', <https://unglobalcompact.org/what-is-gc> (accessed September 25, 2025).

67. International Law Commission, 'Draft articles on the responsibility of international organizations (2011)', https://legal.un.org/ilc/texts/instruments/english/draft_articles/9_11_2011.pdf (accessed November 3, 2025).

68. World Bank, "World Bank Environmental and Social Framework." World Bank, Washington, DC. (2016), <https://thedocs.worldbank.org/en/doc/837721522762050108-0290022018/original/ESFFramework.pdf>, (accessed October 15, 2025).

The Bank's Environmental and Social Standards (ESS) require all financed projects to protect workers, especially vulnerable groups such as women, persons with disabilities, children, migrant, community, and supply-chain workers. Borrowers are also obligated to assess and address any risk of child or forced labour in community-based work linked to Bank-funded projects.

The ESS further acknowledge that Indigenous Peoples and Sub-Saharan African Historically Underserved Traditional Local Communities possess distinct identities, cultures, and aspirations that often place them at a disadvantage under conventional development models. These groups are frequently among the most economically marginalized and socially vulnerable, with limited ability to defend their rights to land, resources, and cultural heritage. As a result, they often lack equitable access to project benefits and are insufficiently consulted in the design and implementation of development projects that affect them.

The International Finance Corporation's (IFC) Performance Standard 2 on Labor and Working Conditions requires clients to prevent the use of child labour by establishing minimum age requirements, prohibiting hazardous work for anyone under 18, and conducting due diligence within their primary supply chains wherever risks of child labour are known or likely to occur.⁶⁹

The African Development Bank's (AfDB) Integrated Safeguards System (ISS) brings together five Operational Safeguards (OS1–OS5) that require environmental and social assessments, labour and community safety risk management, and stakeholder disclosure and consultation.

Recent updates to the ISS further strengthen obligations to identify and mitigate risks related to gender-based violence (GBV), sexual exploitation and abuse (SEA), and child labour, while also ensuring affected persons have access to the Independent Recourse Mechanism (IRM) for redress.⁷⁰



The ESS also recognizes that gender roles within indigenous communities differ from those in mainstream society and that women and children face particular forms of marginalization, both internally and externally.

69. International Finance Corporation, Performance Standard 2, <https://www.ifc.org/en/insights-reports/2012/ifc-performance-standard-2>. (accessed October 30, 2025).

70. African Development Bank, African Development Bank Group's Integrated Safeguards System, https://www.accountabilitycounsel.org/wp-content/uploads/2017/07/December_2013_-_AfDB'S_Integrated_Safeguards_System_-_Policy_Statement_and_Operational_Safeguards.pdf (accessed September 24, 2025).



PART 03

KEY CHALLENGES IN BUSINESS AND CHILDREN'S RIGHTS

While the interaction of child rights and business is expansive and covers most aspects of life, there are a number of phenomena that have structural cross-cutting implications for children's rights and business. This section spotlights some of the key challenges and their implications for child rights in Africa.

3.1 THE INFORMAL SECTOR AND ITS IMPLICATIONS FOR CHILD RIGHTS

The informal sector remains one of the defining features of African economies. Across the continent, informal enterprises dominate employment, accounting for more than 80% of total jobs in some

countries.⁷¹ While the sector provides livelihoods and sustains families, it also raises significant concerns for the protection of children's rights, especially because it largely operates outside regulatory framework and compliance oversight.

The reality is that much of what happens in the informal sector is undocumented and the extent of violations there are not always or easily known. This dual reality makes the informal economy both a safety net and a site of risk for Africa's most vulnerable populations. For example, the sector creates an environment where child rights are severely compromised due to a lack of regulation, poor working conditions, and economic precarity.



The pervasive nature of informal labour means that an overwhelming majority of African working children are engaged in informal employment, exposing them to exploitation and jeopardizing their access to education, safety, and well-being.

The informal sector includes activities that are not regulated by the state, often operating outside formal labour laws and taxation systems. Examples range from small-scale farming, street vending, domestic work, artisanal mining, and construction to other forms of self-employment and micro-

enterprises. Because of its flexibility, low entry barriers and demand for cheap labour, the sector absorbs large numbers of workers excluded from the formal economy. However, its unregulated nature also creates fertile ground for exploitative practices, including those that affect children.

In sub-Saharan Africa, where informal employment is highest, an estimated



92 million

children are engaged in child labour.⁷²

A 2024 ILO study highlights that nearly all working children across the continent are absorbed into informal employment.⁷³

This crisis disproportionately affects the continent, which bears the heaviest global burden of child labour. The issue is particularly acute in the agriculture sector, where a significant portion of child labour is concentrated on family farms and informal enterprises.⁷⁴ Additionally, child labour is prevalent in the mining of cobalt and coltan in countries such as DRC, minerals essential for portable electronic devices and rechargeable batteries, including those used in electric vehicles. The DRC produces more than half of the world's cobalt, where children - some as young as seven - work under hazardous conditions marked by violence, extortion, and intimidation.⁷⁵

71. International Labour Organization, 'World Employment Social Outlook', https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40dgreports/%40dcomm/%40publ/documents/publication/wcms_615594.pdf (accessed October 30, 2025).

72. International Labour Organization, Child Labour Statistical Profile: Africa, https://www.ilo.org/sites/default/files/2024-11/Statistical_Profile_01_Africa_ENGLISH_FINAL_20220114_NEW.pdf (accessed August 25, 2025).

73. ILO, 2024 Global Estimates of Child Labour in figures, <https://www.ilo.org/resource/other/2024-global-estimates-child-labour-figures> (accessed September 20, 2025).

74. International Labour Organization, 'Child Labour in Agriculture', <https://www.ilo.org/international-programme-elimination-child-labour-ipecc/sectors-and-topics/child-labour-agriculture> (accessed October 24, 2025).

75. Amnesty International, 'This is what we die for: Human Rights Abuses in the Democratic Republic of the Congo Power the Global Trade In Cobalt', <https://www.amnesty.org/en/documents/afr62/3183/2016/en> (accessed September 30, 2025).



A study involving
931 workers
across three mining
sites revealed that
93%
experienced some
form of labour
exploitation.⁷⁶

While much of the available research focuses on Africa, the issue extends globally, underscoring its widespread and systemic nature.⁷⁷

The drivers of child domestic work are complex but can generally be divided into “push” and “pull” factors. Push factors include poverty – particularly its feminization – alongside social exclusion, lack of access to education, gender and ethnic discrimination, domestic violence, displacement, rural-to-urban migration, and the loss of parents due to conflict or disease.⁷⁸ Research, especially in sub-Saharan Africa, shows that many child domestic workers are orphans or have only one surviving parent.⁷⁹ In Liberia, for example, the movement of children from rural areas to live with relatives or family friends in cities reflects the long-standing tradition of child fostering common across West Africa.⁸⁰ Studies on the psychosocial impacts of domestic work highlight that cultural acceptance plays a major role in shaping children’s experiences. Where domestic child labour is widely tolerated, children often begin working at a younger age and are more likely to endure harsher treatment compared to contexts where the practice is less accepted.

Children in urban areas, for example, in Nigerian cities, are forced into street vending, street entertainment, begging, and other hazardous activities to survive.⁸¹

The deep entanglement of children in Africa’s informal sector has profound and far-reaching implications that violate their fundamental rights, as outlined in the CRC and ACRWC.



**Informal work exposes
children to dangerous conditions
and exploitation without the
protection of labour laws.
With minimal enforcement
of child labour laws, employers
often operate with
impunity.**

Many informal child labourers are unpaid, and those who are paid often receive meagre wages, making them highly vulnerable to economic exploitation. Underage children in informal work not only face unfair wages but are also frequently denied the chance to attend school, locking them into a cycle of poverty. Many families depend on children’s earnings to meet basic needs, and as a result prioritize short-term survival over long-term education. On the other hand, employers exploit this vulnerability on the assumption that children are easier to control, quicker to dismiss, and cheaper to employ than adults. Weak regulation and limited enforcement in

76. International Labour Organization, Child Labour in Mining and Global Supply Chains (2019), <https://www.ilo.org/publications/child-labour-mining-and-global-supply-chains> (accessed September 28, 2025).

77. International Labour Organization, Child Labour in Mining and Global Supply Chains (2019), <https://www.ilo.org/publications/child-labour-mining-and-global-supply-chains> (accessed September 28, 2025).

78. International Labour Organization, Ending Child Labour in Domestic Work and Protecting Young Workers from Abusive Working Conditions, <https://www.ilo.org/publications/ending-child-labour-domestic-work-and-protecting-young-workers-abusive> (accessed November 2, 2025).

79. International Labour Organization, Understanding Informality and Child Labour in sub-Saharan Africa (2023), https://www.dol.gov/sites/dolgov/files/ILAB/wcms_907052.pdf (accessed September 30, 2025).

80. Ibid.

81. Kenza Ben Azouz, Shackled to the Past: Forced Child Begging in Nigeria, <https://www.antislavery.org/latest/forced-child-begging-in-nigeria/> (accessed November 2, 2025).



3.2

CHILD LABOUR AND ECONOMIC EXPLOITATION



Child labour remains a persistent challenge in Africa. As noted earlier, approximately

160 million

children are involved in child labour globally.⁸³

Of these, around

79 million

are exposed to hazardous working conditions.

The highest concentration of child labour is found in Africa, where between

75 million⁸⁴

and

92 million⁸⁵

children affected.

the informal sector allow these exploitative practices to persist unchecked.⁸² Further, the demands of informal work deprive children of a normal, healthy childhood. Working long hours under stressful, hazardous conditions can severely stunt their physical, intellectual, and emotional development. For young mothers in informal work, the struggle to balance work with caregiving leads to inconsistent and poor childcare arrangements, harming their children's well-being. Also, the children of informal workers often lack access to basic necessities like clean water, sanitation, and healthcare. They are also excluded from social protection systems that benefit those in the formal economy, exacerbating their vulnerability. This systemic neglect can lead to higher rates of malnutrition, illness, and long-term health problems.

A particularly troubling reality is that when children's rights are violated in informal labour settings, they often have no access to formal justice systems. While informal justice mechanisms may reflect local customs, they frequently fail to safeguard children's rights. This is especially evident in cases of gender-based violence, where community mediation can prioritize social harmony over the safety and well-being of the child.

According to the 2016 Global Estimates of Child Labour, one in five children in Africa is engaged in child labour – a rate more than double that of any other region in the world.⁸⁶ Moreover, about nine percent of African children are involved in hazardous work, the highest proportion globally. Progress in reducing child labour in Africa has stalled, with rates increasing in Sub-Saharan Africa between 2012 and 2016 despite government interventions.⁸⁷ This setback is likely linked to broader economic and demographic

82. International Labour Organization, Child Labour: Global Estimates 2020, Trends and the Road Forward, <https://www.ilo.org/publications/major-publications/child-labour-global-estimates-2020-trends-and-road-forward> (accessed September 24, 2025).

83. International Labour Organization, World Employment Social Outlook, https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40dgreports/%40dcomm/%40publ/documents/publication/wcms_615594.pdf (accessed October 30, 2025).

84. International Labour Organization, 'Child Labour in Africa' <<https://www.ilo.org/resource/child-labour-africa>> (accessed November 3, 2025).

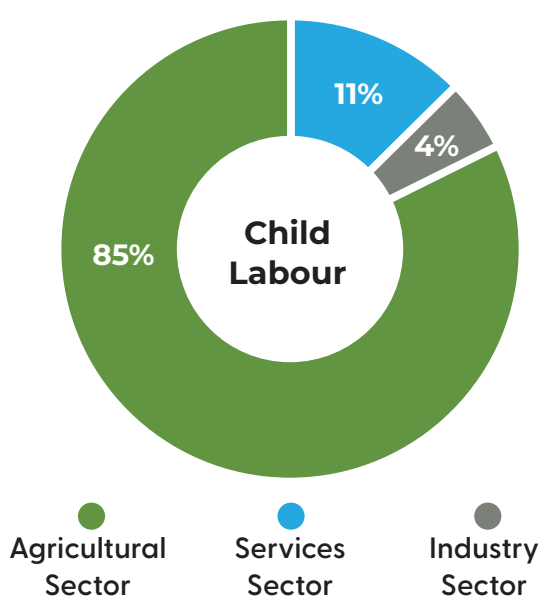
85. International Labour Organization, Child Labour Statistical Profile: Africa, https://www.ilo.org/sites/default/files/2024-11/Statistical_Profile_01_Africa_ENGLISH_FINAL_20220114_NEW.pdf (accessed August 25, 2025).

86. International Labour Organization ILO, 'Global Estimates of Child Labour: Results and trends, 2012-2016', <https://www.ilo.org/publications/global-estimates-child-labour-results-and-trends-2012-2016> (accessed November 3, 2025).

87. International Labour Organization, 'Child Labour in Africa' <<https://www.ilo.org/resource/child-labour-africa>> (accessed November 3, 2025).

pressures, as well as widespread state fragility and crises that exacerbate children's vulnerability to labour exploitation.⁸⁸ Studies have projected an increase in child labour due to rising poverty arising out of the impacts of the covid-19 pandemic.⁸⁹ There are similar projections on how climate change and its negative consequences including severe weather conditions and worsening economic outcomes may contribute to increase in child labour.⁹⁰

In Africa, the agricultural sector accounts for about 85 percent of all child labour, involving approximately 61.4 million children.⁹¹ Most of this work occurs in subsistence and commercial farming as well as livestock herding, and it is often hazardous due to the nature of the tasks and the conditions under which they are performed. Of the remaining children engaged in child labour, about 8.1 million (11 percent) work in the services sector, while 2.7 million (4 percent) are employed in industry.⁹²



The vast majority of child labour in Africa is unpaid, with most children working on family farms or in family enterprises rather than under formal employment relationships with third-party employers.⁹³ Younger children make up the majority of those engaged in child labour in Africa. The 2016 data show that 59 percent of child labourers are aged 5–11 years, 26 percent are 12–14 years old, and 15 percent fall within the 15–17 years age group.⁹⁴ This reflects a significantly younger age profile of child labour compared to other regions. Notably, children in the 5–11 age bracket also represent the largest share of those involved in hazardous work, exposing them to conditions that endanger their health, safety, and moral development – a matter of particular concern.⁹⁵

There is a strong link between child labour and situations of conflict and disaster.⁹⁶ Africa has been among the regions most affected by such crises, which significantly increase children's vulnerability to exploitation from non-state actors. This reality highlights the urgent need to prioritize child labour prevention and protection measures within humanitarian responses, as well as during post-conflict reconstruction and recovery. In this context, governments, workers' and employers' organizations, all have essential roles to play.

In response to growing awareness of these issues, several international and regional legal frameworks and institutional bodies have sought to address this intractable challenge. The Committee on the Rights of the Child's General Comment No. 16 outlines how states should address the impact of business activities on children's rights.⁹⁷

88. Ibid.

89. Rima R Habib, Moussa El Khayat, Joly Ghanawi, Reem S Katrib, Loyal Hneiny, Dana A Halwani 'Child labor and associated risk factors in the wake of the COVID-19 pandemic: a scoping review' *Frontiers in Public Health*. 2024 Feb 1;11:1240988. doi: 10.3389/fpubh.2023.1240988.

90. ILO 'Issue paper on child labour and climate change (2023) available at https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@ed_norm/@ipec/documents/publication/wcms_894326.pdf

91. International Labour Organization, 'Child Labour in Africa' <<https://www.ilo.org/resource/child-labour-africa>> (accessed November 3, 2025)

92. Ibid.

93. Ibid.

94. International Labour Organization ILO, 'Global Estimates of Child Labour: Results and trends, 2012–2016' <<https://www.ilo.org/publications/global-estimates-child-labour-results-and-trends-2012-2016>> (accessed November 3, 2025)

95. Ibid.

96. Ibid.

97. General Comment No 7 on Article 27 of the ACRWC "Sexual Exploitation" (July 2021), https://reporting.acerwc.africa/sites/default/files/2022-09/General-Comment-on-Article-27-of-the-ACRWC_English_0.pdf (accessed September 10, 2025).

This guidance is based on the recognition that the influence of the private sector on children's lives has significantly expanded in recent decades. Contributing factors include economic globalization, the decentralization and outsourcing of state functions, and the increasing privatization of services that affect human rights.⁹⁸ The General Comment focuses on specific areas where children are especially vulnerable to corporate influence and seeks to guide states in addressing those risks effectively. A central principle emphasized in the guidance is that the best interests of the child must be a primary consideration in shaping laws and policies related to business activities. This includes areas such as labour regulation, taxation, anti-corruption efforts, trade, transport, and economic governance.⁹⁹ Moreover, the principle applies not only to the state but also to companies that provide direct services to children – whether in healthcare, education, foster care, or youth detention.



Despite the development of international and regional legal frameworks that explicitly prohibit child labour and guarantee the protection of children's rights, the practice remains deep-seated across the continent.

The problem is not only a moral concern but also a structural issue that emphasizes the asymmetries of power between corporations, states, and vulnerable communities. Further, child labour in Africa cannot be understood outside its cultural and historical contexts. In many African societies, cultural norms and traditional value systems shape attitudes toward children's work and family size. For instance, in agrarian communities, there is often a cultural belief that having many children

equates to wealth and social security, as children are expected to contribute to family labour on farms and in household enterprises. This perception, deeply rooted in customary notions of family solidarity and inter-generational reciprocity, tends to normalize children's participation in economic activities, even when such work is exploitative or hazardous. The persistence of poverty, weak social protection systems, limited access to education, and the informal character of many African economies contribute to the normalization of child labour. Additionally, economic exploitation is exacerbated by global supply chains that demand cheap labour and raw materials.

Multinational corporations (MNCs) and local businesses often benefit from weak regulatory enforcement in African states, continuing cycles of exploitation. For example, earlier reports of child labour in the cobalt mines of the Democratic Republic of Congo or in cocoa production in West Africa illustrate how Africa's integration into global markets continues to depend on exploitative labour practices.

3.3

EXTRACTIVES AND CHILD RIGHTS

The extractive sector in Africa, including the processing of minerals for export, continues to pose significant risks to children's rights. Although mining and resource extraction are often celebrated as drivers of economic development and “resources for growth,” they are also deeply entangled with child labour, hazardous working conditions, disrupted education, and widespread socio-economic vulnerabilities. Across the continent, large-scale mining and oil projects frequently lead to the displacement of communities to make way for extraction sites. Such displacement has far-reaching consequences for children, who experience interruptions to their education and social lives. Families that are relocated often face inadequate housing, limited access to

⁹⁸. Ibid, Para 1.

⁹⁹. Ibid, Para 15.

schools, and the loss of agricultural land, all of which undermine their livelihoods. In these circumstances, many children are compelled to engage in informal labour or street work to help their families survive, exposing them to further risks and continuing series of poverty and exclusion.

Mining pollutants have severe consequences for children's rights and wellbeing across the continent which manifests in the form of respiratory and water born illnesses which increases child mortality, cognitive and neurological impairments due to high exposure to toxins such as lead and dental defects resulting from high exposure to phosphate among others. For instance, in Zambia, tens of thousands of children are estimated to be exposed to high levels of lead poisoning in Kabwe, affecting their cognitive and neurological development and putting their futures in danger, while also increasing the chances of miscarriages, and still and premature births.¹⁰⁰ Similar effects have been reported about lead and mercury poisoning due to the impact of unregulated illegal mining in Ghana.¹⁰¹ In Togo, phosphate mining and processing is having severe impacts on the health of children, including negative dental and respiratory outcomes.¹⁰²

There is widespread involvement of children in artisanal and small-scale mining (ASM) and related supply chains across Africa. For example, in DRC, children as young as seven have been found mining cobalt – a key component in smartphones and batteries – at artisanal sites such as Kolwezi and Kasulo.¹⁰³



These children often engage in physically demanding and hazardous tasks, including mining and ore-washing, without access to protective equipment. The conditions in which they work expose them to severe health and safety risks, ranging from injuries to chronic illnesses caused by prolonged exposure to dust and toxic substances.¹⁰⁴

Child labour in the extractive sector not only endangers children's physical well-being but also disrupts their education and development. Many of these children are unable to attend school or, when they do, struggle to benefit fully from their education due to exhaustion or financial hardship. The growing demand for so-called “transition minerals” – such as lithium, copper, and cobalt, which are essential for green technologies has intensified these pressures, further undermining children's rights to education and to a safe, healthy

100. Human Rights Watch 'Poisonous Profit Lead Waste Mining and Children's Right to a Healthy Environment in Kabwe, Zambia' available at <https://www.hrw.org/report/2025/03/05/poisonous-profit/lead-waste-mining-and-childrens-right-healthy-environment-kabwe>

101. Abena Obiri-Yeboah, Emmanuel Kwesi Nyantakyi, Abdul Rahim Mohammed, Saeed Ibn Idris Kofi Yeboah, Martin Kyereh Domfeh, Ebenezer Abokyi 'Assessing potential health effect of lead and mercury and the impact of illegal mining activities in the Bonsa river, Tarkwa Nsuaem, Ghana', <https://doi.org/10.1016/j.sciaf.2021.e00876>

102. Daouda Sama, Pamane Kpiagou, M'bénibé Gmakouba, Lipoublida Djagré, Agbessi Gerard Gnagamago, Laounwi Lakmon, Aboudoulatif Diallo & Kissao Gnandi 'Toxic trajectories: Modeling heavy metal-laden phosphate dust dispersion and multi-receptor health risks near Kpémé's industrial zone', <https://doi.org/10.1016/j.rineng.2025.106160>

103. Amnesty International, Powering Change or Business as Usual (2023), <https://www.amnesty.org/en/latest/news/2023/09/drc-cobalt-and-copper-mining-for-batteries-leading-to-human-rights-abuses> (accessed October 28, 2025).

104. Amnesty International, "This is what we die for" Human Rights Abuses in the Democratic Republic of the Congo Power the Global Trade in Cobalt, <https://www.amnesty.org/en/documents/afr62/3183/2016/en/> (accessed November 3, 2025).



environment.¹⁰⁵ In Zimbabwe, similar patterns are evident at the Sandawana Lithium Mine in Mberengwa District, Midlands Province. The mine has attracted thousands of artisanal and small-scale miners who operate in largely unregulated and unsafe conditions.¹⁰⁶ There are concerns about instances of child labour, alongside mine collapses that have resulted in unrecorded fatalities. Children working in artisanal lithium mining are regularly exposed to toxic dust, unstable excavation sites, and hazardous chemicals used in mineral processing. These conditions not only threaten their immediate health and safety but also have lasting effects on their physical development and future prospects.¹⁰⁷

Children's involvement in extractive labour across Africa is deeply rooted in structural conditions of poverty, economic insecurity, and weak governance. Limited access to alternative livelihoods, inadequate regulatory oversight, and the prevalence of informal or unregulated mining operations create environments where children are particularly vulnerable to exploitation. In many cases, fragile state institutions lack the capacity to

enforce labour laws or provide effective social protection, allowing harmful practices to persist unchecked. Additionally, the growing global demand for critical minerals – such as cobalt, nickel, copper, and aluminium – used in the production of green technologies has further intensified these risks.



As international markets push for rapid mineral extraction to meet renewable energy and technological demands, African mining regions face mounting pressure to increase output, often at the expense of labour standards and human rights. This structural demand fuels conditions that perpetuate child labour, particularly in artisanal and small-scale mining communities.

Compounding the problem is the lack of transparency in global mineral supply chains. The opacity of sourcing and trading practices makes it difficult to trace minerals back to their origins and hold companies accountable for labour abuses. Moreover, the dynamics of the global market – characterized by aggressive pricing, unrealistic production timelines, and unpredictable order volumes – create intense pressure on suppliers. These conditions, in turn, foster exploitative labour practices, increasing the likelihood that children will be drawn into mining and mineral processing to meet escalating international demand.

105. Zororai Nkomo, Rutendo Mugabe, 'Child labour in transition minerals extraction: The riddle for the business and human rights in Africa' <<https://www.chr.up.ac.za/opinion-pieces/4110-child-labour-in-transition-minerals-extraction-the-riddle-for-the-business-and-human-rights-in-africa>> (accessed November 3, 2025).

106. James Bofo, Rochelle Spencer, Will critical minerals be another poisoned chalice for Africa? <https://www.downtoearth.org.in/africa/will-critical-minerals-be-another-poisoned-chalice-for-africa> (accessed November 3, 2025).

107. Zororai Nkomo, Rutendo Mugabe, 'Child labour in transition minerals extraction: The riddle for the business and human rights in Africa' <<https://www.chr.up.ac.za/opinion-pieces/4110-child-labour-in-transition-minerals-extraction-the-riddle-for-the-business-and-human-rights-in-africa>> (accessed November 3, 2025).

3.4

CHILD RIGHTS AND DIGITAL TECHNOLOGIES

As digital technologies rapidly expand across Africa, the implications for children's rights have become increasingly complex. On the one hand, the connectivity revolution offers significant opportunities for education, participation and empowerment; on the other, children are exposed to new and evolving risks in the digital environment. In the African context, structural challenges – such as limited regulatory capacity, weak accountability of multinational technology firms, and the absence of local registered offices for many tech companies amplify these risks.

The rise of mobile internet, smartphones and online platforms has enabled many African children to access learning materials, engage socially and participate in digital media. For example, UNICEF describes how digital tools can help children “reach their full potential” when used in alignment with their rights.¹⁰⁸



However, access remains imbalanced: the digital divide still leaves many children – especially those in rural areas, remote regions and the poorest households – on the wrong side of connectivity and technology.¹⁰⁹ At the same time, the digital environment exposes children to a range of harms: cyberbullying, online sexual exploitation, privacy violations, targeted marketing and content that weakens children's dignity or well-being. The ACERWC has noted that, in the absence of robust legislative and regulatory frameworks, children are increasingly vulnerable in digital spaces.¹¹⁰

In 2024, the African Union (AU) adopted a Child Online Safety and Empowerment Policy intended to guide States and ICT providers in respecting children's rights online.¹¹¹ This Policy examines both the opportunities and the risks that digital access presents for children across Africa, alongside the key factors shaping their online safety.¹¹² It highlights the major cross-cutting challenges that must be addressed to uphold children's rights in the digital environment and outlines ten policy priorities for the continent. One key priority area focuses on business and children's rights, urging States to promote child-centred design, establish minimum industry standards, and encourage the adoption of best practices and cultural awareness. It also calls for adequate resourcing and regulation to strengthen corporate responsibility frameworks that ensure child online safety.¹¹³

The CRC's General Comment No. 25 likewise clarifies States' obligations around children's rights in digital contexts. It notes that the business sector – including both for-profit and not-for-profit entities – has a direct and

108. UNICEF, 'Protecting and Prioritizing Children's Rights and Safety in Digital Environments', <https://www.unicef.org/innovation/stories/protecting-childrens-rights-in-digital-environments> (accessed November 3, 2025).

109. ACERWC, Day of the African Child, 2023 <<https://www.acerwc.africa/en/dac/day-african-child-dac-2023>> (accessed November 3, 2025)

110. Ibid

111. African Union, 'African Union Child Online Safety and Empowerment Policy' <https://au.int/sites/default/files/documents/43798-doc-African_Union_Child_Online_Safety_and_Empowerment_Policy_Feb_2024.pdf> (accessed November 4, 2025)

112. African Union, 'Africa Has Become The First Region in The World to Implement a Child Online Safety and Empowerment Policy' <<https://au.int/en/pressreleases/20240523/child-online-safety-and-empowerment-policy-africa-union>> (accessed November 2, 2025)

113. Ibid.

indirect impact on children's rights through the products and services it provides in the digital environment.¹¹⁴

It calls on States to adopt and enforce laws, regulations, and policies to ensure that business operations and online platforms do not facilitate or contribute to violations of children's rights – such as breaches of privacy, exploitation, or exposure to harmful content.

It further calls on governments to require businesses to conduct child rights impact assessments, and to make these assessments publicly available.

They must also guarantee that effective remedies are available to children, parents, and caregivers in case of violations, and encourage businesses to offer accessible guidance that promotes children's safe and positive engagement online.¹¹⁵

Moreover, States must protect children from all forms of violence in the digital sphere, including harm that arises indirectly from the design, algorithms, or operation of digital services. This requires strong regulatory oversight, effective enforcement, and access to justice for victims of online abuse or rights violations.¹¹⁶

Although approximately 52 percent of African countries have enacted some form of data and privacy protection legislation – whether through comprehensive statutes or limited provisions embedded within other laws – most of these frameworks are either narrow in scope or weakly enforced, particularly in relation to the online experiences of children.¹¹⁷



The absence of child-specific data protection standards poses significant risks in an era of widespread digital engagement.

A child-focused regulatory approach could mitigate many of the harms that children face online, including data misuse, surveillance, targeted advertising, and exposure to manipulative content.¹¹⁸

To achieve this, companies must adopt a rights-based approach to data governance – one grounded in transparency, accountability, and the best interests of the child. This includes providing clear, age-appropriate explanations of terms of service and privacy policies that children, parents, and caregivers can readily understand.¹¹⁹

However, one of the most formidable challenges in safeguarding children in Africa's digital environment lies in corporate accountability. Many of the global technology companies and online platforms that serve African users operate without a substantial legal or physical presence on the continent. These firms are often headquartered outside Africa, beyond the jurisdictional reach of national regulators. This reality has produced

114. See further CRC Committee, General Comment No. 25 (2021) on Children's Rights in relation to the digital environment, CRC/C/GC/25 (02 March 2021) <<https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no-25-2021-childrens-rights-relation>> (accessed November 2, 2025).

115. Ibid.

116. Ibid.

117. African Union, 'Africa Has Become the First Region in The World to Implement a Child Online Safety and Empowerment Policy' <<https://au.int/en/pressreleases/20240523/child-online-safety-and-empowerment-policy-africa-union>> (accessed November 2, 2025)

118. Patricia Ainembabazi, Elevating Children's Voices and Rights in AI Design and Online Spaces in Africa <<https://cipesa.org/2025/07/elevating-childrens-voices-and-rights-in-ai-design-and-online-spaces-in-africa/>> (accessed November 2, 2025)

119. See further CRC Committee, General Comment No. 25 (2021) on Children's Rights in relation to the digital environment, CRC/C/GC/25 (02 March 2021) <<https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no-25-2021-childrens-rights-relation>> (accessed November 2, 2025)

a supervisory gap, where companies that engage in harmful practices such as data harvesting, algorithmic profiling, exploitative marketing, or dissemination of unsafe content can evade meaningful scrutiny or sanction. Addressing this accountability deficit requires cross-border regulatory cooperation, stronger enforcement mechanisms, and regional harmonization of data protection standards. Ultimately, ensuring that Africa's digital transformation upholds children's rights will depend not only on adopting laws, but also on ensuring that these laws are implemented, enforced, and responsive to the evolving realities of the digital age.

3.5 CORRUPTION

Corruption is a significant barrier to Africa's development and the fulfilment of children's rights, with business often playing a major role in it. Defined as the abuse of entrusted power for private gain, corruption not only erodes public trust but also deprives millions of children of essential services in education, health, and protection. Children, who represent nearly half of Africa's population, bear a disproportionate share of this burden because of their dependence on public services and their limited ability to challenge systemic injustices. Several examples illustrate this pattern. In December 2024, McKinsey & Company paid over USD 122 million to settle a bribery case in South Africa, where it was found to have bribed officials at Transnet and Eskom to secure consulting contracts.¹²⁰ In 2022, commodities trading company, Glencore,

pleaded guilty to bribery and market manipulation schemes, admitting to paying over USD 100 million to middlemen for the bribery of officials in countries including Nigeria, Cameroon, Ivory Coast, and the Democratic Republic of Congo.¹²¹ In DRC, underpricing of mining assets between 2010 and 2012 is estimated to have cost the state over USD 1.36 billion, with the assets transferred to offshore companies.¹²² Similarly, Rolls-Royce,¹²³ Siemens,¹²⁴ Ericsson,¹²⁵ and BAE Systems, are among those named by Transparency International as having been involved in bribery schemes.



Corruption siphons billions from Africa, diverting funds meant for schools, hospitals, and infrastructure into offshore accounts, luxury properties, and shell companies. Addressing this requires stronger institutions and greater transparency, including the establishment of public registers to disclose company ownership. Equally, countries receiving stolen wealth must take responsibility in curbing illicit financial flows.

Corruption within public service delivery systems represents not only a governance failure but also a violation of children's rights and a distortion of responsible business conduct. When corruption infiltrates sectors

120. US DOJ, McKinsey & Company Africa to Pay Over \$122M in Connection with Bribery of South African Government Officials, <https://www.justice.gov/archives/opa/pr/mckinsey-company-africa-pay-over-122m-connection-bribery-south-african-government-officials>, (accessed August 25, 2025)

121. US DOJ, Glencore Entered Guilty Pleas to Foreign Bribery and Market Manipulation Schemes, <https://www.justice.gov/archives/opa/pr/glencore-entered-guilty-pleas-foreign-bribery-and-market-manipulation-schemes#:~:text=Office%20of%20Public%20Affairs%20%7C%20Glencore,United%20States%20Department%20of%20Justice>, (accessed August 25, 2025)

122. Transparency International, Where are Africa's Billions? <https://www.transparency.org/en/news/where-are-africas-billions> (accessed October 30, 2025)

123. BBC News, Rolls-Royce apologises after £671m bribery settlement, <https://www.bbc.com/news/business-38644114> (accessed October 22, 2025).

124. US DOJ, Eight Former Senior Executives and Agents of Siemens Charged in Alleged \$100 Million Foreign Bribe Scheme, <https://www.justice.gov/archives/opa/pr/eight-former-senior-executives-and-agents-siemens-charged-alleged-100-million-foreign-bribe> (accessed October 23, 2025).

125. US DOJ, Former Ericsson Employee Charged for Role in Foreign Bribery Scheme <<https://www.justice.gov/archives/opa/pr/former-ericsson-employee-charged-role-foreign-bribery-scheme>

such as education, health care, and social protection, it directly undermines children's access to essential services guaranteed under the ACRWC. A 2019 African Union report highlights three key ways corruption undermines children's well-being.¹²⁶

First, corruption among service providers such as teacher and health worker absenteeism, theft of supplies, and demands for unofficial payments, erodes access to essential services.



In Mozambique and Madagascar, teacher absenteeism reaches up to 45%, causing significant classroom learning losses, while in Uganda, nearly 47% of health workers have been recorded absent, depriving children of vital care.¹²⁷

Learner absenteeism is often linked to children engaging in income-generating activities to support their families, rather than attending school.

Second, families are often forced to pay bribes for services that should be free. According to Afrobarometer, around 15% of households across Africa reported paying bribes for education or healthcare, leaving poorer families excluded from critical support.¹²⁸



15% of households across Africa paying bribes

Third, large-scale embezzlement and illicit financial flows drain resources needed for children's services.



Africa loses an estimated US\$80 billion annually through IFFs funds that could otherwise support schools, health systems, and social protections for children.¹²⁹

While many of the above relate to public service corruption, there is a business dimension of this challenge which lies in the private actors, intermediaries, and corporate entities that may enable or benefit from such corrupt systems through opaque procurement, bribery in supply chains, or tax evasion that deprives governments of public revenue.¹³⁰



Corruption distorts markets, erodes trust, and undermines responsible corporate conduct.

Companies operating in environments characterized by high corruption risk - especially in sectors tied to service delivery, extractives, and public procurement - have a heightened responsibility to conduct human rights due diligence (HRDD) to identify, prevent, and mitigate their contributions to these harms.¹³¹

126. African Union, Stolen Futures: How Corruption Undermines Children's Rights in Africa, https://au.int/sites/default/files/documents/36766-doc-the_impact_of_corruption_on_children_-_final_report.pdf, (accessed October 23, 2025).

127. Ibid.

128. Ibid.

129. Ibid.

130. ACERWC, Study on Children's Rights and Business in Africa <https://www.acerwc.africa/sites/default/files/2023-08/Study_Children%27s%20Rights%20and%20Business_English.pdf> (accessed July 5, 2025)

131. Ibid.

3.6

ILLICIT FINANCIAL FLOWS AND TAX HOLIDAYS

Former colonial powers, particularly the UK and France, alongside other tax havens such as Switzerland and Mauritius, continue to undermine African economies by enabling MNCs to avoid taxes. The Corporate Tax Haven Index shows that the UK's network of offshore jurisdictions is responsible for over a third of global corporate tax avoidance risks.¹³²



**Globally,
US\$500 billion
in corporate tax is lost
annually, with Africa
losing an estimated
\$50 billion
each year.**¹³³

This tax avoidance shifts the burden onto ordinary African citizens through higher taxes on income, food, and services, while governments are forced to borrow or rely on aid, often from the very countries facilitating these losses.

France and the UK are among the most aggressive in securing double taxation treaties that reduce withholding taxes with African countries, depriving them of critical revenue. Mauritius, with its 0% corporate tax, is especially problematic, enabling companies to funnel profits out of Africa.¹³⁴

Although African states generally have less aggressive tax treaty networks than OECD and EU countries, they remain vulnerable due to widespread tax exemptions, holidays, and weak transparency mechanisms.

Strengthening anti-avoidance measures, improving transparency, and curbing excessive incentives are essential reforms.

By nature, illicit financial flows (IFFs) refer to the unlawful transfer of money or capital across borders, involving funds that are illegally generated, moved, or utilized.¹³⁵ These flows typically arise from several sources.

Firstly, this happens through commercial practices, such as manipulating trade transactions – commonly through trade misinvoicing – to conceal profits and evade taxes, customs duties, or levies.¹³⁶

Secondly, this happens through criminal activities as illicit profits are laundered or transferred across borders to hide their origins. These funds often stem from:

- trafficking (people, drugs, weapons, and contraband), which fuels violence and instability;
- illegal markets such as counterfeit goods and wildlife trade;
- and cybercrime, including the online circulation of pornography and child sexual abuse material.

Thirdly, IFFs happen through corrupt practices when public office is exploited for personal benefit, often involving the diversion of public funds or acceptance of bribes that are then concealed within the global financial system.

¹³² Tax Justice Network, 'How can Africa take action against corporate tax havenry? Solutions from the Corporate Tax Haven Index 2019', <https://taxjustice.net/2019/06/18/%EF%BB%BFhow-can-africa-take-action-against-corporate-tax-havenry-solutions-from-the-corporate-tax-haven-index-2019/> (accessed September 15, 2025).

¹³³ Ibid

¹³⁴ Ibid

¹³⁵ Global Financial Integrity, 'Illicit Financial Flows' <<https://gointegrity.org/issue/illicit-financial-flows>> (accessed September 10, 2025).

¹³⁶ World Customs Organization, 'Illicit Financial Flows via Trade Mis-invoicing, (2018) <https://www.wcoomd.org/-/media/wco/public/global/pdf/media/newsroom/reports/2018/wco-study-report-on-iffs_tm.pdf?la=fr> (accessed September 10, 2025).

The most immediate consequence of IFFs is the erosion of national tax revenues.



When money is moved secretly across borders, it escapes taxation through income taxes, customs duties, or trade tariffs, undermining funds available for essential public services.¹³⁷

For example, countless lives are lost daily to disease and poverty in Africa because of illegal trade-related tax evasion.¹³⁸



Kenya loses about US\$435 million annually in tax revenues due to illicit financial flows.¹³⁹

These losses could have financed the health sector and saved up to 50,000 child lives per year by reducing child mortality. When governments grant lengthy or poorly targeted tax holidays, they forgo revenue that would otherwise finance vaccinations, teachers, clinics, nutrition, clean water, and child protection systems. A 2025 report by the International Monetary Fund (IMF) shows tax expenditures (including holidays) deserve tighter scrutiny because of their sizeable fiscal impact and weak links to development outcomes.¹⁴⁰

Several billions are lost annually through corporate tax incentives in Africa.



A 2017 ActionAid cross-country study estimated that African countries collectively lose approximately US\$38.6 billion each year in foregone tax revenues - an amount equivalent to nearly half of the continent's current education spending.¹⁴¹

The study argues that if governments applied clearer, pro-poor investment criteria and stricter oversight, much of this lost revenue could be redirected to fund classrooms, health clinics, and other child-focused services that directly advance economic and social rights.¹⁴² For instance, the East African Community (EAC) forgoes around US\$2.8 billion annually through various tax incentives, including extended tax holidays and exemptions.¹⁴³ These fiscal losses represent not only missed opportunities for infrastructure and social investment but also a direct deprivation of the resources needed to fulfil children's rights to education, health, and social protection as enshrined in the ACRWC. When states trade away long-term revenue for short-term investment promises, the burden is effectively shifted onto children, who bear the consequences of underfunded schools, inadequate healthcare, and fragile welfare systems. In this sense, tax policy becomes a business and human rights issue, implicating both the state duty to protect and the corporate responsibility to respect children's rights.

137. Save the Children, 'Making a Killing: How tax scams are robbing poor countries of life-saving healthcare' <<https://resourcecentre.savethechildren.net/document/making-killing-how-tax-scams-are-robbing-poor-countries-life-saving-healthcare>> (accessed September 10, 2025)

138. Illicit Financial Flows, Report of the High Level Panel on Illicit Financial Flows from Africa, https://www.unodc.org/documents/NGO/AU_ECA_Illicit_Financial_Flows_report_EN.pdf (accessed September 10, 2025).

139. African Union, Stolen Futures: How Corruption Undermines Children's Rights in Africa, https://au.int/sites/default/files/documents/36766-doc-the_impact_of_corruption_on_children_-_final_report.pdf (accessed September 5, 2025).

140. International Monetary Fund, 'Tax Expenditures in Sub-Saharan Africa' (2025)

141. ActionAid, 'Missed Opportunity: how could funds lost to tax incentives in Africa be used to fill the education finance gap?' (9 August 2017) <<https://actionaid.org/publications/2017/missed-opportunity-how-could-funds-lost-tax-incentives-africa-be-used-fill>> (accessed September 5, 2025)

142. Ibid

143. Ibid



PART 04

CHILD RIGHTS MAINSTREAMING IN NATIONAL HUMAN RIGHTS POLICIES AND NAPS ON BUSINESS AND HUMAN RIGHTS

4.1

CHILD RIGHTS MAINSTREAMING

Child rights mainstreaming refers to the systematic integration of the standards and principles of the UN Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of the Child (ACRWC) into all laws, policies, programmes, budgets and institutional frameworks, such that children's rights are treated not as

a separate, marginal concern, but as a cross-cutting priority across all sectors and levels of government.¹⁴⁴ The 2023 UN Guidance Note on Child Rights Mainstreaming defines the concept as “a strategy for making children’s rights, including their meaningful participation, an integral dimension of the design, implementation, monitoring, and evaluation of policies and programmes and for assessing the implications for children of any action taken by the UN.”¹⁴⁵



The concept of child rights mainstreaming rests on the recognition that children are full rights-holders with distinct entitlements under the CRC. Children experience unique barriers to realizing these rights, and every policy, law, and practice across all sectors affect them differently from adults.¹⁴⁶

This understanding stresses the need for systematic, explicit, and sustained attention to children in governance, regulation, and development processes. Mainstreaming children’s rights therefore means embedding the core principles of the CRC – participation, best interests of the child, non-discrimination, and survival and development – into all stages of decision-making.¹⁴⁷ It calls for moving beyond treating children’s welfare as a peripheral or residual concern and, instead, placing their rights at the heart of policy design and implementation.¹⁴⁸

In the African context, where extractive industries, agribusiness, and digital economies are expanding rapidly, child rights mainstreaming within the business sphere assumes particular urgency. This approach requires the integration of children’s rights into regulatory and policy frameworks, and a mechanism that ensures National Action Plans (NAPs) on Business and Human Rights, investment policies, and corporate governance laws explicitly identify children as a distinct group affected by business activities.¹⁴⁹ It also demands child-sensitive due diligence, compelling companies to assess, disclose, and mitigate the impact of their operations on children’s rights – whether in relation to child labour, environmental pollution, displacement, or digital exploitation.¹⁵⁰ For African states, operationalizing child rights mainstreaming in the business context requires giving effect to the provision of the ACRWC and in particular Article 15, which imposes positive duties to protect children from economic exploitation and hazardous work. Compliance with this obligation entails several measures.

- First, there must be legal alignment, incorporating ACRWC standards into national business regulation frameworks and NAPs, with specific provisions addressing labour, marketing, data protection, and environmental concerns affecting children.
- Second, institutional coordination is essential through inter-ministerial and multi-stakeholder mechanisms, such as cooperation among ministries of trade, mining, labour, and child protection to ensure coherence between economic and child protection objectives.

144. United Nations, ‘Guidance Note of the Secretary General on Child Rights Mainstreaming’ (31 July 2023) <<https://www.ohchr.org/en/documents/tools-and-resources/guidance-note-secretary-general-child-rights-mainstreaming>> (accessed November 1, 2025)

145. Ibid.

146. Ibid.

147. Ibid.

148. Ibid.

149. UNHCR, General comment No. 16 (2013) on State obligations regarding the impact of the business sector, <https://www.refworld.org/legal/general/crc/2013/en/102811> (accessed October 28, 2025).

150. United Nations, ‘Guidance Note of the Secretary General on Child Rights Mainstreaming’ (31 July 2023) <<https://www.ohchr.org/en/documents/tools-and-resources/guidance-note-secretary-general-child-rights-mainstreaming>> (accessed November 1, 2025)

- Third, budgetary allocation should prioritize child rights monitoring in business sectors, including funding for labour inspectorates and environmental oversight bodies. Fourth, corporate engagement must be strengthened by requiring companies to undertake and publish child rights due diligence and to integrate child-safeguarding measures into procurement, supply chains, and investment practices.
- Finally, monitoring and reporting mechanisms should utilize disaggregated data by age, gender, and region to track corporate impacts on children's rights and inform national and treaty-body reporting processes, including to the African Committee of Experts on the Rights and Welfare of the Child.

4.2

NATIONAL ACTION PLANS ON BUSINESS AND HUMAN RIGHTS

National Action Plans (NAPs) on Business and Human Rights (BHRs) are state-driven policy instruments designed to implement the United Nations Guiding Principles on Business and Human Rights (UNGPs).¹⁵¹

As earlier discussed, the UNGPs outline three foundational pillars:



NAPs operationalize these principles domestically by providing a structured framework through which states evaluate existing laws, identify gaps, and establish priorities and actions to ensure corporate compliance with human rights standards.¹⁵² In practical terms, NAPs serve as roadmaps for integrating human rights into national regulatory and policy frameworks affecting businesses.¹⁵³ They involve broad consultations with stakeholders – government agencies, businesses, civil society, affected communities, and international organizations – to ensure a participatory and transparent approach to human rights governance.¹⁵⁴

NAPs also align national strategies with international obligations, facilitating coherence across sectors such as trade, investment, labour, and environment.¹⁵⁵ While the UNGPs themselves are not legally binding, they create soft-law obligations that derive normative authority from international human rights treaties and customary international law. Under the first pillar of the UNGPs, states have an explicit duty to protect individuals against human rights abuses by third parties, including businesses. The Human Rights Council and the UN Working Group on Business and Human Rights have consistently encouraged states to develop NAPs as a means of fulfilling this duty.¹⁵⁶

Children are uniquely vulnerable to adverse business practices due to their dependency, evolving capacities, and distinct needs. They are affected across a range of sectors – labour, marketing, environmental degradation, digital technologies, and supply chains.

151. Cathrine Poulsen-Hansen, Sara Blackwell, Patrick Geary, 'Children's Rights in National Action Plans (NAPs) on Business and Human Rights', <https://globalnaps.org/wp-content/uploads/2018/01/childrens-rights-in-national-action-plans-naps-on-business-and-human-rights.pdf> (accessed November 2, 2025).

152. United Nations, 'National action plans on business and human rights' <<https://www.ohchr.org/en/special-procedures/wg-business/national-action-plans-business-and-human-rights>> (accessed October 27, 2025).

153. United Nations, 'Guidance on National Action Plans', https://www.ohchr.org/sites/default/files/Documents/Issues/Business/UNWG__NAPGuidance.pdf, (accessed October 27, 2025).

154. Ibid.

155. Claire Methven O'Brien, Cathrine Bloch Poulsen-Hansen, 'National Action Plans on Business and Human Rights: A Toolkit For the Development, Implementation, And Review of State Commitments To Business and Human Rights Frameworks (June 2014)', <<https://globalnaps.org/wp-content/uploads/2018/01/guidance-on-national-action-plans-on-business-and-human-rights.pdf>> (accessed October 27, 2025).

156. United Nations, 'Guidance on National Action Plans' <https://www.ohchr.org/sites/default/files/Documents/Issues/Business/UNWG__NAPGuidance.pdf> (accessed November 2, 2025).

The UNICEF Children's Rights and Business Principles (CRBPs) supplement the UNGPs by providing specific guidance on how businesses and governments can prevent harm and promote children's welfare.

Consequently, NAPs that omit child-specific considerations risk perpetuating structural neglect, particularly in Africa where child labour, exploitation, and environmental harms disproportionately affect children. The explicit inclusion of children's rights in NAPS on BHRs serves several essential purposes.

First, it ensures visibility and accountability, recognizing children as rights-holders in their own capacity rather than as passive beneficiaries of adult-focused policies. This recognition affirms the principle that children are entitled to full protection and participation within national and corporate governance systems.

Second, explicit reference to children's rights enables comprehensive protection by addressing the cross-cutting nature of issues that affect children's well-being – such as access to education, healthcare, social protection, and environmental safety. Moreover, the inclusion of children's rights strengthens human rights due diligence by compelling businesses to identify, assess, and mitigate child-specific risks in their operations, supply chains, and impact reporting. This process ensures that corporate accountability mechanisms capture the distinct ways in which children are affected by business activities, from exploitative labour practices to environmental degradation.

Finally, explicit integration promotes meaningful participation, guaranteeing that children's voices are heard in consultations, decision-making, and monitoring processes.



4.3

CHILD RIGHTS IN AFRICA'S NATIONAL ACTION PLAN ON BUSINESS AND HUMAN RIGHTS

Across Africa, a growing number of countries have adopted or are in the process of developing NAPs on BHR. Kenya became the first country to adopt a NAP in 2019, followed by Uganda in 2021, Nigeria in 2023, Liberia in 2024, and most recently Ghana in 2025.

Several other states have formally launched processes to develop their own plans, including Ethiopia (2024),¹⁵⁷ Tanzania (2023),¹⁵⁸ Tunisia (2023),¹⁵⁹ and Zambia (2017).¹⁶⁰ Morocco, while not having a stand-alone NAP on BHR, integrated a dedicated chapter on business and human rights into its National Action Plan for Democracy and Human Rights (2018–2022), adopted in 2017.¹⁶¹ In Sierra Leone, a Draft National Policy on Business and Human Rights has been developed as a preliminary step toward a future NAP. Unlike a NAP, a national policy sets out broad principles and strategic objectives rather than specific, time-bound actions.

The following sections provide a general qualitative assessment of child rights mainstreaming for the countries that have adopted NAPs on BHR.

157. Ethiopia: 1st NAP (Under development) <<https://globalnaps.org/country/ethiopia/>> (accessed November 5, 2025)

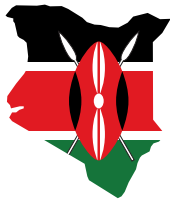
158. Tanzania: 1st NAP (Under development) <<https://globalnaps.org/country/tanzania/>> (accessed November 5, 2025)

159. Tunisia: 1st NAP (Under development) <<https://globalnaps.org/country/tunisia/>> (accessed November 5, 2025)

160. Zambia: 1st NAP (Under development) <<https://globalnaps.org/country/zambia/>> (accessed November 5, 2025)

161. Morocco, National Action Plan for Democracy and Human Rights, 2018–2021

<<https://www.humanrights.dk/files/media/document/Morocco%20NHRAP%202018-2021%20English.pdf>> (accessed November 5, 2025)



a) Kenya

Kenya's National Action Plan (NAP) on Business and Human Rights (BHR) was approved by Cabinet in April 2021. According to the document, the NAP aligns with Kenya's Vision 2030 and the UNGPs, aiming to integrate human rights into business practices. While broad in scope, the NAP contains important provisions that directly affect children's rights. The NAP is structured into four main chapters.¹⁶² Chapter two (Situational Analysis and Thematic Area) reviews Kenya's experience with business and human rights. Under the social pillar of Vision 2030, Kenya seeks to foster a just, cohesive society with equitable access to opportunities in a clean and secure environment. Key sectors under this pillar include youth development and social equity.

Chapter three (Policy Actions) commits the government to developing procedural guidelines for businesses, communities, and individuals in negotiations over land access and acquisition. These guidelines are intended to safeguard the participation of vulnerable groups, including youth and children, ensuring their interests are considered in land-related business activities. Under Pillar 3: Access to Remedy, the government pledges to strengthen the labour inspection department to address workplace grievances. This includes increasing the number of labour inspectors to ensure compliance with labour standards, particularly in relation to the prohibition of child labour. The NAP also addresses non-state-based grievance mechanisms. It requires the government to provide guidance for businesses in establishing credible, operational-level grievance processes aligned with international standards, and responsive to children's rights and vulnerabilities. In chapter four oversight of the NAP is entrusted to a Steering Committee chaired by the Department of Justice and the Kenya National Commission on Human Rights. The Committee includes representatives from key institutions such as the National Council for Children's Services, ensuring that children are explicitly recognized as important participants in implementation and monitoring.

Children are substantively referenced five times in the NAP: three times under labour considerations, particularly relating to child labour; once under state policy actions linked to the duty to protect; once in the section on state-based judicial and non-judicial remedies; once under non-state grievance mechanisms; and once in implementation and monitoring, through inclusion in the stakeholder committee. However, broader issues such as digital safety, environmental impacts, and corporate accountability for child-sensitive services are not fully addressed.

As the first African nation to adopt a NAP on BHRs, Kenya's NAP

¹⁶² Kenya, National Action Plan on Business and Human Rights, <https://globalnaps.org/wp-content/uploads/2024/01/NAP-Kenya-2020-2025-English.pdf>. (accessed October 28, 2025).

represents an important step toward integrating children's rights into business regulation. While the references are limited, they establish a foundation for advocacy to strengthen protections against child labour, ensure meaningful participation in land and community decisions, and secure access to remedies.



b) Uganda

The National Action Plan on Business and Human Rights (2021–2026) of Uganda launched on 31 July 2021, contains extensive provisions on children.¹⁶³

In Chapter Three (Situational Analysis), the NAP emphasizes labour rights, noting that the government has created an enabling environment for businesses, which have become a major source of employment, particularly for youth and women. Yet, despite this progress, challenges remain.

The overall unemployment
rate stood at

9.7%,

with youth unemployment
reaching

40.7%.

This high rate has pushed many, especially young people, to accept any available work, even in exploitative conditions. The NAP acknowledges reports of human rights abuses linked to business operations, particularly affecting vulnerable groups such as women, youth, and persons with disabilities.

On women, vulnerable, and marginalized groups, Uganda's NAP highlights that child labour remains a pressing concern.



An estimated

two million children

aged 5–17 are engaged in
child labour, with

1.7 million

under 14 years old and about

507,000

involved in hazardous work.

163. Uganda, The National Action Plan on Business and Human Rights (August 2021) <https://globalnaps.org/wp-content/uploads/2025/03/uganda_approved-national-action-plan-on-business-and-human-rights_august-2021.pdf> (accessed October 30, 2025).



Sectors most affected include agriculture, domestic service, artisanal and small-scale mining, and commercial sexual exploitation. The proportion of children in hazardous work is significantly higher in urban areas (61%) compared to rural areas (23%). Stakeholder consultations confirmed these findings, noting that children are recruited to work on sugar, rice, and tea plantations, in fishing, and in mining and quarrying activities. The construction sector was also flagged, with children performing heavy manual labour. Poverty was identified as the primary driver of child labour, while additional risks such as sexual assault and increased child exploitation were reported during infrastructure projects, including the construction of the Kabwoya–Fort Portal–Kamwenge road.

Regarding youth, the NAP notes that consultations revealed widespread concerns about discrimination in accessing employment. Many youths reported being limited to low-paying casual jobs, often without formal contracts outlining their terms of employment. In the Eastern and Western regions, youth highlighted cases of underpayment and even non-payment, particularly by construction companies. Consultations in Northern Uganda further exposed rights abuses faced by youth working on large commercial farms. Many of these young workers had been transported from distant districts such as West Nile, only to be abandoned and left stranded. With limited local resources, nearby districts struggled to provide assistance or facilitate their safe return.

Chapter four sets out the strategic direction and interventions for implementing the UNGPs in response to the issues identified in the situational analysis. Under this section, the second objective focuses on strengthening human rights compliance and accountability among businesses by empowering communities – particularly vulnerable groups such as children – to claim their rights. The state is tasked with facilitating community dialogues with rights holders, giving priority to women, youth, older persons, persons with disabilities, ethnic minorities, and those living in hard-to-reach areas. The fourth objective emphasizes social inclusion and the protection of vulnerable and marginalized groups within business operations. The NAP seeks to equip communities with the tools to demand the protection and fulfilment of their rights, as well as improved access to justice. Importantly, the NAP also commits to implementing the Children’s Rights and Business Principles (CRBPs).



c) Nigeria

Nigeria approved its National Action Plan (NAP) on Business and Human Rights in April 2023. This NAP was later incorporated as a dedicated chapter within the broader National Action Plan for the Promotion and Protection of Human Rights (2024–2028), formally adopted on 14 January 2024.¹⁶⁴ The Nigerian NAP outlines existing constitutional obligations, domestic laws, international commitments, and relevant policy and administrative measures.

The NAP references Nigeria's commitment to the UN Convention on the Rights of the Child (CRC) as part of its binding international legal framework. Beyond the constitutional reference in Section 17(3) – which obliges the State to ensure that children, young persons, and the elderly are protected from all forms of exploitation, as well as moral and material neglect – the NAP also addresses employment practices. It mandates the National Working Group on Business and Human Rights to develop Guidance Notes for companies, aimed at aligning employment processes with human rights standards. These guidelines will emphasize non-discrimination and the prevention of child labour, while also ensuring that issues of gender equality and disability inclusion are adequately considered, in line with existing labour laws.

The NAP is notably weak in addressing and safeguarding children's rights. The limited provisions on children focus predominantly on child labour without much reference or acknowledgement of the several other impacts of business activities on children. Its provisions lack clarity and fail to establish strong protections for children, particularly in the context of corporate irresponsibility. Instead, the NAP appears narrowly focused on outlining challenges and strategies for implementing the three pillars of the UNGPs without giving adequate attention to child-specific concerns.



d) Liberia

The Republic of Liberia launched its first National Action Plan (NAP) on Business and Human Rights (2024–2028) on 14 August 2024.¹⁶⁵ In Chapter Two (Situational Analysis), the NAP highlights the persistence of forced child labour in Liberia. Under the traditional “ward” system, many rural families send their children to live with relatives, acquaintances, or even strangers in urban areas, with the expectation that they will receive an education. However, in practice, some of these children are instead compelled to work as street vendors, domestic servants, or beggars, while girls in particular face exploitation through commercial sex work.

Children are a key focus of the NAP's thematic areas. On land and natural resources, the NAP observed that labour inspections and joint

164. Nigeria, NAPs on BHRs, <<https://globalnaps.org/wp-content/uploads/2024/02/NAP-Nigeria-2024-2028-English.pdf>> (accessed October 25, 2025)

165. Liberia, 'NAPs on BHRs' <<https://globalnaps.org/wp-content/uploads/2025/01/LIBERIA-NAP-BHR-1.pdf>> (accessed October 25, 2025)

monitoring by relevant government agencies – such as the National Bureau of Concessions, Mold, the Environmental Protection Agency, and the National Investment Commission- are limited and often ineffective. These agencies are mandated to carry out on-site inspections to address issues like workplace safety, child labour, and other human rights violations, but enforcement remains weak. Consultations for the NAP highlighted particular concerns over the growing number of children under 18 engaged in hazardous forms of work. Regarding environmental protection, the consultations identified serious child-related risks in slum settlements near concession areas, where many concession workers live. These communities often lack proper sanitation facilities, forcing residents to rely on open defecation. This contributes to outbreaks of contagious diseases, stunting among young children, and other serious health challenges.

In addressing land and natural resource-related human rights violations, the NAP observed in chapter three that while various non-state-based remedy mechanisms exist, many victims, particularly women and children, are unable to access them due to lack of awareness or literacy. To strengthen accountability, the NAP proposes the creation of a National Working Group on Business and Human Rights. Once established, this body will develop Guidance Notes for companies to ensure employment practices comply with human rights standards, specifically targeting non-discrimination, prevention of child labor, and prevention of forced labour. These guidelines will also integrate gender and disability considerations, consistent with existing labour laws.

On broader access to justice, the NAP highlights steps taken as part of Liberia's post-conflict judicial reforms. Notably, the establishment of the country's first Juvenile Court inaugurated on 16 June 1997 during the Day of the African Child marked a key milestone in improving the juvenile justice system and strengthening protections for children.



e) Ghana

Ghana launched its first National Action Plan on Business and Human Rights (2025–2029) on 14 July 2025.¹⁶⁶ The NAP, whose scope covers children, provides detailed explanations of key terms. For example, a caregiver is described as a family member or paid helper who regularly looks after a child, an elderly person, or someone who is sick or disabled. Debt bondage is defined, consistent with UN and ILO standards, as a form of modern slavery or servitude where individuals, often women and children, are forced to work under threat of penalty without voluntarily offering their services. Similarly, the Worst Forms of Child Labour are understood to include slavery and slavery-like practices such as child trafficking, debt bondage, forced labour, and the exploitation of children in prostitution, pornography, or other

166. Ghana, 'NAP on BHRs' <https://globalnaps.org/wp-content/uploads/2025/09/Ghana-NAP-2025-29-English.pdf> (accessed October 25, 2025)



abusive activities. The NAP emphasizes that Ghana recognizes the Sustainable Development Goals (SDGs) as being rooted in human rights principles and standards, particularly the commitment to “reach the farthest first and leave no one behind.” Achieving socio-economic transformation, therefore, requires aligning sustainable development with responsible business conduct. This is reflected in SDG 8.7, which calls for the prohibition and elimination of the worst forms of child labour and sets indicators for responsible business practices. The NAP further highlights that the Government of Ghana expects businesses to respect and uphold fundamental human rights and to address adverse impacts on all individuals, especially vulnerable and marginalized groups. This includes employees, community members, children, women, and persons with disabilities across business value chains. However, the National Baseline Assessment to support the development of a NAP on BHR revealed significant gaps, including child labour practices, and the absence of robust human rights due diligence mechanisms. Ghana is also expected to uphold and promote international human rights instruments and soft law frameworks, such as the Convention on the Rights of the Child (CRC).

From a sectoral perspective, the NAP identifies recurring human rights concerns across key industries. In the extractives sector, workers and surrounding communities face serious violations, including the involvement of children in mining operations. The agriculture sector continues to struggle with the worst forms of child labour, while the blue economy is affected by climate change alongside abuses such as child and forced labour. In the ICT sector, which plays a critical role in mobile money systems, digital services, health, e-commerce, and transportation, the rapid expansion of digitalization has created new risks. Among the most alarming are online security challenges, including child pornography. To mitigate these risks, the NAP emphasizes the need for stronger state measures to combat cyber fraud, ensure that mobile telecommunications companies and internet service providers actively detect, report, and remove child sexual abuse material, and strengthen cooperation with law enforcement to facilitate investigations.

The NAP addresses cross-cutting issues, with specific attention to children's rights. It highlights that the 1992 Constitution and the Children's Act (1998) guarantee special protection for children and young people against physical and moral harm. Every child has the right to be shielded from abuse, neglect, and exploitation, and the law strictly prohibits involving children in activities that endanger their health, education, or overall development. Further, the State carries a duty to protect children from hazardous and exploitative labour, ensuring that the best interests of the child are upheld at all times. This responsibility extends to children with disabilities, where efforts must be made to create supportive environments for both children and their caregivers. However, despite the presence of these protective legal frameworks, violations persist. Children continue to face sexual exploitation, the worst forms of child and forced labour, particularly in agriculture, fishing, and mining, trafficking, and exposure to business practices that encourage harmful, age-inappropriate behaviours, undermining their fundamental rights.

On Labour and Employment Rights, the NAP acknowledges persistent challenges such as unpaid maternity leave and the continued prevalence of the worst forms of child labour, despite constitutional and legal protections. On Implementation and Reporting, the NAP assigns responsibility to the Ministry of Gender, Children and Social Protection. The Ministry is tasked with reviewing policies affecting both the State and businesses to curb child labour in mining, fishing, and farming. It is also mandated to organize capacity-building initiatives, public education, and awareness programmes to strengthen the enforcement of laws protecting vulnerable groups.

Ghana's NAP on BHRs stands out as one of the most comprehensive frameworks in Africa, particularly in its treatment of child rights and business responsibilities. The NAP explicitly identifies children as a group vulnerable to a range of human rights violations and integrates child protection measures throughout its policy and implementation strategies. As detailed on page 19 of the NAP, children in Ghana are exposed to numerous forms of exploitation and harm. These include sexual exploitation, child labour – especially in the agriculture, fisheries, and mining sectors – sale and trafficking of children, exposure to hazardous chemicals in mining activities, and cybersecurity-related risks such as online sexual abuse and exploitation. The Plan also recognizes the pervasive effects of environmental degradation, particularly how pollution and resource depletion threaten children's health, education, and overall development. These documented infractions reflect the urgent need for state and corporate accountability to safeguard children's rights in both formal and informal business sectors. Further, the NAP sets out clear implementation structures and timeframes. On page 37, the plan identifies the relevant implementing agencies and responsible actors,

while page 38 outlines targeted activities, including sensitization programs aimed at promoting compliance with child rights and business principles. Among the proposed actions are the intensification of enforcement of the Cybersecurity Act and the implementation of national child protection frameworks to prevent online sexual exploitation and abuse. Importantly, under section 1.6, the NAP proposes incorporating business and human rights education into the national curriculum – from basic through to senior high school. This initiative seeks to ensure that children themselves are informed about their rights in the context of business activities and are empowered to participate meaningfully in promoting ethical practices. The plan also envisions training programs for teachers, school proprietors, and sports organizations to strengthen understanding and dissemination of BHR principles across educational and recreational settings.

The Plan places strong emphasis on environmental protection and the integration of children’s rights within the broader business and human rights framework. It calls for a review of environmental laws to safeguard land, forests, and water resources, recognizing that environmental degradation directly threatens children’s health and future opportunities. Under Pillar Two, the NAP introduces innovative mechanisms to promote corporate accountability, including the establishment of Voluntary Compliance and Responsibility (VCR) desks within businesses to ensure decisions do not harm children. It also mandates human rights due diligence and regular reporting to the Commission on Human Rights and Administrative Justice (CHRAJ) as tools for transparency and compliance.

Furthermore, the NAP outlines a nationwide public sensitization campaign to educate businesses about their human rights obligations, particularly regarding children, and encourages collaboration between regulators and the private sector to incorporate child rights into business licensing and renewal processes.



The NAP emphasizes that Ghana recognizes the Sustainable Development Goals (SDGs) as being rooted in human rights principles and standards, particularly the commitment to “reach the farthest first and leave no one behind.”

4.4

CHILD RIGHTS IN NATIONAL HUMAN RIGHTS LAW AND POLICIES: IMPLICATIONS FOR CHILD RIGHTS AND BUSINESS

While NAPs on BHR are key mechanisms for operationalizing the UNGPs, they remain voluntary mechanisms, and are in many African states, still at formative stages. As of 2025, only 5 countries have adopted official NAPs, while several others are in various stages of drafting or consultation. This leaves the majority of African states without a formal policy instrument dedicated to business and human rights.

Given this reality, any meaningful assessment of children's rights and business in Africa must necessarily look beyond NAPs to other national frameworks – such as national human rights policies, constitutions, development plans, sectoral regulations, and child protection strategies – which collectively shape how states regulate business conduct and fulfil their duty to protect children from corporate irresponsibility.

This section examines national human rights policies to determine how African states address the linkage between business activities and children's welfare.

It evaluates whether governments recognize business-related human rights obligations, impose duties on private actors, include child-specific protections in key sectors, and establish mechanisms for enforcement and remedy.

Through these synoptic overviews, the study highlights both progress and gaps in how African countries integrate children's rights into economic and corporate governance frameworks.



Algeria

Article 67 of Algeria's 2020 Constitution obliges the state to preserve the environment and stipulates that "the law shall determine the obligations of natural and legal persons pertaining to the protection of the environment."¹⁶⁷ Although this provision could indirectly support the protection of children's rights in the context of business activities, Algeria's broader child protection framework does not explicitly address corporate responsibility toward children. The Child Protection Law (Law No. 15-12 of 2015) primarily focuses on the state's duty to safeguard children in situations of emergency, disaster, and armed conflict, without extending these protections to potential harms arising from business operations.¹⁶⁸ Recent policy developments, particularly the ongoing consultative process for the National Action Plan for Children (2025–2030),¹⁶⁹ reflect Algeria's growing commitment to integrating child protection within national development and human

¹⁶⁷ Algeria (2020) <https://www.constituteproject.org/constitution/Algeria_2020 (accessed November 2, 2025)

¹⁶⁸ Loi no 15-12 du 28 Ramadhan 1436 correspondant au 15 juillet 2015 relative à la protection de l'enfant

¹⁶⁹ UNICEF, Statement of Algeria, <https://www.unicef.org/executiveboard/media/31856/file/2025-AS-Item-3-Algeria-statement-EN-2025-06-10.pdf> (accessed September 24, 2025).



rights strategies. However, to ensure meaningful impact, greater attention must be directed toward vulnerable groups – including girls, children with disabilities, and those affected by labour exploitation or online risks, so that these initiatives effectively address the full spectrum of challenges children face in relation to business and the economy.

Angola

Angola's Child protection Law No. 25/12 on the Protection and Integral Development of the Child (2012),¹⁷⁰ sets out broad legal rules and principles on the protection and integral development of children. It establishes that the rights of children are universal (non-discrimination) and that the State, families, communities and society are responsible for ensuring a “healthy and propitious environment” for a child's development.¹⁷¹ The law does not explicitly impose detailed obligations on business enterprises. While the law mentions “entities of the public enterprise sector” as part of the child-protection system,¹⁷² these are very general and not written as specific regulatory obligations for businesses.

The Labour Law No. 12/23 (2024) sets the minimum age for employment at 14 and prohibits hazardous work for those under 18, though gaps remain in its hazardous-work schedule. For instance, because the hazardous-work definitions are vague or incomplete, they may fail to cover children engaged in informal sectors such as small-scale artisanal mining, subcontracted agriculture, informal economy, which are known child-labour risks in Angola. There is also the challenge of “informal economy” loopholes as child work outside formal employment may not be captured by the law's employment-contract framework, meaning hazardous work by children may persist unregulated.

Angola's 2010 Constitution establishes several principles relevant to business and human rights.¹⁷³

Article 49 mandates that business associations must operate within ethical and legal boundaries that respect fundamental human rights.

Importantly, Article 75 provides for civil liability of the state and public corporate bodies for acts committed in the exercise of legislative, judicial, or administrative duties that violate citizens' rights, freedoms, or guarantees, while individuals directly involved in such violations may also face criminal liability.

170. Lei n.º 25/12 de 22 de Agosto, <<https://jornadas50anos.tribunalconstitucional.ao/wp-content/uploads/2025/04/Lei-25-12-de-22-de-Agosto.pdf>> (accessed October 5, 2025).

171. Ibid.

172. Ibid, article 52.

173. Angola 2010, <https://www.constituteproject.org/constitution/Angola_2010> (accessed November 3, 2025).



Republic of Benin

The Code de l'enfant (Law No. 2015-08) is a comprehensive statute defining a child as under 18, prohibiting economic and sexual exploitation and trafficking, and articulating duties of the State and private actors. For example, the Code imposes a legal obligation on employers and enterprises to ensure that no child is engaged in work that undermines their physical, mental, moral, or social development.

Article 212–214 prohibits the employment of children in hazardous or exploitative labour, including work that interferes with education or takes place under dangerous conditions. Private employers, including in domestic work, agriculture, mining, and services, are directly bound by these provisions. Businesses are prohibited from hiring children under 14 years, and those aged 14–17 may only engage in “light work” under regulated conditions. Furthermore, the Code explicitly prohibits any form of sexual exploitation or trafficking of children for profit, whether by individuals or organized entities.

Articles 369–375 criminalize the recruitment, transport, harbouring, or use of children for sexual or economic exploitation, while Articles 40–44 oblige all actors - including corporations - to avoid exposing children to pollution, hazardous substances, or unsafe products.

The Labour Law No. 2017-05 (2017) modernizes rules on hiring, placement, and termination relevant to apprenticeships, agency labour, subcontracting, and contractor oversight. The Law sets 15 years as the minimum age for admission to employment or work, except where specific regulations allow for “light work” that does not interfere with a child's education, health, or moral development. It also prohibits the employment of children under 18 years of age in any work deemed hazardous to their health, safety, or moral integrity. A list of prohibited hazardous occupations is maintained by ministerial order and includes activities such as mining, construction, manufacturing with dangerous chemicals, and nighttime or underground work.

This complements Article 214 of the Code de l'enfant, which defines hazardous work as labour that exposes children to physical or psychological harm.¹⁷⁴ The Labour Law expressly prohibits forced or compulsory labour, including that of children, and criminalizes all forms of coercion, debt bondage, or trafficking for work purposes.¹⁷⁵

The Penal Code (Law No. 2018-16) (2018) consolidates offences (trafficking, sale of children, sexual exploitation) and, importantly, provides for corporate criminal liability where offences are committed for a company's account or benefit, for example under Article 504).

174. See Articles 167–169.

175. Articles 4, 5, and 170–172.



Botswana

From a child-labour perspective, the Employment Act (1984) establishes the minimum age for work at 15 and sets 18 as the threshold for hazardous work.¹⁷⁶ However, the law has several gaps: there is no official hazardous-work list, no statutory compulsory education age, and the conditions for light work from age 14 are undefined. Furthermore, while commercial sexual exploitation of children (CSEC) is a persistent concern, the law does not explicitly criminalize the use of a child for commercial sex work. These gaps leave children vulnerable to early entry into work, unsafe working conditions, and exploitation. The U.S. Department of Labor's 2023 assessment classified Botswana's progress as "moderate advancement."¹⁷⁷

The Children's Act of 2009 provides a comprehensive framework for the protection of children, covering abuse, exploitation from the act of non-state actors, participation, and access to services.¹⁷⁸

The Employment Act (1982, as amended) establishes a minimum age of 15 for employment, prohibits hazardous work for those under 18, and permits light work from age 14. However, light work is undefined, and the absence of a hazardous-work schedule leaves businesses without operational guidance. The Act does ban night work and underground work for children.

Burkina Faso

Burkina Faso advances the business–child-rights agenda through its Politique nationale des droits humains et de la promotion civique (PNDHPC) and successor justice-human rights sector policies.¹⁷⁹ Burkina Faso's economy includes artisanal and small-scale gold mining and agriculture, where child rights risks, including hazardous work, exposure to chemicals, school drop-out, are well-documented.¹⁸⁰

In 2024, Burkina Faso made moderate progress toward eliminating the worst forms of child labour. The government adopted a new Mining Code (2024) that explicitly prohibits the employment of children at mining sites.¹⁸¹ In addition, the Ministry of Civil Service, Labour, and Social Protection released the findings of the 2022 National Child Labour Survey.¹⁸² The survey revealed alarming trends regarding the

176. Republic of Botswana, Chapter 47:01, Employment <https://www.botswanalm.o.org.bw/system/files/Legislation_Employment_Act.pdf (accessed November 2, 2025).

177. https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2023/Botswana.pdf

178. Republic of Botswana, Children's Act <<https://citizenshiprights4africa.org/wp-content/uploads/2016/01/Botswana-Childrens-Act-2009.pdf>> (accessed November 3 2025)

179. Burkina Faso, 'POLITIQUE NATIONALE DES DROITS HUMAINS

ET DE LA PROMOTION CIVIQUE' <<https://media.unesco.org/sites/default/files/webform/r2e002/570677a20fc932a6e2eb375f1bd276f1be6cfc7b.pdf>> (accessed November 3, 2025)

180. International Labour Organization, 'Child Labour in Mining and Global Supply Chains (May 2019).

181. Burkina Faso, LOI No 016-2024/ALT <<https://www.wakatsera.com/wp-content/uploads/2024/08/Loi-016-24-ALT-Portant-CODE-MINIER-DU-Burkina-Faso.pdf>> (accessed October 22, 2025)

182. International Labour Organization, 'Enquête Nationale sur le Travail des Enfants 2022' <<https://webapps.ilo.org/surveyLib/index.php/catalog/8654>> (accessed September 30, 2025)



persistence and scope of child labour across the country. A significant proportion of children between the ages of 5 and 17 are engaged in various forms of labour, many of which are hazardous or exploitative. The problem is particularly acute in rural areas, where economic vulnerability and limited access to education push children into informal and high-risk sectors.¹⁸³ Among the most affected industries are artisanal and small-scale gold mining (ASGM), agriculture – notably in the cotton, livestock, and subsistence farming sectors – and domestic service and street vending in urban and peri-urban areas. These sectors not only expose children to physical and psychological harm but also deprive them of their right to education and healthy development. The survey's findings demonstrate that child labour in Burkina Faso is deeply entrenched in structural conditions of poverty, informal economic activity, and inadequate social protection systems. These systemic weaknesses perpetuate cycles of vulnerability where children are compelled to work to support household survival.

The Code de l'Enfant (Law No. 49/2008/AN of 16 December 2008) guarantees access to education, healthcare, and protection from economic exploitation.¹⁸⁴ It also protects children from abuse and exploitation. The Code explicitly prohibits hazardous and exploitative child labour, recruitment of children into armed conflict, and sexual exploitation, aligning national law with the ACRWC.

The Labour Code (Law No. 028-2008/AN of 13 May 2008) strengthens the protection of children from economic exploitation. It sets the minimum age for employment at 16 and prohibits hazardous work for all persons under 18. A list of hazardous occupations – developed in line with ILO Convention No. 182 – identifies sectors where children's involvement is banned, such as mining, construction, and pesticide-based agriculture.

Burundi

Under the Labour Code of November 2020, Burundi raised the minimum age for employment to 16, set 15 for light work, and 18 for hazardous work.¹⁸⁵ The Code also, importantly, extended protections to children working in the informal economy.¹⁸⁶ Despite these advances, significant gaps remain: hazardous-work restrictions are not broad with the implication that children can work in high risk sectors such as oil and gas sectors.¹⁸⁷ For example Article 2 provides to the effect that family-based agricultural, livestock, commercial, and industrial labour is not subject to the provisions of this Code, with the exception of provisions

183. Ibid.

184. Ibid.

185. Republic of Burundi, Labour Code <https://www.hcwpolicylab.org/wp-content/uploads/2024/03/1993_Burundi_labour-Code_rev-2020French-version.pdf> (accessed September 30, 2025)

186. Ibid, Articles 3 and 4

187. Bureau of International Labor Affairs, Burundi, <https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2020/Burundi.pdf> (accessed November 3, 2025)



concerning occupational safety and health and work prohibited for children and pregnant or breastfeeding women.

The country still faces serious challenges, such as widespread child labour and high rates of violence against children.¹⁸⁸ Ongoing efforts seek to address these issues through increased resources for labour inspections, the development of a national action plan on human trafficking, and programs designed to integrate vulnerable groups, including Batwa children into education and broader society.¹⁸⁹ At the same time, Burundi still lacks a comprehensive personal data protection law. Existing sectoral rules do not provide adequate safeguards for children's online privacy or security. This legal gap leaves corporate obligations around children's data, targeted advertising, and online harms unclear, creating risks in the digital environment.

Serious child labour abuses remain widespread in Burundi, particularly in commercial sexual exploitation (including trafficking), artisanal mining and quarrying (e.g., gold), charcoal production, construction, fishing, street vending, begging, and domestic work. Most of these occur in the informal sector, where labour inspection and enforcement are weakest.¹⁹⁰

Republic of Cabo Verde

The Estatuto da Criança e do Adolescente (ECA) is Cabo Verde's Child and Adolescent Statute (2025). It consolidates protections for children and adolescents, defines the age of majority, and aligns national law with obligations under the ACRWC. It serves as the operational framework guiding both public institutions and private actors.¹⁹¹

The Instituto Cabo-verdiano da Criança e do Adolescente (ICCA) functions as the central child-protection authority. Under the Labour Code (2007), hazardous work is prohibited for those under 18. However, the National List of Dangerous Work applies only to children under 16, leaving 16–17-year-olds without adequate protection. Rules on the conditions and hours of "light work" are also underdeveloped.

The Penal Code (2003) criminalizes child trafficking, sexual exploitation, and the use of children in illicit activities.¹⁹²

On the policy front, the National Strategy/Action Plan to Combat Trafficking in Persons 2018–2021 enhanced the role of the National Trafficking Observatory, data collection systems, and public

188. Humanium, 'Realizing Children's Rights in Burundi' <<https://www.humanium.org/en/burundi>> (accessed October 23, 2025)

189. UNICEF, Child Protection, <https://www.unicef.org/burundi/media/6836/file/6-ENG_protection%20enfant_BudgetBrief%202024-25.pdf.pdf> (accessed October 15, 2025).

190. Bureau of International Labor Affairs, Burundi, <https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2020/Burundi.pdf> (accessed November 3, 2025)

191. Lei n° 50/VIII/2013, do B.O. I Série, n° 70, de 26 de Dezembro.

192. Cape Verde, Penal Code <https://www.icnl.org/wp-content/uploads/Cabo_Verde_Penal_Code_Excerpts.pdf> (accessed October 23, 2025)



awareness initiatives.¹⁹³ Similarly, the National Plan to Prevent and Combat Sexual Violence Against Children and Adolescents (2022–2024),¹⁹⁴ sets out measures for prevention, survivor support, institutional capacity building, and combating impunity, particularly relevant in high-risk sectors such as tourism, transport, and digital platforms. Notably, the Plan highlights the role of industry – particularly cocoa, transport, and tourism sectors – in preventing child exploitation. It promotes public–private partnerships for awareness, ethical supply chains, and enforcement of labour standards, thereby placing part of the accountability on businesses to mitigate risks of child abuse linked to their operations.

Cameroon

Cameroon’s legal framework on child protection is reinforced by two key statutes that address trafficking and exploitation. Law No. 2011/024 of 14 December 2011 on the Fight Against Trafficking in Persons and Slavery criminalizes the recruitment, transportation, transfer, harbouring, or receipt of persons, including children, for purposes of exploitation.¹⁹⁵ The law explicitly prohibits forced labour, slavery, servitude, sexual exploitation, and the removal of organs. Complementing this is Law No. 2005/015 of 29 December 2005 on the Fight Against Child Trafficking and Slavery,¹⁹⁶ which specifically addresses the trafficking of children and serves as a precursor to the 2011 statute. This law defines child trafficking as any act of recruiting, transporting, transferring, harbouring, or receiving a child for the purpose of exploitation. It provides for severe criminal sanctions, including imprisonment of up to twenty years, reflecting the gravity of offences that jeopardize children’s safety and development.¹⁹⁷

In its Concluding Observations on Cameroon’s combined third to fifth periodic reports, the Committee on the Rights of the Child (CRC) expressed deep concern over the adverse impact of business activities on children’s rights,¹⁹⁸ particularly those involving transnational corporations in the extractive and agribusiness sectors. The Committee observed that these corporate operations have contributed to the forced displacement of indigenous and minority communities, the contamination of food and water sources, and significant environmental degradation, all of which have direct and harmful consequences for children’s health, nutrition, and overall well-being.¹⁹⁹

193. United Nations, National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21. A/HRC/WG.6/44/CPV/1 < https://upr-info.org/sites/default/files/country-document/2023-10/A_HRC_WG.6_44_CPV_1_EN.pdf > (accessed November 3, 2025)

194. Ibid.

195. LAW N° 2011/024 OF 14 DECEMBER 2011 <<http://minjustice.gov.cm/index.php/en/instruments-and-laws/laws/243-law-n-2011-024-of-14-december-2011-relating-to-the-fight-against-trafficking-in-persons-and-slavery>> (accessed November 3, 2025)

196. Law n° 2005 / 015 of 29 December 2005 relating to the fight against child trafficking and slavery <<http://minjustice.gov.cm/index.php/en/instruments-and-laws/laws/377-law-no-2005-15-of-29-december-2005-relating-to-the-fight-against-child-trafficking-and-slavery>> (accessed November 3, 2025)

197. Ibid.

198. Committee on the Rights of the Child, Concluding observations on the combined third to fifth periodic reports of Cameroon (6 July 2017) <<https://www.refworld.org/policy/polrec/crc/2017/en/118713>> (accessed October 27, 2025)

199. Ibid.



The Committee further underscored the absence of an adequate regulatory framework to monitor and address such impacts. Drawing on its General Comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights, and the UN Guiding Principles on Business and Human Rights (2011), the Committee urged Cameroon to strengthen its legal and institutional architecture to ensure that corporate conduct aligns with international human rights standards. Specifically, the Committee recommended that Cameroon establish a comprehensive regulatory framework requiring that business activities do not infringe on human rights, especially those of children, nor compromise environmental and public health standards. It further called for mechanisms to guarantee corporate compliance with both national and international obligations through effective monitoring, sanctions, and remedies for violations.

Finally, the Committee emphasized the need for businesses to undertake human rights and environmental impact assessments, engage in meaningful consultations with affected communities, and publicly disclose the findings of such assessments along with detailed plans to mitigate adverse effects.

Central African Republic

The Central African Republic (CAR) has developed an SDG 8.7 national roadmap that prioritizes legal and policy reforms, prevention, protection, prosecution, capacity building, data collection, and partnerships – providing important foundations for future BHR programming.²⁰⁰ The Child Protection Code (2020) criminalizes the recruitment and use of children by armed groups and provides broad protections against abuse, violence, and exploitation. It strengthens national alignment with the Convention on the Rights of the Child and ACRWC and establishes clear obligations for state institutions and other actors working with children. The Mining Code (2024) (Law No. 24-008) prohibit child labour in the mining sector.

Despite these measures, the child-protection situation has worsened since late 2020, with widespread violations linked to conflict – including killings, maiming, abductions, sexual violence, attacks on schools and hospitals, and denial of humanitarian access.²⁰¹ Children are reported to work in diamond mining, where conflict-driven economies heighten risks of forced labour, trafficking, and school dropouts. In addition, pervasive informality leaves children in street work, domestic service, agriculture, forestry, and artisanal/ industrial mining (diamonds and gold) with little oversight or access to remedies.²⁰² Currently, there is no NAP on BHR.

200. Alliance 8.7, Central African Republic <<https://www.alliance87.org/pathfinders/central-african-republic>> (accessed November 4, 2025)

201. UNICEF, Protecting Children in the Central African Republic, https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2022/Central-African-Republic.pdf (accessed November 3, 2025).

202. Bureau of International Labor Affairs, Central African Republic, https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2022/Central-African-Republic.pdf (accessed August 5, 2025).



Chad

The Labour Code (revised in 2018) sets the minimum age for work at 14 and 18 for hazardous work. However, both law and practice reveal important gaps. For example, there is no explicit ban on using children in illicit activities, and the mismatch between the minimum working age and the compulsory education age increases the risk of school dropouts.²⁰³ Evidence of the worst forms of child labour continues, particularly in herding (sometimes involving state or military actors), artisanal mining (diamonds and gold), agriculture, domestic work, street work and begging, and trafficking for sexual exploitation, most of which occur in the informal economy, where inspection is weakest.²⁰⁴

Law No. 007/PR/2015 on the Protection of Personal Data regulates the collection and use of personal data. This is especially relevant for children's privacy, digital marketing, and online platform practices. However, businesses lack practical guidance on how to implement child-specific safeguards. Reports further highlights the plight of children forced to beg and conflict-related vulnerabilities, which compound risks in informal livelihoods and extractive supply chains.²⁰⁵

A review of existing laws and policies reveal several critical gaps. There is no explicit prohibition on the use of children in illicit activities, leaving an important area of vulnerability unaddressed. National trafficking definitions remain only partially aligned with international standards, which creates ambiguity and weakens protection mechanisms. Enforcement data is not consistently published, limiting transparency and accountability. There is a lack of publicly available, disaggregated data, particularly with respect to rural areas and the informal sector. Additionally, Chad does not yet have a UNGP-aligned NAP on BHR.

203. US Department of Labor, Child Labor and Forced Labor Reports <<https://www.dol.gov/agencies/ilab/resources/reports/child-labor/chad>> (accessed October 2, 2025)

204. Ibid

205. Ibid



Republic of Congo

The Law on the Protection of the Child (2009) establishes the overarching framework for safeguarding children. It outlines procedures for the protection of vulnerable children, including those exposed to conflict, exploitation, and exceptional circumstances. There is no explicit provision addressing protection from corporate misconduct; however, the reference to protection from exploitation could be interpreted as implicitly encompassing protection from child labour. Despite formal commitments, the labour regime has notable shortcomings.

Assessments highlight that Congo has not yet issued a comprehensive list of hazardous occupations prohibited for children, creating ambiguity in enforcement.²⁰⁶ While awareness campaigns and school-based prevention programs have been implemented, gaps persist in codifying protections that meet international standards.

Further, the Law No. 29-2019 on the Protection of Personal Data (effective 2020) is a milestone in regulating personal-data processing. Its provisions are highly relevant to children, particularly in relation to digital marketing, social-media platforms, and online profiling. The law envisages a national data protection authority, which, once operational, could provide oversight of how businesses collect and process children's data. Congo has not published a NAP on BHRs or any specific policy that intersects children's rights and businesses.

Côte d'Ivoire

The Child Code (Law No. 2019-570) (2019) consolidates Côte d'Ivoire's obligations under the ACRWC and affirms children as full rights-holders. Importantly, it extends obligations beyond the State, imposing direct duties on private actors, including corporations, employers, and business enterprises, whose activities may affect children's welfare.

Articles 7 and 8 of the Code establish the foundational principles of the best interests of the child and non-discrimination. These provisions stipulate that all actions undertaken by public or private institutions – including business entities – must prioritize the best interests of the child and uphold the right to equality and protection from discrimination. In effect, companies are required to consider the implications of their policies and operations on children, ensuring that their conduct aligns with national and international child rights standards.

Under Article 23, the Code explicitly prohibits the economic exploitation of children, mandating the State to regulate and monitor businesses to prevent such practices. It emphasizes that no child should be engaged in any form of work that endangers their health, education, or moral

206. US Department of Labour, Child Labour and Forced Labour Reports, Republic of Congo, <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/congo-republic>, (accessed September 25, 2025).



development. This provision directly links business responsibility to the protection of children's fundamental rights, requiring the private sector to ensure ethical labour practices throughout their operations and supply chains.

Article 24 further strengthens corporate accountability by banning the employment of children in hazardous sectors such as mining, cocoa farming, construction, and domestic service. It calls on corporate actors to maintain safe working environments and comply with national labour standards. In doing so, the Code situates private enterprises as key partners in safeguarding children from harmful or exploitative labour conditions.

Through Article 30, the Code introduces a shared obligation for private sector actors, including factories, farms, and trading enterprises, to adopt proactive child protection measures in their business activities. These measures include identifying, preventing, and eliminating risks of child labour and exploitation, particularly in sectors with known vulnerabilities such as agriculture and extractives.

The Labour Code (Law No. 2015-532) (2015) provides a clear set of provisions addressing the intersection between child rights and business practices. At the foundation of these protections, Article 23.2 establishes the minimum age for employment at 16 years, allowing exceptions only for light work that does not compromise a child's health, education, or physical and moral development.

Complementing this, Article 23.4 imposes a strict ban on hazardous work for persons under 18 years of age. The prohibition covers any form of employment deemed physically, morally, or mentally dangerous. The employer's obligations are defined under Articles 24 to 27, which require all employers to maintain a comprehensive register of employees that includes verified proof of age. The Code prohibits the employment of minors in hazardous occupations, and violations are treated as serious offences subject to fines and imprisonment under Articles 399 to 402.

The Democratic Republic of the Congo (DRC)

The Democratic Republic of the Congo (DRC) Child Protection Law (2009), Law No. 09/001²⁰⁷ codifies protections against abuse, exploitation, and the recruitment of children. It strengthens alignment with the ACRWC by setting obligations on both the state and private actors to safeguard children. The Mining Code (2002,²⁰⁸ revised 2018) introduced stricter rules across industrial and artisanal production. The 2018 revision (Law N°18/001)²⁰⁹ explicitly prohibits child labour in all

207. Available at <https://sgbv-ihnda.uwazi.io/entity/sc3lcsd5m0l?page=10&file=1564684936137ot3y9w5jl2.pdf>

208. Available at <https://www.a-mla.org/en/country/law/7>

209. Available at <https://www.a-mla.org/en/country/law/1054>



mining activities. Mining companies – industrial and artisanal alike – are required to ensure that no person under 18 years is employed in mining or related work. The Code also emphasizes safe working conditions, requiring operators to comply with national labour and occupational safety standards. Recognizing that artisanal mining employs hundreds of thousands of Congolese—many of them children – the revised Code seeks to formalize ASM activities. It requires artisanal miners to operate only within designated artisanal mining zones (ZEAs) established by ministerial decree. Further, the Code strengthens environmental protection by obliging mining companies to conduct Environmental and Social Impact Assessments (ESIAs) prior to commencing operations. These assessments must identify potential effects on human health, water sources, biodiversity, and local communities—with special consideration for vulnerable groups, including children. The Mining Code forms the backbone of mineral governance, shaping expectations on child-labour risk management and responsible sourcing, especially for cobalt and other high-demand minerals. The Digital Code (Law No. 23-010, March 2023) created a framework for personal-data protection, with implications for children’s privacy, digital marketing, and online platform conduct.

In October 2022, the government launched the Inter-ministerial Commission to Combat Child Labour in Mines and Artisanal Mining Sites (CISTEMA). Alongside it, a Child Labour Monitoring System was piloted in cobalt-mining areas.²¹⁰ By 2023, ten artisanal sites were covered, with thousands of children registered for assessment and support services.²¹¹ While still in early phases, this marks an important institutional innovation in addressing child labour in high-risk mining zones. Child labour remains widespread in artisanal cobalt and 3TG (tin, tantalum, tungsten, gold) supply chains. Hazardous conditions, complex subcontracting structures, and limited traceability compound risks.²¹² Beyond mining, children are engaged in agriculture, street vending, begging, domestic service, and workshops. These sectors lie largely outside labour inspection systems, leaving children without protection or remedy.

210. International Labour Organization, 'Tiny but mighty voices against child labour in cobalt mining', <https://www.ilo.org/resource/news/tiny-mighty-voices-against-child-labour-cobalt-mining> (accessed September 28, 2025).

211. Ibid.

212. Bureau of International Labor Affairs, Congo, Democratic Republic of the, https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2022/Congo-Democratic-Republic-of-the.pdf (accessed September 30, 2025).



Djibouti

Djibouti's Labour Code (Law No. 133 of 2006)²¹³ sets the minimum age for work at 16 and 18 for hazardous work. However, these protections apply only to children under formal employment contracts. This excludes large numbers of children working informally in domestic service, street work, or small businesses. The abolishment of minimum wage under the 2006 Labour Code also means that younger workers, including children, who often have little to no bargaining power and yet face high rates of unemployment are exposed to the risk of being exploited in the labour market. The Penal Code (1995) prohibits trafficking, slavery, forced labour, and the use of children in illicit activities. Yet, a critical gap remains, there is no explicit criminalization of using a child for sex work, weakening deterrence against commercial sexual exploitation (CSEC).

Children face heightened vulnerability due to drought, rising commodity shocks, and ongoing migration flows – especially along the Ethiopia–Djibouti trucking corridor – which increase the risks of exploitation, school dropout, and marginalization, particularly for undocumented children and girls. In 2022, Djibouti adopted a National Child Policy (2022–2032), which does not make explicit references to business practices such as private sector accountability vis-à-vis children's rights. As of 2022, Djibouti had no comprehensive personal-data protection law or data protection authority. This gap has implications for children's online privacy, digital marketing, and platform conduct.

Egypt

Egypt's Child Law (Law 12/1996, amended by Law 126/2008) establishes comprehensive protections for children and affirms the principle of the child's best interests. It sets the minimum age for regular employment at 15, and at 12 for seasonal work.

Similarly, the Labor Law (Law 12/2003) permits children as young as 12 to work as apprentices.²¹⁴ These lower age thresholds fall short of international standards, which generally set 14 as the minimum age for employment.²¹⁵ While the Labor Law provides some safeguards such as limiting working hours and requiring rest breaks, it excludes domestic work, family businesses, and agricultural labour from these protections.²¹⁶ Oversight authority lies with the Ministry of Manpower and Migration, which is mandated to inspect businesses, industrial sites, and commercial farms for compliance.

The National Human Rights Strategy (NHRS) 2021–2026 is a five-year

213. Available at <https://droit-afrique.com/upload/doc/djibouti/Djibouti-Code-2006-du-travail.pdf>

214. Government of Egypt, Law on Amending Provisions of the Child Law, Law No. 126 of the Year 2008, (2008). See also Government of Egypt, Child Law, Law No. 12 of the Year 1996, (1996), article 64(18).

215. Government of Egypt, Labor Law, articles 4, 101, 103.

216. Ibid.



framework introduced by the Egyptian government in 2021 to strengthen human rights, with a stated focus on vulnerable groups and human rights education. The Strategy includes components on education and capacity building, but it has been criticized for overlooking ongoing human rights violations and for being developed without meaningful participation from independent civil society.

Importantly, the NHRS does not address the corporate sector's impact on children's rights and welfare. Although the Strategy incorporates a child-rights pillar, Egypt has not yet adopted a dedicated National Action Plan on Business and Human Rights.

Equatorial Guinea

Equatorial Guinea does not have a consolidated child code. Instead, protections are scattered across the 1995 Constitution,²¹⁷ the 1990 Social Code,²¹⁸ the 1963 Penal Code,²¹⁹ and the 2004 Law on Smuggling of Migrants and Trafficking in Persons.²²⁰

Practitioners observe that the lack of clear and harmonized procedures hampers the effective implementation of child-rights standards. Moreover, these laws, taken together, do not establish concrete mechanisms to protect children from corporate misconduct or irresponsibility.

Children remain vulnerable in informal work, particularly in domestic service and street-based labour. Risks of trafficking and exploitation are elevated in contexts of irregular migration. Oversight is weakest in these informal settings, where state inspection and monitoring rarely reach.²²¹ The economy is heavily dependent on oil and gas. While publicly available, child-specific enforcement data is scarce, and risk-based analysis suggests heightened vulnerabilities around extractive industry subcontracting chains and the role of private security providers in protecting commercial assets.²²² Corporate impacts on communities – including land use, livelihoods, and service access – carry child-rights implications requiring strong due diligence.

Equatorial Guinea has no published NAP on BHR. The absence of a cross-economy BHR framework leaves corporate human-rights obligations fragmented across general labour, penal, and anti-trafficking statutes. State expectations on corporate due diligence, child-safe grievance mechanisms, or sector-specific guidance remain limited in the public domain.

217. Equatorial Guinea 1991 (rev. 2012), https://www.constituteproject.org/constitution/Equatorial_Guinea_2012, (accessed October 4, 2025).

218. Documentos De Derecho Social, 1990/3,

https://clr.africanchildforum.org/Legislation%20Per%20Country/equatoreal%20guinea/equguinea_social_1990_sp.pdf, (accessed October 4, 2025).

219. Penal Code (consolidated text of 1963), Equatorial Guinea <<https://www.wipo.int/wipolex/en/legislation/details/9121> (accessed October 2, 2025).

220. Republic of Equatorial Guinea, Law No. 1/2004 of September 14, 2004 on the Smuggling of Migrants and Trafficking in Persons

<<https://www.warnathgroup.com/wp-content/uploads/2015/03/Equatorial-Guinea-TIP-Law-2004.pdf> (accessed October 4, 2025).

221. US Department of State, Equatorial Guinea 2023 Human Rights Report, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/equatorial-guinea> (accessed September 13, 2025).

222. Ibid.



Eritrea

Eritrea does not have a comprehensive or specific child law. Articles 565 and 605 of Eritrea's Penal Code (2015) prohibit forced labour, while Articles 594, 595, 604, 605, and 609 prohibit the commercial sexual exploitation of children. Additionally, Article 510 criminalizes the use of children in illicit activities. However, the Labour Proclamation No. 118/2001²²³ lacks key safeguards: it does not require employers to maintain a register documenting employees' names, ages, or dates of birth, nor does it establish specific penalties for employing children, or for hazardous work below the minimum working age.

Labour Proclamation No. 118/2001 sets the minimum employment age at 14 and foresees a ministerial hazardous-work list for children under 18. Penalties, coverage, and enforcement gaps persist, particularly for informal work and hazardous apprenticeships. Allegations around the Bisha mine (use of conscript labour via state contractors) exposed forced-labour risks tied to national service, underlining the absence of a state NAP and the need for robust corporate due diligence.

Eritrea has no publicly available, comprehensive NAP on BHRs or a national human-rights policy that systematically integrates child rights into business conduct.

Eswatini

The Children's Protection and Welfare Act (2012)²²⁴ provide a legal framework for protecting children from abuse and promoting their welfare. It protects children from exploitative labour and harmful treatment.

The Employment Act of 1980 prohibits the employment of children under 15 and restricts hazardous work to adults, though the absence of a comprehensive hazardous-work schedule leaves scope for abuse. Neither of these laws require companies to conduct child-rights impact assessments, monitor their supply chains, or publish reports on child-risk mitigation.

Customary labour practices such as Kulehla,²²⁵ remain outside statutory regulation, creating risks of coerced or exploitative child labour. High exposure to informal labour in herding, agriculture, domestic service, and CSEC makes it difficult to verify age, control suppliers, and provide remedies, especially for orphans and vulnerable children.

223. https://clr.africanchildforum.org/Legislation%20Per%20Country/eritrea/eritrea_labour_2001_en.pdf

224. https://clr.africanchildforum.org/Legislation%20Per%20Country/2015%20Update/Swaziland/swaziland_Children_2012_en.pdf

225. Kulehla is a traditional Swazi custom involving voluntary communal labour for local chiefs or the monarchy. Historically, it required citizens to contribute free labour to royal or community projects—such as weeding the king's sorghum fields, repairing roads, or collecting reeds for the annual Reed Dance ceremony. Originally, kulehla was intended to foster social cohesion, solidarity, and support for vulnerable members of society within a communal framework. However, in contemporary practice, some critics argue that the custom can blur the line between voluntary service and coercion, particularly when participation is compelled or when the labour disproportionately benefits elites rather than the community. See further, The New Humanitarian, 'Tradition of labour tribute draws fire', <https://www.thenewhumanitarian.org/news/2002/05/09/tradition-labour-tribute-draws-fire> (accessed October 2, 2025).



Ethiopia

Ethiopia has made notable strides in human rights governance, particularly concerning child rights, yet persistent gaps remain at the intersection with business practices. While the government has initiated the development of a NAP on BHRs – formally launched in May 2024 with methodology workshops conducted in April 2025 – the process remains ongoing.²²⁶

Child rights policy foundations exist through instruments such as the National Child Policy (2011) and sector-specific strategies on early childhood development and social protection.²²⁷ The policy – anchored in development, prevention, and rehabilitation pillars remains the principal child-focused framework. While the policy affirms broad commitments to children’s welfare – such as protection, education and inclusion – it does not appear to establish specific mandates for businesses.

The Labour Proclamation No. 1156/2019 sets the minimum employment age at 15, categorizes “young workers” as those aged 15–17, and is complemented by Directive No. 813/2021, which lists hazardous work prohibited for this age group. The directive identifies several categories of work that young workers are prohibited from undertaking due to the serious risks they pose. These include subterranean or deep mining and quarrying, the production of alcoholic beverages, tobacco, or other addictive substances, and work performed in extreme temperature conditions – whether excessively hot or cold – such as in freezers or warehouses. It also prohibits employment that exposes young workers to harmful ionizing or non-ionizing radiation, toxic chemicals such as arsenic, lead, or cyanide, and biological agents including fungi, bacteria, or viruses.

Child labour is especially prevalent in agriculture (e.g., khat production, herding), traditional weaving, domestic work, mining and quarrying, construction, and street work. These sectors are characterized by informality, subcontracting, and poor oversight.²²⁸ Businesses have a responsibility to comply with the Labour Proclamation and Directive 813/2021, particularly in age verification and preventing hazardous work among young workers.

However, gaps in vocational training exceptions and weak education enforcement elevate due diligence risks across supply chains.

226. Friedrich-Ebert-Stiftung, Ethiopia embarks on the process for a National Action Plan on Business and Human Rights, <https://ethiopia.fes.de/e/ethiopia-embarks-on-the-process-for-a-national-action-plan-on-business-and-human-rights.html>. (accessed September 13, 2025).

227. Government of Ethiopia. National Child Policy: Final Draft. Addis Ababa, Ministry of Women, Children and Youth; April 2011.

228. US Department of Labor, Child Labor and Forced Labor Reports, Ethiopia, <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/ethiopia> (accessed September 15, 2025).



Gabon

Gabon's Labour Code (2021) sets the minimum age for work at 16 and allows hazardous work from the same age, a departure from earlier standards of 18.²²⁹ Crucially, this reduction lacks the safeguards required to protect 16–17-year-olds, such as training or occupational safety measures. The protections apply only to formal employment contracts, leaving children in informal or self-employment excluded. "Light work" is permitted under 16 with parental permission, but no conditions (age threshold, tasks, hours) are defined.²³⁰

Gabon's data-privacy regime is anchored in Law No. 001/2011, amended by Act No. 025/2023, overseen by the CNPDCP (national data-protection authority). The framework is directly relevant for children's online privacy,²³¹ digital marketing,²³² and age-appropriate design obligations for platforms and advertisers.²³³

Children in Gabon are engaged in domestic service, street work (vending, windshield cleaning, market cleaning, microbus assistance), fishing, quarrying, and small-scale manufacturing. Worst forms include commercial sexual exploitation (often trafficking-related) and forced labour in markets, restaurants, workshops, quarries, farms, and fisheries. Most of these activities occur in the informal economy, where oversight is weakest.²³⁴ UNICEF notes that Gabon's national protection systems remain too weak to fully safeguard children against abuse and exploitation.²³⁵

Gabon is yet to enact a NAP on business and human rights.

229. See §1-5 of the Hazardous Work List, 2013.

230. See further §4 & 16 of Labour Code, 2021.

231. See Article 195, Loi N° 025/2023 du 09/07/2023 portant modification de la loi n°001/2011 du 25 septembre 2011 relative à la protection des données à caractère personnel <<https://journal-officiel.ga/20085-025-2023-/>> (accessed October 4, 2025).

232. Ibid, Article 197.

233. Ibid.

234. Bureau of International Labor Affairs, Gabon, Minimal Advancement, https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2023/Gabon.pdf (accessed September 28, 2025).

235. UNICEF, Child Protection, <<https://www.unicef.org/gabon/en/child-protection>> (accessed September 27, 2025).



The Gambia

The Children's Act, 2005²³⁶ defines a child as anyone under 18, criminalises sexual exploitation, trafficking and possession of a child as a slave and prohibits the engagement of children in exploitative labour, which is defined as labour that deprives a child of health, education or development, including sea faring, mining and quarrying, manufacturing where chemicals are used, places where machines are used and work in hotels, bars and places of entertainment. "Light work" which is not harmful to a child's health and development and does not prevent them from attending school or benefiting from schoolwork is permissible from age 16 and apprenticeships are permissible age 12, or after completing basic education. Employers in both the formal and informal sector are required to maintain a register of children in their employment. Similarly, a craftsman is required to enter into an agreement with the parent or guardian prior to taking in an apprentice, who shall be entrusted in the care of the craftsman for training, guardianship, feeding and moral development. Contraventions of these provisions carry a penalty of up to 3 years imprisonment. Labour officers are empowered to enforce compliance and may enter any formal or informal premises to undertake compliance checks and interview any relevant individuals they deem necessary in the performance of their work.

The Labour Act (2023)²³⁷ reinforces the provisions of the Children's Act, relating to child labour and hazardous work, and empowers the Minister responsible for labour to add onto the list of hazardous work for which children are not permitted to be employed, by publication in the national gazette. The Tourism Offences Act, 2003²³⁸ directly addresses the sexual abuse and exploitation of children in tourism, including child pornography and procurement of minors for sex, backed by a dedicated Tourism Tribunal with fast-track judicial procedures under amendments introduced in 2024.²³⁹ The National Human Rights Commission Act, 2017²⁴⁰ established the NHRC, with powers to investigate complaints, including against private actors. The National Human Rights Policy and Action Plan (2021–2025) provides a broad framework that references child protection, though it lacks specific business-related guidance under the UNGPs. The Data Protection and Privacy Policy & Strategy (2019) explicitly includes an objective to provide enhanced safeguards for the processing of children's personal data, ensuring that their information is handled responsibly and securely. This provision aligns closely with the broader framework of children's rights in the digital sphere, emphasizing the need to protect minors from online risks such as data misuse, exploitation, and privacy violations.²⁴¹

236. Available at https://clr.africanchildforum.org/Legislation%20Per%20Country/Gambia/gambia_children_2005_en.pdf

237. Available at <https://motie.gov.gm/wp-content/uploads/2024/11/Labour-Act-2023.pdf>

238. Available at <https://www.warnathgroup.com/wp-content/uploads/2024/09/TOURISM-OFFENCES-ACT-3.pdf>

239. <https://security-legislation.gm/wp-content/uploads/2022/10/Tourism-Offences-Amendment-Act-2014.pdf>

240. Available at <https://moj.gov.gm/wp-content/uploads/2024/12/National-Human-Rights-Commission-Act-2017.pdf>

241. The Gambia, Data Protection & Privacy Policy and Strategy 2019 <<https://policies.gov.gm/f/caa6fc94-5bad-11ec-9b31-029254d29bb1>>



Ghana

Ghana launched its NAP on BHRs on 14 July 2025. In addition to the AP, Ghana's child protection framework rests primarily on the Children's Act of 1998,²⁴² which defines a child as anyone under 18 years of age, prohibits exploitative labour, regulates apprenticeship, and sets the minimum work age at 15, with hazardous work prohibited for children under 18 years.

Complementing this, the Labour Act of 2003²⁴³ addresses employment of young persons and prohibits hazardous work, while the Hazardous Child Labour Activity Framework provides a detailed classification of dangerous tasks, including a cocoa-specific version²⁴⁴ for industry application.

Criminal and anti-trafficking provisions add another layer of protection. The Human Trafficking Act of 2005,²⁴⁵ amended in 2009, criminalizes labour and sex trafficking, establishes a Human Trafficking Management Board, and provides for victim protection and coordination among agencies. The Criminal Offences Act, 1960²⁴⁶ (as amended) together with more recent cybercrime legislation, criminalizes commercial sexual exploitation of children, although gaps remain regarding explicit prohibitions on the use of children in all illicit activities.

On the policy front, Ghana has advanced through successive national action plans against child labour, the most recent being the Ghana Accelerated Action Plan Against Child Labour (2023–2027), adopted in 2023.²⁴⁷ This builds on earlier plans and sets out clear national priorities and targets, led by the Ministry of Employment and Labour Relations through its Child Labour Unit and the National Steering Committee on Child Labour.

In 2024, Ghana entered into a Framework of Action with Côte d'Ivoire, the cocoa and chocolate industry, and the U.S. Department of Labor, aimed at ensuring interoperability between company child labour monitoring and remediation systems and national traceability and case-management systems.²⁴⁸ This development is especially important in cocoa, one of the sectors where child labour is most prevalent.

242. Available at <https://www.rodra.co.za/images/countries/ghana/legislation/CHILDREN%20ACT%201998%20ACT%20560.pdf>

243. Available at <https://ir.parliament.gh/bitstream/handle/123456789/1874/ACT%20651.pdf?sequence=3&isAllowed=y>

244. Available at https://www.cocoainitiative.org/sites/default/files/resources/hazardous_ghana_framework_2008.pdf

245. Available at https://www.mint.gov.gh/wp-content/uploads/2017/06/Human_Trafficking_Act_2015-1.pdf

246. Available at <https://ir.parliament.gh/bitstream/handle/123456789/2434/ACT%2029.pdf?sequence=1&isAllowed=y>

247. Republic of Ghana, 'Ghana Accelerated Action Plan Against Child Labour 2023-2027 (GAAPACL)

<https://www.cocoainitiative.org/sites/default/files/resources/Ghana_Accelerated_Action_Plan_Against_Child_Labour.pdf> (accessed October 5, 2025).

248. Framework of Action 2024–2029, <https://www.dol.gov/sites/dolgov/files/ILAB/CLCCG-2024-Framework-of-Action-ENG-CLEAN.pdf>, (accessed September 28, 2025).



Guinea

The Labour Code of 2014 (Law No L/2014/072/CNT)²⁴⁹ establishes 16 as the minimum age for employment, allows light work from age 12, and prohibits hazardous work for all under 18. These provisions are operationalized through Order No. 2791, which lists hazardous activities. The Revised Child Code of 2019 criminalizes trafficking, forced labour, commercial sexual exploitation, and the use of children in illicit activities, and it sets 18 as the minimum age for voluntary military service. The Code prohibits hazardous work for children, but this does not cover the agriculture sector.²⁵⁰

In April 2024, Guinea enacted a new Anti-Trafficking Law that consolidates existing provisions, strengthens victim protections, establishes a victim fund, and institutionalizes a national anti-trafficking committee. The law enhanced penalties by removing fines as alternatives for custodial sentences.

The 2011 Mining Code,²⁵¹ amended in 2013, is especially relevant for business as it explicitly bans the employment of anyone under 18 in mines or quarries. Together, these laws define the “red lines” for business practice. However, gaps remain. The minimum age provisions for light work are lower than international standards, conditions and hours for such work are not clearly regulated, and children working in self-employed or informal sectors remain insufficiently protected. Another systemic gap is the absence of a statutory guarantee of free basic education following the 2021 constitutional dissolution.

Guinea-Bissau

The 2022 Labour Code (Act No. 7/2022) raised the minimum age for work to 16 and retained 18 as the minimum age for hazardous work. However, this protection applies only to workers with formal employment contracts, excluding the large share of children engaged in informal work. Hazardous work for children under 18 is prohibited, with specific tasks defined in the Labour Code.

Under Articles 354 and 355, hazardous work for children under 18 encompasses several high-risk activities that threaten their health, safety, or moral development. These include employment in agriculture and fishing that involves strenuous physical effort or exposure to toxic chemicals, particularly in sectors such as cashew production and fishing operations. The law also prohibits children from working in construction, quarrying, underground or surface mining, or in and around drilling sites, given the dangers of injury and exposure to harmful substances. Additionally, street-based work such as vending,

249. Available at <https://www.hcwpolicylab.org/wp-content/uploads/2023/12/Labor-Code-of-Guinea-2014.pdf>

250. See US Department of Labour '2019 Findings on the Worst Forms of Child Labor: Guinea', https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2019/Guinea.pdf

251. Available at https://icsid.worldbank.org/sites/default/files/parties_publications/C3765/Respondent%27s%20Counter-Memorial/Pièces%20juridiques/RL-0018.pdf



shoe-shining, or begging is restricted, especially where such activities occur under exploitative or coercive conditions. Collectively, these provisions aim to align Guinea-Bissau's national legislation with international labour standards by protecting children from hazardous and exploitative business practices.

Kenya

Kenya occupies a pioneering position in Africa as the first country to adopt a dedicated NAP on BHRs. As discussed earlier, the plan explicitly identifies child labour as a salient business and human rights risk and sets out measures across the three UNGP pillars.

Article 20 of Kenya's Constitution (2010)²⁵² establishes that the Bill of Rights binds not only all state organs but also all persons – a term defined under Article 260 to include companies, associations, and other bodies of persons, whether incorporated or unincorporated. This provision effectively places a constitutional obligation on businesses to respect human rights.

Furthermore, Article 22 grants every individual the right to institute court proceedings in cases where a right or fundamental freedom under the Bill of Rights has been denied, violated, infringed, or is under threat.

Article 53 of the Constitution guarantees children's protection from hazardous or exploitative labour and the right to free, compulsory basic education. These provisions are given effect through the Children Act (2022)²⁵³ – which modernized the child-protection system and the Employment Act (2007),²⁵⁴ which sets minimum-age rules, light-work conditions, and prohibitions on hazardous or underground work. Policy instruments reinforce this framework, including the National Policy on Elimination of Child Labour (2015).²⁵⁵ Businesses must comply with minimum-age and hazardous-work prohibitions, while aligning with Kenya's NAP on business and human rights through human rights due diligence (HRDD). This includes ensuring, rigorous age verification, school attendance safeguards, and accessible grievance mechanisms for children and caregivers.

Lesotho

The Children's Protection and Welfare Act of 2011 defines child rights, establishes protective mechanisms, and sets employment parameters (the minimum age for work is 15, and for hazardous work is 18). It operationalizes Lesotho's commitments under the ACWRC by

252. Available at https://www.parliament.go.ke/sites/default/files/2017-05/The_Constitution_of_Kenya_2010.pdf

253. Available at <https://judiciary.go.ke/download/the-children-act-2022>

254. Available at https://www.kenyalaw.org/kl/fileadmin/pdfdownloads/Acts/EmploymentAct_Cap226-No1of2007_01.pdf

255. Republic of Kenya, 'National Policy on the Elimination of Child Labour' <<https://www.ilo.org/sites/default/files/2025-02/Draft%20National%20Policy%20on%20the%20Elimination%20of%20Child%20Labour%20FINAL%20FINAL%202027022025.pdf>> (accessed October 28, 2025).



codifying the best interests of the child as a guiding principle in all state and non-state actions, including those by corporate actors. The Act prohibits economic and sexual exploitation, mandates the State to protect children from hazardous and exploitative work, and requires public and private entities to uphold children's rights to education, health, and development. These provisions extend beyond the household sphere to business activities, establishing a human-rights-based framework for regulating labour practices and corporate conduct.

The Labour Act of 2024²⁵⁶ sets the minimum age for employment at 15 years and prohibits hazardous work for anyone under 18 years. Significantly, the law retains the category of “young persons” (ages 15–17) who may work under restricted conditions but explicitly requires that their employment not interfere with education, health, or moral development. This framework directly implicates businesses in ensuring safe and non-exploitative work environments for adolescents. The Act mandates penalties for employers who contravene child labour provisions and empowers the Labour Commissioner to investigate and sanction companies found guilty of violating child protection norms.

Liberia

Liberia launched its NAP on BHRs for the period 2024–2028 on 14 August 2024 as earlier discussed. Additionally, Liberia has consolidated key protections through its Children's Law of 2011,²⁵⁷ which sets out a comprehensive bill of rights for children. The law guarantees free basic education through grades one to nine, prohibits trafficking and the worst forms of child labour, and establishes eighteen as the minimum age for voluntary military service. Companies are expected to align workplace policies and grievance mechanisms with these statutory rights. The Decent Work Act of 2015²⁵⁸ provides the core labour framework, setting the minimum age for work at fifteen, permitting light work from the age of thirteen under certain conditions, and prohibiting hazardous work below eighteen. The hazardous-work list, updated most recently in 2022–2023, specifies prohibited activities across sectors such as rubber tapping, cocoa harvesting, bush clearing, palm cutting, and stone crushing in mining. These lists should be directly integrated into company supplier controls, site audits, and contractual obligations.²⁵⁹ Liberia also has a strengthened anti-trafficking regime. The Act to Ban Trafficking in Persons, adopted in 2005²⁶⁰ and revised in 2021, expanded definitions to include child sex trafficking regardless of the use of force or coercion and introduced stronger victim-protection provisions. This act provides the legal basis for zero-tolerance corporate policies and referral mechanisms.

256. Available at <https://lesotholii.org/akn/ls/act/2024/3/eng@2024-04-02>

257. Available at <https://bettercarenetwork.org/sites/default/files/An-Act-to-Establish-the-Children-s-Law-of-Liberia-2011.pdf>

258. Available at <https://csa.gov.lr/wp-content/uploads/2024/11/Decent-Work-Act-2015.pdf>

259. Bureau of International Labor Affairs, Liberia, Moderate Advancement

<https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2022/Liberia.pdf> (accessed September 30, 2025).

260. Available at <https://www.warnathgroup.com/wp-content/uploads/2015/03/Liberia-TIP-Law-2005.pdf>



Libya

Law No. 5 of 1997 on Childhood Protection²⁶¹ places restrictions on child labour. For instance, Article 10 states that “child employment shall be prohibited in any work, unless it is for the purpose of teaching a craft and the child wishes to do so.”²⁶² However, recent human rights reports highlight serious violations of children’s rights, including the forced labour of abducted children and mistreatment in detention facilities.²⁶³ While the provisions of Law No. 5/1997 provide a legal foundation to regulate child labour, safety, and exploitation, Libya has not published a dedicated NAPs on BHR. Furthermore, there is very limited child-focused guidance on business practices, particularly in relation to supply chains, private security, and digital platforms.

Madagascar

Madagascar does not have a comprehensive Children’s Act, but it has enacted a thematic law—the Law on the Rights and Protection of Children (2007) – which establishes a general framework for the promotion and protection of children’s rights.²⁶⁴ The 2007 law prohibits all forms of neglect, discrimination, exploitation, violence, cruelty, and oppression against children, and places obligations on the State, families, and other actors to ensure children’s survival, protection, and healthy development. However, while the law provides a strong foundation for safeguarding children’s welfare, it does not include explicit or detailed provisions governing business practices in relation to children’s rights. Specifically, it lacks business-specific obligations such as requiring companies to conduct child rights impact assessments, implement supply-chain due diligence, or establish mechanisms for corporate accountability in cases where business activities harm children.

The Labour Code of 2003 sets the minimum age for employment at 16 and prohibits individuals under 18 from engaging in hazardous work.²⁶⁵ Such hazardous work include corrosives, heavy portage, and hotel/restaurant tasks beyond children’s strength.²⁶⁶ A 2018 decree further updated the list of hazardous occupations, explicitly banning children from performing high-risk activities such as those in the extractive industries.

Articles 13, 23, and 24 of Decree 2007-563 prohibits commercial sexual exploitation of children. In practice, child labour remains widespread,

261. Available at <https://security-legislation.ly/latest-laws/law-no-5-of-1997-on-childhood-protection>

262. Libya, ‘Law No. (5) Of 1997 On Childhood Protection’ <<https://security-legislation.ly/latest-laws/law-no-5-of-1997-on-childhood-protection/>> (accessed October 19, 2025).

263. US Department of State, 2024 Country Reports on Human Rights Practices: Libya <<https://www.state.gov/reports/2024-country-reports-on-human-rights-practices/libya/>> (accessed September 30, 2025).

264. Loi n°.2007-023 du 20 août 2007 sur les droits et la protection des enfants, passed on August 20, 2007) <https://clr.africanchildforum.org/Legislation%20Per%20Country/madagascar/madagascar_children_2007_fr.pdf> (accessed October 27, 2025).

265. REPOBLIKAN'I MADAGASIKARA, Tanindrazana - Fahafahana - Fandrosoana

LOI N° 2003 -044 Portant Code du Travail

<https://clr.africanchildforum.org/Legislation%20Per%20Country/madagascar/madagascar_labour_2003_fr.pdf> (accessed October 26, 2025).

266. Ibid.



particularly in vanilla production, mica and quarry work, domestic service, fishing, and tourism-linked sexual exploitation.²⁶⁷ In 2023, labour inspectors identified 830 working children during targeted inspections.²⁶⁸ Policy measures exist but remain fragmented, such as a Code of Conduct for the Protection of Children in the Tourism Industry (2013) against child sexual exploitation.²⁶⁹ However, there is no comprehensive national child-labour action plan.

In the mica sector, the Anosy region has become the focus of a joint effort by NGOs such as Terre des Hommes and Pact.²⁷⁰ These efforts seek to confront child labour directly and improve supply-chain practices, particularly in communities where children remain highly vulnerable. In the tourism industry, operators are guided by a Code of Conduct designed to prevent and respond to the commercial sexual exploitation of children (CSEC). To ensure effective implementation, national trainers have been deployed to build capacity and monitor compliance across the sector. The vanilla industry continues to face persistent risks of child labour, as documented by research and monitoring conducted by ILAB and several NGOs. These findings underscore the need for heightened due diligence from companies sourcing from Madagascar's vanilla supply chains, where informal and family-based labour remains widespread.²⁷¹ Enforcement efforts in 2023 revealed the scale of the challenge. With only 189 labour inspectors available nationwide, authorities carried out targeted inspections in informal sectors and priority regions. These operations identified 830 child labourers working in quarries, vanilla cultivation, mica extraction, and domestic service. While these inspections represent an important step forward, the inspectorate's size and reach remain well below ILO benchmarks for adequate labour-force coverage, highlighting the pressing need for stronger institutional capacity and resourcing.²⁷²

Malawi

The protection of children in business contexts in Malawi depends largely on labour and education laws, the National Action Plan on Child Labour (NAP II, 2020–2025), Malawi's participation in the Alliance 8.7 roadmap approved in 2023, and oversight by the Malawi Human Rights Commission (MHRC), the country's Paris Principles–accredited NHRI.

The Child Care, Protection and Justice Act (2010), sets out children's rights to care, protection, and development, defining a child as a

267. Bureau of International Labor Affairs, Madagascar, Moderate Advancement <https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2023/Madagascar.pdf> (accessed October 25 2025).

268. Ibid.

269. Ibid.

270. Terre des Hommes, 'Child labour in Madagascar's Mica sector', <https://int.terredeshommes.nl/news/child-labour-in-madagascar-s-mica-sector>, (accessed November 3, 2025).

271. Ibid.

272. Ibid.



person below 16 years of age. It prohibits exploitation of children, including harmful cultural practices, forced marriage, trafficking and other forms of abuse. However, there is no clear obligation placed on business enterprises to assess, monitor or mitigate their impacts on children's rights. The Act focuses primarily on the family, guardians, state duty bearers and community roles rather than corporate responsibility for children in employment, supply-chains or in businesses' operations.

The Employment Act (2000), and the Labour Relations Act (1996) set a minimum age of 14 for work, provided it does not interfere with schooling, and 18 for hazardous work. Section 21 of the Employment Act excludes children working in private homes and on non-commercial farms, leaving many in unregulated contexts and at risk of being exploited.

Mali

The Code de protection de l'enfant, adopted in June 2002,²⁷³ is the anchor of child protection. It defines a child as anyone under eighteen, prohibits exploitation including recruitment into armed conflict, and affirms nine years of compulsory schooling.

The Labour Code of 1992 (Law No.92-020 of 23 September 1992) and its implementing decree (Decree No.96-178/P-RM of 13 June 1996),²⁷⁴ amended by Law 2017-021, sets the minimum age for work at fifteen, while hazardous work is prohibited for anyone under eighteen. Light work is permitted from ages twelve to fourteen for a maximum of four and a half hours per day, but this framework does not fully align with international standards because it begins below the recommended minimum of thirteen and lacks detailed conditions.

Mali has also adopted anti-trafficking measures. The use of children for illicit activities is not comprehensively criminalized, and troublingly, some provisions still allow children associated with armed groups to be penalized for acts they were compelled to commit.²⁷⁵

Mauritania

Mauritania's General Child Protection Code (Law No. 2018-024) consolidates protections for children against violence and exploitation by corporate actors. Although it does not explicitly address business obligations – for example bearing responsibility for impacts on children's rights in business operations, the Code prohibits the use of children in exploitative labour that deprives them of education or may harm their health, safety or physical and mental integrity.²⁷⁶

273. Available at <https://sgg-mali.ml/JO/2002/mali-jo-2002-18.pdf>

274. Available at <https://sgbv-ihda.uwazi.io/api/files/1564568075560redccu0hgzp.pdf>

275. Bureau of International Labor Affairs, Mali, Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement, https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2023/Mali.pdf (accessed September 5, 2025).

276. General Child Protection Code (Law No. 2018-024).



In 2021, the country made limited progress in eliminating the worst forms of child labour. A significant step came in January 2022, when the Ministry of Labor and Professional Education issued a decree with a hazardous work list, identifying 44 activities prohibited for children, including street vending, domestic work, and stone crushing.²⁷⁷ The National Child Protection Strategy (2020–2025) further seeks to safeguard children from violence, exploitation, abuse, and neglect, with a focus on child labour, trafficking victims, street children, and survivors of sexual exploitation. While the 2018 Code and related labour standards provide a framework for regulating child labour and exploitation, Mauritania is yet to adopt a dedicated National Action Plan on Business and Human Rights, as well as clear child-focused BHR guidance (e.g., enterprise due diligence, private security, digital platforms).

Mauritius

Mauritius presents a mixed picture at the intersection of children's rights and business. On the one hand, the child-rights framework has been significantly modernized, particularly through the Children's Act 2020.²⁷⁸ The law criminalizes various serious offences such as the abduction of children, sexual abuse of children under 16, child prostitution (including procuring or profiting from a child's participation in prostitution), and grooming of children for sexual exploitation. Yet, it does not explicitly require businesses to uphold children's rights or hold them accountable for corporate misconduct involving children.

The Children's Act does not place obligations on business enterprises to respect children's rights in their operations, supply chains or community impact. There are no clear requirements for companies to conduct child-rights due diligence, monitor business impacts on children, or publicly report on how they protect children within their operations or business relationships. Mauritius is yet to adopt a NAP on BHR to provide explicit guidance. This leaves a significant gap in operationalizing UNGPs with child-specific due diligence and remedy mechanisms.

277. Bureau of International Labor Affairs, Mauritania, Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement <https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2021/mauritania.pdf> (accessed October 18, 2025).

278. The Children's Act (2020) <<https://gender.govmu.org/Documents/2021/children's%20act%202020.pdf>> (accessed October 20, 2025).



The Workers' Rights Act 2019 (as amended to July 2024) sets the minimum employment age at 16, and hazardous work at 18, aligning with ILO standards. The Education Act makes schooling compulsory until 16, harmonizing education and minimum work thresholds. Despite this legal base, practice risks remain significant, particularly around commercial sexual exploitation of children (CSEC) – including in tourism and online environments—alongside child labour in street work, construction, and fishing.²⁷⁹

The Ombudsperson for Children (Act 41/2003) – with explicit investigative powers over child labour – operates alongside the National Human Rights Commission. These institutions offer important oversight but require stronger integration into business-related accountability frameworks.

Morocco

While Morocco's 2011 Constitution guarantees equality before the law and equal social protection for all children, explicitly prohibiting discrimination, its broader legal framework remains limited in linking child rights to business responsibilities. The Family Law of 2004 primarily regulates personal and family matters – such as marriage, divorce, child custody, filiation, and inheritance – but does little to address the protection of children from business-related harms or corporate practices.

The Labour Code (2003) provides some protections by setting the minimum employment age at 18 and establishing limits on working hours for domestic workers. It also prohibits hazardous forms of child labour. Nonetheless, significant gaps remain. The Code notably excludes children working in traditional artisan or family-run businesses employing five or fewer workers – effectively leaving many in informal or home-based industries without adequate legal protection. Further, the Penal Code (2018) includes important provisions such as Articles 497–499 and 503–2, which criminalize the commercial sexual exploitation of children, and Article 467–2, which prohibits the use of children in illicit activities. Despite these measures, Moroccan law still fails to explicitly outlaw the use of children in prostitution, leaving a serious gap in protection against one of the gravest forms of exploitation.

Morocco's Integrated Public Policy for the Protection of the Child (PPIPEM), adopted in 2015 with UNICEF's technical support, seeks to coordinate national efforts to safeguard children under 18 from violence, abuse, exploitation, and neglect.²⁸⁰ The policy promotes a

279. Committee on the Rights of the Child, Concluding observations on the combined sixth and seventh periodic reports of Mauritius, CRC/C/MUS/CO/6-7 <<https://docs.un.org/en/CRC/C/MUS/CO/6-7>> (accessed August 20, 2025).

280. EU, 'Child protection support, Morocco', <https://south.euneighbours.eu/opportunity/child-protection-support-morocco> (accessed November 3, 2025).



cross-sectoral, government-wide, and community-based approach to child protection. However, its focus is largely confined to domestic and interpersonal abuse, with minimal reference to corporate conduct or the private sector's role in preventing child exploitation.

Mozambique

The Law on Promotion and Protection of the Rights of the Child (2008) defines children as individuals under 18, recognizes non-discrimination, the child's right to development, health, protection from abuse and exploitation, and sets up institutional mechanisms for child protection. For example, the law requires the State, families, communities and other actors to ensure children's protection from all forms of neglect, violence or exploitation.²⁸¹ However, the law does not have a specific, detailed section dedicated to regulating business enterprises.

In August 2023, Mozambique enacted a new Labour Law (No. 13/2023), which prohibits hazardous work for all children under 18, referencing a formal hazardous work list. However, exceptions allow children as young as 15 to work with guardian authorization, while light work is permitted from age 12 under certain conditions. The Law strengthens labour protections broadly, which indirectly help protect children in employment relationships. However, the Law does not go further to impose specific corporate accountability mechanisms tailored to situations where business operations may affect children's rights outside of formal employment contracts.

Namibia

The Child Care and Protection Act of 2015²⁸² serves as Namibia's principal legal framework for safeguarding the rights, safety, and well-being of children. It prohibits child trafficking and commercial sexual exploitation and includes clear provisions protecting children from economic exploitation and forced labour. These provisions are particularly relevant in industries with high child rights risks – such as agriculture, mining, construction, domestic work, and tourism, where children are often indirectly affected through supply chains, community displacement, or informal labour practices.

The Labour Act No. 11 of 2007 (as amended)²⁸³ establishes Namibia's legal framework for preventing child labour. It prohibits the employment of children under the age of 14 and sets strict conditions for those aged 14 to 15, including bans on night work and employment in sectors such as mining, construction, manufacturing, power generation, and any environment deemed hazardous to a child's health, safety, or moral development. For adolescents aged 16 to 17, the same restrictions apply unless specific exceptions are provided

281. Sida, 'Mozambique Country Case Study: Child Rights' <<https://www.cmi.no/publications/file/7808-mozambique-country-case-study-child-rights-utv-working-paper-no-2011-2.pdf>> (accessed October 3, 2025).

282. Available at <https://namiblii.org/akn/na/act/2015/3/eng@2019-11-14>

283. Available at <https://www.lac.org.na/laws/annoSTAT/Labour%20Act%2011%20of%202007.pdf>



by regulation. While these laws do not explicitly provide for children's rights within the context of corporate irresponsibility, they provide the policy infrastructure for linking economic development with child rights protection.

Niger

The Labour Code (2012) fixes the minimum age for work at 14 and, through Decree 2017-682 of 10 August 2017, establishes implementing regulations for the Labour Code and prohibits hazardous work for anyone under 18. The decree also identifies sector- and task-specific hazards—covering mining and quarrying, construction, tanning, slaughterhouses and specified agricultural work—that companies are expected to translate into site rules, procurement criteria and supplier contracts. Yet the Code does not fully apply to the informal economy, where many working children are found, leaving a large share of child labour outside legal protection.

Nigeria

The Child's Rights Act of 2003 defines anyone under 18 as a child, guarantees free and compulsory basic education, and prohibits economic and sexual exploitation, trafficking, and the use of children in illicit activities. However, because Nigeria operates a federal system, the Child Rights Act only applies directly in the Federal Capital Territory unless domesticated by individual states. So far, 24 out of 36 states have adopted the Act.²⁸⁴ In parallel, the Labour Act (1971) sets the minimum age for work at 12 and prohibits hazardous work for those under 18. These minimum-age protections do not cover the vast informal economy or self-employed children. Moreover, family-based exceptions for "light work" in agriculture and domestic service are overly broad.²⁸⁵

On the policy side, Nigeria has adopted a suite of action plans, including the National Action Plan for the Elimination of Child Labour (2021–2025) and the National Action Plan on Human Trafficking (2022–2026).

Rwanda

Rwanda is in the early stages of aligning its business and human-rights framework with global standards. While no NAP on BHR has yet been published, the Government formally launched multi-stakeholder dialogues in February 2024 to lay the groundwork for such a plan. The Ministry of Justice, the National Commission for Human Rights, and UN partners are leading this process.²⁸⁶ On child rights, the central statute remains the Law Relating to the Protection of the Child

284. National Human Rights Commission, Child Rights, <https://www.nigeriarights.gov.ng/focus-areas/child-rights.html> (accessed October 10, 2025).

285. Bureau of International Labor Affairs, Nigeria, Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement, https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2023/Nigeria.pdf (accessed October 5, 2025)

286. United Nations, Human Rights, a Key Fundamental Pillar to Rwanda's Private Sector Development <<https://rwanda.un.org/en/261481-human-rights-key-fundamental-pillar-rwanda's-private-sector-development>> (accessed August 30, 2025).



(Law No. 71/2018).²⁸⁷ However, it does not explicitly impose obligations on businesses or corporate conduct in relation to children's rights. The law sets out key rights of the child—such as access to development, education, leisure, health care, and protection from abuse, exploitation and harmful practices, and criminalises various offences against children—including sale, trafficking, begging, harmful work and commercial sexual exploitation. However, the law does not contain detailed provisions that hold business enterprises accountable for children's rights—such as requiring companies to conduct child-rights impact assessments, monitor supply-chain risks to children, or publicly report on how their operations affect children. Labour protections are established under the Labour Law No. 66/2018, which sets the minimum employment age at 16 and prohibits hazardous work for anyone under 18. However, compulsory education is only mandated to age 12, leaving a vulnerability gap for children aged 12–15. The Law does not include specific provisions for digital protections of children, such as online safety, digital exploitation, social-media risks, or corporate due-diligence in digitalbusiness contexts.

Sahrawi Arab Democratic Republic (SADR)

SADR's ability to join and implement global child-rights treaties is shaped by its partial international recognition and lack of United Nations membership while being fully recognised by the African Union. SADR is not a party to the CRC and the ACRWC. That legal constraint matters for corporate benchmarks because many company policies anchor on human rights standards such as ACRWC and CRC. Domestically, SADR's 2015 Constitution contains social-rights guarantees relevant to children and business.²⁸⁸ It affirms the right to health and work and commits the State to “ensure protection for mothers, children, disabled persons and the elderly” and to establish institutions and pass laws to that end. These provisions are not a full child code, but they set a constitutional hook for policy and regulation that should inform any company-level human-rights due diligence (HRDD) in Sahrawi-administered areas. In terms of formal policy instruments, there is no publicly available, comprehensive Sahrawi child law or hazardous-work list comparable to ACRWC frameworks.

São Tomé and Príncipe

Article 52 of São Tomé and Príncipe's 2003 Constitution states that children have the right to respect and to the protection of society and the State, with the aim of ensuring their full development.²⁸⁹ This provision can be interpreted as extending to protection from corporate misconduct or irresponsibility that may hinder children's well-being and development.²⁹⁰ Articles 159, 160, and 181 of the Penal Code (Law

287. Available at <https://www.refworld.org/legal/legislation/natlegbod/2018/en/123717>

288. The Constitution of the Sahrawi Arab Democratic Republic, Adopted by the 14th Congress of the Frente POLISARIO, 16–20 December 2015 <https://www.policinglaw.info/assets/downloads/2015_Constitution_of_the_Sahrawi_Arab_Democratic_Republic.pdf> (accessed October 27, 2025).

289. Sao Tome and Principe 1975 (rev. 2003) <https://www.constituteproject.org/constitution/Sao_Tome_and_Principe_2003> (accessed October 2, 2025).

290. See also article 53.



No. 6/2012) prohibit slavery, trafficking, commercial sexual exploitation, forced labour and explicitly forbid placing children in exploitative situations, including those arising from business practices. São Tomé and Príncipe has enacted several laws and policies to strengthen child protection.

The Family Law (2018) does not include provisions specifically addressing corporate responsibility for child rights violations, nor does the Labour Code (2019) contain measures to safeguard children from corporate abuses. These laws also do not provide comprehensive prohibitions on hazardous employment.²⁹¹

Meanwhile, the National Child Protection Policy (2016) serves as the principal framework for preventing and responding to all forms of violence against children, but its implementation remains limited in scope and does not yet extend to the business and human rights sphere. Law No. 03/2016 on the Protection of Personal Data establishes a comprehensive data protection regime and a national data protection authority. This framework is highly relevant for children in the digital sphere and could protect them from false advertisements and safeguard age-appropriate design, and obligations for platforms and service providers.

Senegal

The Labour Code of 1997 (Law No 97-17) fixes the minimum age for work at 15, while ministerial orders prohibit hazardous work for anyone under 18. However, compulsory education ends at 16, one year later than the general minimum work age, creating a misalignment that companies must factor into compliance and school-attendance monitoring. Ministerial Orders Nos. 3749, 3750, and 3751 (2003) provide detailed hazardous work lists that employers and buyers are expected to integrate into contracts and supplier controls, though these instruments still omit domestic and street work despite well-documented harms in those sectors. Anti-trafficking law is anchored in Law No. 2005-06 of 10 May 2005 on the Fight Against Trafficking in Persons and Similar Practices and the Protection of Victims, which criminalizes trafficking and related practices and establishes victim-protection mechanisms. Yet ambiguity around forced begging – particularly in relation to Qur'anic schools – has hampered deterrence, as exploitative intermediaries often escape sanction under the guise of religious practice. Further, the Penal Code (1965) does not explicitly criminalize the “use” of a child for commercial sex work and fails to attach penalties to the use of children in illicit activities, leaving important gaps vis-à-vis Senegal’s international obligations.²⁹² Senegal regulates the data practices of digital services

291. Lei n.º 6/2019 <https://bwcimplementation.org/sites/default/files/resource/ST_Labour%20Code_EN.pdf> (accessed October 5, 2025).

292. Bureau of International Labor Affairs, Senegal, Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement, <https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2023/Senegal.pdf> (accessed October 25, 2025).



through Act No. 2008-12 on Personal Data Protection (2008). The law requires consent for processing personal data, standards that apply to platforms and telecoms handling children's information.²⁹³ For online harms, Law No. 2008-11 on Cybercrime added offences to the Penal Code that cover sexual exploitation of children online (including child pornography and grooming),²⁹⁴ providing a criminal-law backbone against platform-enabled abuse. While these instruments create responsibilities for digital businesses, Senegal – like many countries – still relies on general data-protection and cybercrime rules rather than a child-specific online-safety act.

Seychelles

The Children (Amendment) Act 2020 has no explicit provisions directed at regulating corporate conduct with respect to children's rights. The amendment focuses on child protection in the family, school and home environment, rather than the business or private enterprise sector.

The Employment Act (1995) set the minimum employment age at 15, with prohibitions on hazardous work for those under 18. However, exceptions permit 15–17-year-olds to work at night or in tourism venues with official permission, creating safeguarding gaps.

The intersection between business and child rights is most visible in hospitality and tourism, where children are at risk of CSEC and trafficking. Regulatory loopholes permitting adolescent night work further heighten risks in this sector. Street-level commerce and transport also pose risks, though data remains limited.²⁹⁵ Businesses are expected to conduct age verification at recruitment, ensuring that no one under 15 is employed and that those under 18 are not exposed to prohibited venues or hours.²⁹⁶ In practice, companies are encouraged to avoid relying on exception permissions. The tourism industry is urged to adopt The Code (ECPAT's global standard) to prevent CSEC, including through staff training, supplier clauses, and child-safe reporting mechanisms. Companies should also ensure that grievance systems are child-sensitive and linked to referral pathways through the Police Child Protection Unit and social services.

Sierra Leone

The Child Rights Act of 2025 defines a child as any person under eighteen, sets the minimum age for work at fifteen, prohibits hazardous work for anyone under eighteen, identifies hazardous

293. Republic of Senegal, 'Loi n° 2008-12 sur la Protection des données à caractère personnel' <https://www.wipo.int/wipolex/en/legislation/details/6229> (accessed October 5, 2025).

294. Republic of Senegal, 'Law No. 2008-11 on Cybercrime' <<https://www.wipo.int/wipolex/en/legislation/details/6226>> (accessed October 10, 2025).

295. Child Labor and Forced Labor Reports, Seychelles, <<https://www.dol.gov/agencies/ilab/resources/reports/child-labor/seychelles>> (accessed October 15, 2025).

296. Ibid.



occupations including mining, and aligns compulsory education to roughly age fifteen. Labour standards were consolidated in the Employment Act of 2023, which reaffirms the ban on employing children under fifteen, prohibits night and underground work for children, and maintains the under-eighteen prohibition on hazardous work while allowing “light work” from age thirteen; the latter still requires tighter hour, task, and supervision limits. Sector-specific safeguards were strengthened by the Mines and Minerals Development Act of 2023 and its regulations, which escalate penalties and compliance duties across the mineral value chain, preserve the categorical ban on under-eighteens in mines and quarries, and tighten employer record-keeping and safety obligations.

Criminal law protections have also expanded. The Anti-Human Trafficking and Migrant Smuggling Act of 2022 criminalizes labour and sex trafficking, provides for heavy penalties beginning at twenty-five years’ imprisonment, and creates victim-protection measures with a national referral mechanism. There is no provision that stipulates that businesses will face any penalties from employing trafficked labour. Yet, children are engaged in mining activities – such as digging, carrying heavy loads, washing ore and sluicing—often from very young ages, in open pits or riverbanks. For example, children as young as 10 have been documented working in sand-mining operations along riverbeds.²⁹⁷

These tasks are hazardous in themselves: collapsing pits, inadequate protective equipment, exposure to dust, heavy physical loads, and long hours. In mining-intensive areas, communities (including children) live very close to mines, tailings, ore-processing sites and dredged riverbeds. This proximity brings serious risks: dust, chemical exposure, contaminated water, collapsing land, noise, and lack of safe space for children to play or study.

Somalia

The 1972 Labour Code sets the minimum employment age at 15 and prohibits hazardous work for those under 18, yet the absence of a legally defined hazardous-work list undermines enforceability. Compulsory education ends at around age 14, creating a gap that leaves 14–15-year-olds exposed to premature entry into the labour market. Children are heavily engaged in agriculture (including livestock herding), construction, domestic service, and informal street economies.²⁹⁸ The worst forms of child labour include direct involvement in armed conflict. Structural barriers—such as displacement, poverty, school fees, and poor access to sanitation—magnify risks, especially among internally displaced persons (IDPs), nomadic communities,

297. Robert Bociaga, ‘Children toil at dangerous work in Sierra Leone’s sand-mining boom’ *The Globe and Mail*, <https://www.theglobeandmail.com/world/article-sierra-leone-children-sand-mining/> (accessed October 5, 2025).

298. Verite, ‘Trafficking Risk in Sub-Saharan African Supply Chains’ < <https://verite.org/africa/explore-by-country/somalia/> > (accessed October 15, 2025).



and minority clans.²⁹⁹ The Provisional Constitution (2012) recognizes children's rights and prohibits work that endangers a child's health or development. The Child Rights Bill (2023) harmonizes child-protection law but does not include a provision on protecting children from egregious activities of non-state actors.

Under current law, companies are required to verify that workers are at least 15 years old, and those under 18 must be excluded from hazardous tasks. Employers are also expected to account for school-attendance safeguards for adolescents aged 14–15, given the education–work gap. In practice, grievance and referral systems should align with the Ministry of Labour and Social Affairs (MoLSA), police authorities, and UNICEF-supported reintegration services for children released from armed groups.³⁰⁰

South Africa

The Children's Act (No. 38 of 2005), read together with the Constitution (1996), the Basic Conditions of Employment Act (1997), the Child Labour Programme of Action (CLPA) (2003), and related sectoral laws, establishes a strong legal and policy framework that governs how businesses and economic actors must conduct themselves in ways that respect, protect, and fulfil children's rights. While the Children's Act itself does not explicitly regulate corporate practices, several of its provisions – and their interaction with broader human rights and labour laws – create binding implications for business operations, particularly in relation to economic exploitation, labour practices, advertising, environmental harm, and corporate responsibility. Notably, Article 8(2) of the Constitution (1996) imposes human rights obligations on businesses, providing a firm basis for corporate accountability for human rights violations.

The Children's Act is primarily a social protection law, aimed at ensuring the care, protection, and well-being of all children in South Africa. It gives legislative effect to the rights of children under Section 28 of the Constitution, which guarantees every child protection from maltreatment, neglect, abuse, degradation, and exploitative labour practices. Relevant to business, the Act prohibits any act or omission that results in a child's economic or sexual exploitation, creating a normative boundary for all entities, including private and corporate actors. Section 9 of the Act embeds the best interests of the child principle as a guiding obligation for all institutions, public or private, whose activities affect children. In this sense, the Act functions as a horizontal obligation, extending child protection beyond the state to non-state actors such as corporations, employers, and service

299. Federal Republic of Somalia, Somalia Education for Human Capital Development Project (P172434) <<https://documents1.worldbank.org/curated/en/527691616512710029/pdf/Environmental-and-Social-Management-Framework-ESMF-Somalia-Education-for-Human-Capital-Development-Project-P172434.pdf>> (accessed October 27, 2025).

300. Child Labor and Forced Labor Reports, Somalia <<https://www.dol.gov/agencies/ilab/resources/reports/child-labor/somalia>> (accessed October 15, 2025).



providers. Furthermore, the Act complements sectoral laws governing corporate conduct, such as those regulating media, advertising, and product safety, where businesses are prohibited from exposing children to harmful content or practices.

The Basic Conditions of Employment Act (BCEA, 1997) and the Employment Equity Act (1998) directly regulate how businesses engage with children as workers or dependents affected by workplace conditions. The BCEA prohibits the employment of children under 15 years and bans hazardous work for those under 18. It mandates that any work by children must not be detrimental to their education, health, or moral development – effectively prohibiting exploitative or unsafe child labour practices in all sectors, including agriculture, mining, manufacturing, and domestic work.

Furthermore, the Children’s Act interacts with the Consumer Protection Act (2008) and the Advertising Regulatory Board’s (ARB) Code of Practice, which restricts the exploitation of children in commercial advertising.

The CLPA (2003, revised 2017) provides a coordinated, multi-sectoral strategy for eliminating child labour and its worst forms. It identifies high-risk business sectors – such as mining, agriculture, domestic work, and informal trading and sets out mechanisms for corporate compliance, monitoring, and remediation. The Prevention and Combating of Trafficking in Persons Act of 2013 criminalises trafficking in persons including imposing criminal sanctions on business that employ trafficked labour.

South Africa’s legal framework has begun addressing children’s exposure to risks in the digital economy. Under the Protection of Personal Information Act 4 of 2013, companies are restricted from processing personal data of minors without parental consent, particularly in online environments. This establishes a baseline for corporate responsibility in technology and digital services, ensuring that businesses operating in digital spaces respect children’s privacy and security.

Taken together, these instruments embody a comprehensive, multi-sectoral approach to protecting children from harmful business practices. While South Africa does not yet have a NAP on BHR that specifically addresses children, the existing legal framework provides a strong foundation for integrating child rights mainstreaming into corporate governance and policy. These frameworks collectively ensure that children are not merely passive beneficiaries of social policy, but rights-holders whose interests must be central to responsible business conduct.



South Sudan

The Child Act of 2008 defines a child as any person under the age of 18. It guarantees several fundamental rights, including the right to life, survival, and development (Article 12) and protection from child labour (Article 25), among others. The Act places a clear obligation on the State to safeguard these rights and outlines corresponding duties for parents, communities, and government institutions. However, the legislation does not contain specific provisions addressing the responsibilities of business enterprises, or regulating corporate conduct in relation to children's rights.

Similarly, the Labour Act of 2017 (Act No. 64) provides the overarching framework for employment relations, labour standards, workplace safety, and conditions of employment in South Sudan. While it establishes general protections for workers and prohibits exploitative labour practices, it does not comprehensively regulate corporate behaviour that affects children beyond standard employment contexts. As such, both laws focus primarily on child welfare and labour protections but fall short of addressing the broader intersection between children's rights and business practices, including corporate accountability, supply chain oversight, and due diligence obligations.

Sudan

Sudan's Child Act (2010), the Labour Act (1997), and the Combating of Human Trafficking Act (2014) prohibit exploitation that can occur in business settings, but they do not create explicit, business and human rights duties. For example, Chapter IX of the Child Act prohibits employing children in forced labour and sexual exploitation; outlaws the use of children in prostitution and pornography and addresses demobilization and protection from exploitation. Chapter IV of the Labour Act regulates the employment of "young persons," requires employers to post rules on their employment and working hours, and provides the hook for labour inspection- relevant for workplace abuses, including by corporate actors. The Combating of Human Trafficking Act (2014) criminalizes sex and labour trafficking, providing penalties and a framework to investigate and prosecute trafficking, including when it is linked to economic activity. However, none of these instruments explicitly impose corporate responsibilities like mandatory child-rights impact assessments, supply-chain due diligence, public reporting, or company-level grievance mechanisms.

The country's high-risk sectors particularly artisanal and small-scale gold mining (ASM), agriculture, construction and brickmaking, domestic and street work, and commercial sexual exploitation of children (CSEC) expose children to the worst forms of labour, especially in displacement hubs.³⁰¹

301. UNICEF, 'Child Protection' <<https://www.unicef.org/sudan/child-protection>> (accessed October 5, 2025).



Tanzania

The Law of the Child Act, 2009 (Mainland) consolidates laws relating to children, stipulates their rights and protects their welfare, including regulating employment and apprenticeship.³⁰² It also enables regulations on child employment, for example, the Child Employment Regulations, GN No. 196 of 2012,³⁰³ which set minimum standards for employer and employee duties when children work.

The Children's Act, 2011 (Zanzibar) provides a comprehensive framework for child protection in Zanzibar, covering custody, guardianship, services for children in need of care or in conflict with the law, and establishing institutional mechanisms such as children's courts. Like the Mainland law, it largely focuses on children's protection from violence, neglect and abuse. These laws do not impose business-specific obligations such as requiring companies to undertake child-rights impact assessments, ensure supply-chain due diligence, or monitor corporate practices with respect to children. Therefore, their direct linkage to business conduct is limited.

Policy implementation is anchored by the National Plan of Action to End Violence Against Women and Children II (2024/25–2028/29),³⁰⁴ and the National Strategy on the Elimination of Child Labour (2023–2027).³⁰⁵ In practice, child labour persists—particularly in agriculture, mining/quarrying, domestic work, fishing, construction, and street work—including the worst forms of child labour, and with continuing enforcement gaps.³⁰⁶

Togo

The Children's Code (Loi n°2007-017) of 2007 defines a child as any person under eighteen, protects against economic and sexual exploitation, and criminalizes trafficking. It sets compulsory education at age fifteen and supports free public education through constitutional provisions and decrees abolishing fees at pre-primary and primary levels. However, free education is not guaranteed in law beyond primary school, leaving older children vulnerable to dropping out into work.

The 2021 Labour Code replaced the earlier 2006 code and tightened protections for children, setting the minimum age for work at fifteen and prohibiting hazardous work below eighteen. Yet a key loophole

302. Republic of Tanzania, 'Law of the Child Act, 2009 (Act No. 21 of 2009) (Cap. 13)' <<https://tanzlii.org/en/akn/tz/act/2009/21/eng@2019-11-30>> (accessed October 5, 2025).

303. Republic of Tanzania, 'Law of the Child (Child Employment) Regulations (G.N. No. 196 of 2012)' <<https://natlex.ilo.org/dyn/natlex2/natlex2/files/download/96139/TZA96139.pdf>> (accessed October 5, 2025).

304. The United Republic of Tanzania, National Plan of Action to End Violence Against Women and Children (NPA – VAWC II 2024/25 – 2028/29) <<https://www.jamii.go.tz/uploads/documents/sw-1739175592-NPA-VAWC-II.24.25.pdf>> (accessed October 5, 2025).

305. Tanzania, Moderate Advancement, <https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2023/Tanzania.pdf> (accessed October 2, 2025).

306. UNICEF, Child Work and Child Labour in the United Republic of Tanzania <<https://www.unicef.org/tanzania/media/4421/file/Child%20work%20and%20child%20labour%20in%20the%20United%20Republic%20of%20Tanzania.pdf>> (accessed October 5, 2025).



remains: Arrêté 1556, which lists hazardous work activities, still permits some hazardous tasks for children as young as fifteen, including carrying heavy loads. This provision undermines compliance with ILO standards, which require that hazardous work be restricted to those over eighteen, or in limited cases over sixteen with full safeguards.

Tunisia

Tunisia's Labour Code (2025) and the Code for the Protection of the Child (1995) establish a general minimum working age of 16, with limited exceptions that allow certain hazardous work from age 16 under inspection and training conditions.

The 2004 Personal Data Protection Law regulates the processing and marketing of personal data, including rules on consent and restrictions, which are particularly relevant for safeguarding children's online privacy and marketing exposure. Despite these protections, child labour remains a concern, particularly in agriculture, street work and begging, domestic service, small workshops/repairs, and parts of the services and construction sectors.

As digital platforms and e-commerce expand, new risks emerge around children's data, targeted advertising, and online harms, highlighting the need for clearer corporate responsibilities and stronger regulatory guidance. Tunisia has signaled its commitment to the UNGPs and the process of developing NAPS on BHR. However, no standalone NAP has yet been adopted, and there is no dedicated child-focused BHR plan. Current efforts show intent and progress but lack an approved framework that clearly defines child-rights due diligence (CRDD), supply-chain responsibilities, and corporate reporting obligations.³⁰⁷

Uganda

The Employment Act, 2006 provides that children under the age of twelve years shall not be employed in any business, undertaking or workplace,³⁰⁸ and a child under fourteen may only be employed in light work under adult supervision, certain ages cannot be employed commercially without conditions.³⁰⁹

The Employment (Employment of Children) Regulations, 2012 sets out a list of activities considered as unsuitable or hazardous work, especially in high risk sectors such as oil and gas, and requires employers to display that list, set limits on hours, night work, medical examination of young workers, and regulate apprenticeships.³¹⁰

307. International Labour Organization, How to better integrate the principles of decent work into the ongoing Tunisian national action plan for Business and Human rights? <https://www.ilo.org/sites/default/files/2025-05/PolicyBrief_RayenAyari_PublishCopy-Revised.pdf> (accessed October 28, 2025).

308. See section 32.

309. Ibid.

310. International Labour Organization, 'Employment (Employment of Children) Regulations, 2012 (S.I. 2012 No. 17)' <https://natlex.ilo.org/dyn/natlex2/r/natlex/fe/details?p3_isn=88352> (accessed October 5, 2025).



The Children (Amendment) Act, 2016 updates the principal Children Act to strengthen protections for children. Together, these instruments offer legal protections against exploitative work conditions for children and provide regulatory measures applicable to workplaces and employment relationships. However, while the laws protect children from hazardous work and set age limits, they do not explicitly impose obligations on companies in broader business operations—such as requiring companies to conduct child-rights impact assessments, integrate child-rights due diligence, or disclose how business activities may affect children’s rights. These frameworks focus largely on employment relationships rather than all business activities, such as supply-chain risks, subcontracting, informal work, marketing, digital business practices, and thus leaves gaps in addressing how corporate conduct beyond direct employment affects children.

The 1995 Constitution of Uganda establishes a clear obligation for corporate entities to respect and uphold human rights. Article 20 explicitly provides that the “rights and freedoms of the individual and groups enshrined in this Chapter shall be respected, upheld, and promoted by all organs and agencies of Government and by all persons.” Importantly, Article 257(10) defines “persons” to include corporations, thereby extending human rights obligations beyond individuals to encompass businesses and other legal entities.

The Union of the Comoros

Comoros does not yet have a comprehensive or unified Children’s Code. Instead, the legal protections for children are dispersed across various statutes, codes, and ministerial orders. One of the key legal instruments addressing children’s welfare is the Labour Code of 2012, which outlines basic prohibitions and conditions relating to child labour and exploitation. Article 131(d) of the Code explicitly forbids children from engaging in the worst forms of work—those that, by their nature or the conditions in which they are performed, are likely to endanger a child’s health, safety, or morals.

In addition, Articles 2.1 and 131 prohibit child trafficking, while Article 131 further bans the commercial sexual exploitation of children. However, these protections are limited in scope. For instance, the Code applies only to children employed under formal labour contracts, thereby excluding those working in informal or household sectors. This limitation falls short of international standards, such as the ACRWC, which require that all children – regardless of employment status – be protected from economic exploitation. Moreover, the Penal Code (2020) contains provisions on child trafficking but does not exclude the need to prove means such as force, fraud, or coercion—a requirement that contravenes international norms, which recognize that children cannot consent to trafficking or exploitation under any circumstances.



Zambia

The Employment Code Act of 2019 (ECA) consolidates Zambia's labour laws and sets out comprehensive standards on employment relations, occupational safety, and protection of vulnerable groups, including children. Its relevance to business and children's rights arises primarily in its regulation of child labour, hazardous work, and employer responsibilities. The Act sets the minimum age for employment at 15 years, and explicitly prohibits the employment of children under 13 years in any capacity. For children aged 13–15, only light work that does not interfere with their education, health, or moral development is permitted. The Act prohibits the employment of young persons under 18 in any form of hazardous work, defined as work likely to jeopardize their health, safety, or morals.

Section 176 mandates the Minister of Labour to issue regulations listing hazardous occupations, particularly in mining, agriculture, construction, manufacturing, and hospitality sectors. Employers are legally bound to maintain a register of young workers and ensure workplace inspections by labour officers. These provisions hold businesses legally accountable for ensuring safe and age-appropriate working conditions, especially in high-risk industries. The ECA introduces penal sanctions for employers who violate child labour laws, including imprisonment and heavy fines. It also obliges businesses to cooperate with inspectors and provide transparent employment records. The Act bans forced labour, trafficking, and economic exploitation of children in all forms of employment, whether in formal enterprises or informal family businesses. This is particularly relevant in Zambia's mining and agricultural sectors, where informal supply chains are common.

The Children's Code Act of 2022 (CCA) consolidates all child-related legislation into a single, comprehensive framework. It strengthens children's rights protection in alignment with the ACRWC, and Articles 11–23 of the Zambian Constitution. The CCA criminalizes all forms of economic exploitation, including the use of children for profit-making, labour exploitation, or hazardous activities. It also prohibits commercial sexual exploitation, trafficking, and the use of children in pornography or prostitution, offences often linked to illicit business practices such as tourism, entertainment, or hospitality sectors. While the CCA does not use the term “business,” it introduces the notion of “duty bearers” beyond the state, including private institutions and organizations that have obligations toward children. The Act complements the Employment Code by prohibiting the engagement of children in work that is exploitative, hazardous, or interferes with education.

The 1991 Constitution of Zambia guarantees a comprehensive Bill of Rights that applies to all persons. Under the Constitution, the term ‘person’ is explicitly defined to include individuals, companies, and



associations of persons, whether incorporated or unincorporated. This broad definition effectively extends constitutional obligations to corporate entities and provides a legal avenue for victims of corporate human rights abuses to assert and seek enforcement of their constitutional rights.

Zimbabwe

The Labour Act (1984) serves as Zimbabwe's principal employment legislation and incorporates provisions that protect children from exploitative business activities. It sets the minimum employment age at 16, having raised it from 15 in 2015, and prohibits hazardous work for anyone under 18.

Section 11 prohibits the employment of children under the age of 15 years. It further forbids the employment of children under 18 years in hazardous or harmful work, including activities that may endanger their health, safety, morals, or development. This includes work in mining, manufacturing, and other industrial settings. Employers who contravene these provisions are liable to criminal prosecution, with potential fines and imprisonment, thus embedding corporate accountability for child labour violations.

The Children's Act (2002) Chapter 5:06) complements the Labour Act by providing a broader child protection framework that indirectly regulates business conduct affecting children. The Act criminalizes ill-treatment, neglect, and exploitation of children, which may extend to exploitative labour practices by employers or business entities. It empowers social welfare officers to intervene in cases of child abuse or neglect, including where exploitation occurs within business operations such as farms, factories, or informal enterprises.

The Children's Act (Chapter 5:06) provides the general protection framework, while criminal law addresses commercial sexual exploitation of children (CSEC) and trafficking. Zimbabwe's anti-trafficking architecture is grounded in the Trafficking in Persons Act of 2014 and reinforced by the National Plan of Action to Combat Trafficking in Persons (2023–2028), which guides coordination and victim protection. In parallel, the government relaunched the National Steering Committee on the Worst Forms of Child Labour in 2023, signaling renewed political will to tackle child exploitation, though resource and capacity gaps remain.



PART 05

MAINSTREAMING CHILD RIGHTS IN POLICY FRAMEWORKS: GAPS, CHALLENGES, AND EMERGING BEST PRACTICES IN AFRICA

The integration of child rights into NAPs on BHRs and national human rights policies are significant steps toward realizing the UNGPs and the ACRWC. Within the African context, where children constitute about half of the population,³¹¹ mainstreaming child rights within BHR frameworks ensures that economic growth and investment do not come at the expense of children's welfare, dignity, and development. Among the existing NAPs, Ghana and Uganda stand out as exemplars of best practice, offering key lessons on institutionalization,

311. SOS Children's Villages, 'Children in Africa: Caught in crisis, deserving of hope' <<https://www.sos-usa.org/about-us/where-we-work/africa/children-in-africa>> (accessed November 5, 2025).

participation, and implementation. This section examines best practices in integration of children rights into NAPs and identifies gaps and challenges in mainstreaming child rights into these policy frameworks.

5.1

LESSONS AND EMERGING BEST PRACTICES IN MAINSTREAMING CHILD RIGHTS



A key area of contemporary relevance concerns the connection between children's rights and digital technology. The increasing use of digital platforms and artificial intelligence has transformed children's lives. Digital technologies enhance educational access through personalized learning tools and remote teaching programs, yet they also expose children to potential data exploitation, online manipulation, and exposure to harmful content. The digital divide further compounds inequalities—children without access to internet or devices are excluded from online learning environments, exacerbating existing socio-economic disparities.

At the national level, Ghana and Uganda stand out as exemplars in mainstreaming child rights within business and human rights frameworks. Ghana's NAP on BHR demonstrates a deliberate effort to connect corporate responsibility with child protection.

Article 12 of Ghana's 1992 Constitution recognizes that both natural and legal persons must respect human rights, providing a constitutional foundation for corporate accountability. The plan explicitly identifies

children as a vulnerable group affected by business operations, acknowledging risks of child labour, sexual exploitation, trafficking, and environmental degradation. It adopts a multi-sectoral approach that links business responsibility with the protection of children's rights to education, health, and safety. At the institutional level, Ghana's NAP situates the protection of children within both state and corporate accountability frameworks. It mandates that businesses integrate child-sensitive due diligence and conduct human rights impact assessments prior to undertaking high-risk projects, particularly in the extractive and manufacturing sectors.

The inclusion of Voluntary Compliance and Responsibility (VCR) desks within enterprises is an innovative mechanism to promote internal corporate oversight. These desks serve as in-house points for monitoring compliance, advising management, and facilitating engagement with regulatory agencies.

The NAP also demonstrates strong alignment with national legal reforms, including the proposed revision of the Children's Act to reflect BHR principles. It further emphasizes public sensitization and the incorporation of human rights education into school curricula – measures that reinforce intergenerational understanding of corporate responsibility. Ghana's approach underscores the importance of horizontal integration, where multiple state institutions (education, labour, environment, gender) collaborate to enforce child rights obligations within economic governance. Similarly, Uganda's NAP on BHRs is a model in establishing an implementation roadmap that connects BHR priorities with child protection mechanisms.

Uganda's framework identifies children as a key stakeholder group and emphasizes corporate responsibility to prevent child labour, promote occupational safety, and respect the right to education. A distinguishing factor in Uganda's NAP is its integration with national development frameworks. The Plan aligns

closely with the Third National Development Plan (NDP III) and Uganda's commitments under the Sustainable Development Goals (SDGs), guaranteeing that corporate accountability supports broader socio-economic outcomes.

Across Africa, constitutional and legislative frameworks often serve as primary mechanisms for embedding human rights obligations within corporate conduct – particularly where NAPs are still under development. Several African constitutions, such as those of South Africa (1996), Kenya (2010), and Ghana (1992) establish horizontal obligations by extending the duty to respect human rights to all persons, including private entities.

Beyond constitutions, numerous national human rights policies and child protection frameworks incorporate economic and business dimensions of children's welfare, even when not explicitly framed as business and human rights (BHR) instruments. For instance, Egypt's National Human Rights Strategy (2021–2026) includes commitments addressing child labour, access to education, environmental health, and digital safety. These policies collectively demonstrate a recognition that the private sector plays a significant role in shaping children's life outcomes and that accountability mechanisms must extend beyond state institutions. Collectively, these developments highlight several lessons.

- First, effective mainstreaming of child rights in business regulation requires a multi-sectoral approach – linking corporate accountability, environmental sustainability, and child protection mechanisms.
- Second, aligning constitutional and statutory frameworks with international standards such as the UNGPs enhances state capacity to regulate private-sector impacts on children.
- Third, integrating child-sensitive due diligence into corporate governance and encouraging cross-sector collaboration –

such as engagement with UNICEF and civil society – offers a replicable model for other African states.

5.2

GAPS AND CHALLENGES IN MAINSTREAMING CHILD RIGHTS INTO POLICY FRAMEWORKS IN AFRICA

Despite incremental progress across African states in aligning national frameworks with the ACRWC and the UNGPs, significant gaps persist in mainstreaming child rights within policy and governance structures. These challenges manifest in legal, institutional, and implementation dimensions.

a) Fragmented Policy and Incoherent Legal Frameworks

Many African countries retain fragmented child protection regimes, often dispersed across sectoral legislation – labour, education, health, environment – without an overarching child right-based lens. A lack of coherent policy architecture that explicitly links children's rights to corporate responsibility is an impediment to the realization of children's rights within the context of business respect for human rights. For example, while most constitutions enshrine the “best interests of the child,” few translate this into enforceable obligations on private entities.

Labour codes typically regulate child employment but fall short of addressing broader corporate impacts such as environmental pollution, data exploitation, or unsafe marketing to children. This disconnection hampers policy coherence and limits accountability across business sectors.

b) Limited Integration of Business and Human Rights (BHR) Norms

NAPs on BHR are the primary vehicles for articulating state duties vis-à-vis corporate conduct. However, of the 5 countries that have adopted NAPs, only four – Ghana (2024), Uganda (2021), Kenya (2019), and Liberia (2024) – explicitly integrate children's rights.

Most NAPs reference “vulnerable groups” in general terms, leaving child-specific risks unaddressed. This omission weakens child-focused due diligence and prevents companies from systematically assessing the impact of their operations on children’s health, education, or safety.

c) Weak Institutional Coordination and Capacity

The mainstreaming of child rights requires collaboration between ministries of trade, labour, child welfare, and environment. Yet, most states lack functional inter-ministerial coordination mechanisms. Overlapping mandates and budgetary constraints often lead to duplication or neglect of child-sensitive monitoring. For instance, while national human rights institutions (NHRIs) exist in over 40 African countries, few have specialized child rights units capable of engaging businesses or conducting sectoral audits.

d) Resource Constraints and Budgetary Gaps

Insufficient fiscal allocation for child rights programming undermines implementation. Social protection, education, and environmental health budgets are often the first to be cut in times of fiscal strain, while corporate tax incentives or illicit financial flows and tax holidays deprive states of resources to invest in child-sensitive services. The absence of budget lines for child rights monitoring – particularly in relation to business activities – further constrains enforcement.

e) Weak Enforcement and Access to Remedy

Even where laws exist, enforcement remains limited. Labour inspections are infrequent, environmental regulators are underfunded, and child protection agencies rarely have prosecutorial powers. Few countries have established child-friendly grievance mechanisms, meaning children affected by corporate harm—such as pollution, displacement, or digital exploitation—have little recourse to justice.

Ghana and Uganda are exceptions, as both embed child-sensitive remedies within their NAPs, offering models for replication.

f) Inadequate Data and Monitoring Systems

Reliable, disaggregated data on children’s exposure to business-related harm—whether through child labour, environmental degradation, or online risks—remains scarce. Without systematic child rights impact assessments (CRIAs), policymakers lack the evidence base needed to design targeted interventions. National statistics offices seldom integrate child rights indicators into corporate governance or environmental reporting frameworks.

g) Emerging Digital and Environmental Challenges

Rapid digitalization and industrial expansion have created new risks to child rights—ranging from online exploitation and data misuse to exposure to pollutants and climate-related displacements. These new forms of corporate risk have emerged in digital and extractive sectors. The absence of regulatory oversight on digital platforms leaves children vulnerable to data exploitation, targeted advertising, and online abuse. Likewise, mining and energy projects continue to displace communities, contaminate water sources, and erode livelihoods, disproportionately affecting children. With few exceptions, for example, Kenya’s Data Protection Act 2019 and Ghana’s Child Online Protection Framework, digital child protection is largely absent from African NAPs and corporate regulation regimes. Similarly, environmental laws seldom integrate child rights perspectives, despite the documented impacts of pollution and land degradation on children’s health and livelihoods.

h) Limited Child Participation in Policy Processes

A pervasive challenge across countries is the lack of structured mechanisms for children’s participation in decision-making processes

that affect them. Consultations during NAP development or sectoral policy formulation rarely include youth or child representatives. Few NAPs or human rights policies create formal avenues for child consultation in the design, monitoring, or evaluation of business-related frameworks. Children's perspectives are often filtered through adult intermediaries or civil society, diluting their lived experiences in policy formulation. This exclusion preserves the invisibility of children's perspectives in business-related policymaking.



**The integration of child rights
into NAPs on BHRs and national
human rights policies are significant
steps toward realizing the UNGPs
and the ACRWC.**

CONCLUSION AND RECOMMENDATIONS

6.1

CONCLUSION

This study demonstrates that while African states have made significant normative commitments to protect and promote children's rights under the African Charter on the Rights and Welfare of the Child (ACRWC), the UN Convention on the Rights of the Child (CRC), and the UN Guiding Principles on Business and Human Rights (UNGPs), the practical integration of these commitments into national human rights policies, sectoral laws, and National Action Plans on Business and Human Rights (NAPs) remains uneven, fragmented, and in many contexts insufficient.

Across the continent, the impact of business activities – whether in extractive industries, agriculture, manufacturing, tourism, digital technologies, or the informal sector – continues to shape children's daily lives in profound ways. The study highlights persistent structural barriers, including child labour, economic exploitation, environmental degradation, displacement, digital harms, corruption, and illicit financial flows, all of which disproportionately affect children and impede the realization of their fundamental rights. Yet, despite the scale of these challenges, children are often invisible in the policy and regulatory frameworks designed to address business-related risks. In most African countries, child rights mainstreaming remains peripheral, often limited to general prohibitions on child labour, with little acknowledgement of the wider impacts of business activities on children's health, digital safety, environment, education, displacement, and socio-economic wellbeing. This marginalization of children's rights in laws, policies, and NAPs, mainly equating children's rights in the context of business activities to child labour – leaves gaps in areas such as digital protection, environmental governance, land acquisition, marketing practices, climate

impacts, and remedies for business-related harms.

Findings from the five countries that have adopted NAPs on BHR – Ghana, Kenya, Uganda, Nigeria, and Liberia – confirm this unevenness. Integration of children's rights ranges from occasional mentions to more structured, child-sensitive approaches, illustrating the varied levels of progress. Ghana stands out for its explicit and systematic integration of children's rights in its NAP, offering a replicable model for other states. In contrast, countries without NAPs rely heavily on sectoral laws or general child protection statutes, many of which do not explicitly address corporate obligations toward children or the business-specific risks that children face.

This study demonstrates clearly that the protection of children's rights within business contexts in Africa requires a paradigm shift from fragmented, child-labour-focused approaches toward comprehensive, cross-sectoral integration of children's rights across all governance, regulatory, and corporate accountability systems.

The core lesson that emerges is the need for three interdependent pillars:

01.

Legal integration

Children's rights must be explicitly embedded in constitutions, sectoral laws, procurement frameworks, investment policies, and NAPs to clarify state duties and corporate responsibilities. Without clear legal guidance, mainstreaming remains aspirational rather than operational.

02.**Institutional Embedding**

Effective implementation depends on well-resourced institutions capable of coordination, oversight, enforcement, and data generation. This includes labour inspectorates, child protection agencies, environmental authorities, digital regulators, and National Human Rights Institutions (NHRIs). Institutional fragmentation and resource deficits significantly weaken the overall ecosystem of child rights protection.

03.**Participatory Governance**

Current policy processes rarely create space for children's meaningful participation. Their exclusion from consultations, design processes, and monitoring frameworks perpetuates the invisibility of their concerns. Embedding child participation – directly, safely, and appropriately – is vital for inclusive and accountable business governance.

A fourth cross-cutting insight concerns the importance of regional coherence and peer learning. The African Committee of Experts on the Rights and Welfare of the Child (ACERWC), African Union organs, and Regional Economic Communities (RECs) are uniquely positioned to harmonize standards, strengthen monitoring, and support continent-wide implementation, facilitating peer learning, and promoting transparency and accountability among member states. A regional approach will ensure harmonized standards, shared best practices, and ensure that child protection remains a consistent priority across the continent.

Ultimately, the African experience underscores a profound truth: sustainable development and economic growth cannot be achieved at the expense of children's dignity, safety, and future. Businesses benefit from an enabling environment created by states; this must be matched by a reciprocal commitment to avoid harming children and to contribute positively to their development and well-being. Protecting children in business contexts is not only a legal obligation but also a moral imperative and an investment in Africa's future.



As African states deepen their engagement with the BHR agenda, mainstreaming child rights must remain at the core of their strategies, ensuring that economic progress contributes to, rather than compromises, the well-being of future generations.

6.2

RECOMMENDATIONS

The study proposes a comprehensive suite of recommendations for African Union Member States, business enterprises, National Human Rights Institutions, civil society, and development finance institutions. These recommendations aim to operationalize the three pillars of effective child rights mainstreaming:

- legal integration,
- institutional embedding, and
- participatory governance.

A. RECOMMENDATIONS TO STATES

01.

Strengthen legal and policy frameworks through:

- Integrating explicit child rights provisions into national legislative and policy frameworks, ensuring consistency with the ACRWC, CRC, UNGPs, and ILO standards. Explicit reference ensures children are recognised as rights-holders whose unique vulnerabilities must be considered in all business-related decisions. Without clear articulation, children's issues remain invisible or overshadowed by general human rights language.
- Harmonizing national labour laws with international standards by criminalizing all forms of child exploitation, updating hazardous work lists, and codifying conditions for light work and reconciling education and labour ages.
- Integrating child rights safeguards into sectoral laws, including mining, oil and gas, agriculture, tourism, digital regulation, environmental protection, and investment laws. Children are affected across multiple sectors requiring the alignment of laws to close regulatory gaps that allow harmful business practices to flourish in areas such as extractives, digital spaces, and informal employment.
- Integrate digital child protection measures into data protection and online safety frameworks. Children's experiences online expose them to unprecedented risks – exploitation, data misuse, and harmful

content. Digital governance must centre children's rights.

- Make child-protection codes of conduct mandatory for licensing in high-risk industries such as tourism, transport, agriculture, and mining and ensure appropriate sanctions for non-compliance, including excluding non-compliant businesses from eligibility for government procurement contracts.

02.

Adopt and implement child-sensitive national action plans

- Develop, revise, and fully fund NAPs on BHR that include measurable indicators, clear implementation roles, timelines, and monitoring frameworks.
- Ensure NAPs incorporate child-specific issues beyond child labour, covering digital risks, marketing practices, environmental harms, informal sector dynamics, supply chains, land use, and access to remedies.

03.

Enhance effective child participation in policy development.

The absence of children's voices in legislative and policy development may account for the limited level of child rights mainstreaming (beyond child labour) in most of the national legal and policy frameworks reviewed. It is therefore imperative that children are given the opportunity to express their views and experiences in forums and consultations of

policy processes so that their lived realities and the measures that need to be put in place to address those challenges may find expression in the legal and policy frameworks.

04.

Strengthen institutional capacity and coordination

- Expand and resource labour inspectorates, environmental agencies, child protection systems, and social welfare services to monitor business operations, conduct inspections, and enforce laws. Weak enforcement remains one of the most pervasive obstacles to realising children's rights. Resourced inspectorates can monitor compliance, investigate violations, and hold businesses accountable.
- Issue sector-specific operational guidance with model clauses, compliance checklists, and procurement conditions to help businesses integrate child rights into contracts and supply chains.
- Establish inter-ministerial coordination mechanisms linking child protection authorities, business oversight bodies, and regulators in sectors such as mining, ICT, and environment.
- Introduce mandatory human rights due diligence (HRDD) and child rights impact assessments (CRIAs) for high-risk projects. HRDDs and CRIAs generate evidence on how business activities affect children. States should ensure that evidence from HRDDs and CRIAs guide decisions before harm occurs.

05.

Enhance access to justice and remedies for children

- Establish child-friendly grievance mechanisms and incorporate child-sensitive provisions into judicial and administrative remedies. Children often lack safe avenues for reporting corporate abuse. Accessible remedies empower children and ensure accountability for violations.

- Mandate that businesses provide or participate in effective remedy mechanisms, including community-based grievance procedures designed with children in mind.

06.

Strengthen national data systems and evidence generation

- Integrate child rights indicators into national monitoring systems, labour inspection reports, environmental assessments, and digital governance tools.
- Conduct regular national baseline assessments on BHR with robust child-sensitive components.

07.

Address structural drivers of child rights violations

- Ensure universal access to quality, free education through secondary school to reduce child labour.
- Implement strong social protection systems to mitigate poverty-driven vulnerabilities.
- Strengthen fiscal transparency, combat corruption, and curb illicit financial flows and excessive tax incentives. Billions of dollars lost annually could fund child health, education, and social protection. Financial integrity is essential for child-centred development.

08.

Engage in regional cooperation

- Support ACERWC efforts to develop regional guidelines on children's rights and business.
- Participate in continental peer-review platforms to share progress, lessons, and challenges.
- Champion the development of an Africa-focused framework or treaty addressing children's rights and business.

B. RECOMMENDATIONS TO BUSINESSES ENTERPRISES

01.

Adopt and operationalize child-rights policies by:

- Developing child rights policies aligned with the ACRWC, CRC, UNGPs, Children's Rights and Business Principles, and ILO standards.
- Providing clear guidance to staff and contractors on prohibited conduct, safeguarding responsibilities, and reporting procedures.

02.

Conduct child-sensitive human rights due diligence through:

- Integrating child rights considerations into all stages of HRDD and HRIA processes across operations and supply chains. Children face unique risks; generic HRDD often overlooks them. Child-specific processes ensure protections are targeted and effective.
- Including age-verification, school attendance verification, and supply chain mapping in sectors prone to child labour.

03.

Strengthen safeguards in high-risk sectors

- Embed child protection into contracts and procurement, by inserting no-child-labour clauses, audit/spot-check rights, and funded remediation (withdrawal, school re-entry, vocational training).
- Ensure all products, services, and technologies are designed with child-safety principles. Children interact with products – from toys to digital platforms – in ways that adults may not anticipate; safe design prevents foreseeable harm.
- Impose strict oversight of labour recruiters and intermediaries.
- Provide decent work conditions for young workers, parents, and caregivers

including ensuring adolescent-safe work conditions, PPE access, and prohibition of hazardous tasks. Protecting families economically reduces indirect harms children face when caregivers work in exploitative or precarious conditions.

- Enforce zero-tolerance policies against sexual exploitation, trafficking, and forced labour.
- Promote responsible marketing and advertising that respects children's dignity and avoids exploitative content.

04.

Improve participation, transparency and accountability

- Engagement with local communities must be inclusive, participatory, and culturally sensitive. Engaging in an open and inclusive manner ensures that child rights concerns are brought to the fore by parents, guardians, children and civil society organisations, so that appropriate mitigation measures can be put in place.
- Establish credible systems for collecting and publishing data that show how their operations and supply chains affect children's rights. Risk to children must not be treated as an afterthought, but rather as a core part of corporate impact reviews and sustainability reports.
- Publish HRDD and CRIA reports, risk mitigation actions, and child-related impact data.
- Establish child-sensitive grievance mechanisms with multilingual, confidential reporting for workers, communities, and customers; link these to state or NGO referral systems; and publish annual case data. Children must be able to report harm safely and meaningfully, without fear or procedural barriers. This ensures that victims can raise complaints and receive remedies promptly.

C. RECOMMENDATIONS TO NATIONAL HUMAN RIGHTS INSTITUTIONS (NHRIs)

- Integrate child rights and business issues into monitoring mandates, annual reporting, and investigative processes.
- Integrate children's rights into baseline assessments for NAP development and implementation. NHRIs shape the evidence base for NAPs; including child-specific indicators ensures that children are not overlooked.
- Advise governments on legal and policy reforms to strengthen child protection in business contexts.
- Develop and apply Child Rights Impact Assessment (CRIA) tools, tailored to country contexts, to systematically evaluate how business operations affect children's welfare.
- Offer guidance and training to businesses on child-sensitive HRDD.
- Provide capacity-building and training for state officials, business actors, and community leaders on mainstreaming children's rights into business and human rights practice. Capacity gaps within institutions lead to weak implementation; NHRIs can bridge this through expertise.
- Conduct and publish independent studies into business-related child rights impacts.
- Facilitate national dialogues including children, communities, and corporate actors.
- Investigate complaints involving both state and private actors, ensuring accessible procedures for children and caregivers. Independent oversight improves compliance and generates data to guide government reform.
- Support the establishment of operational-level remedial mechanisms by business enterprises.

D. RECOMMENDATIONS TO CIVIL SOCIETY ORGANISATIONS

- Advocate for stronger child-protection frameworks, enforcement, and greater corporate accountability and ensure children's voices are heard in policymaking.
- Support community-level monitoring of business activities and build capacity for child participation in policy processes.
- Strengthen community engagement by using participatory approaches, respecting local customs, and ensuring timely information-sharing on business projects.
- Strengthen community-level monitoring and reporting of business-related child rights violations. CSOs often detect abuses earlier than state bodies, ensuring timely interventions.
- Build child-rights literacy among communities and caregivers. Informed communities are better equipped to protect their children and demand accountability.
- Provide legal assistance and case documentation for children affected by business-related harms, including strategic litigation to challenge systemic child-rights violations by public and private actors. Litigation drives structural reforms and clarifies legal obligations.
- Document and publish disaggregated data on child-specific business impacts,

- including environmental harms, digital risks, and labour exploitation, to inform advocacy and accountability.
- Deliver direct support and reintegration services for children withdrawn from exploitative work.

E. RECOMMENDATIONS TO DEVELOPMENT FINANCE INSTITUTIONS (DFIs)

- Ensure that lending standards incorporate mandatory child rights safeguards consistent with international norms.
- Apply rigorous child-rights-sensitive due diligence to all funded projects. DFIs fund high-risk sectors – extractives, infrastructure – where children are often disproportionately harmed. Requiring borrowers to conduct child-sensitive HRDD, CRIAs, and publish risk mitigation plans can contribute to responsible business behaviour.
- DFIs should condition financing on compliance with child protection standards and independent monitoring. Require borrowers to integrate child-rights safeguards. Including prohibitions on child labour and environmental protections can influence borrower behaviour through funding conditions; incorporating children's rights elevates standards across sectors.
- Provide appropriate sanctions for the failure of the businesses they fund to diligently comply with the relevant social and environmental safeguards to protect children from business related harm.
- Ensure independent grievance mechanisms are accessible and child-friendly to ensure that children and communities affected by DFI-funded projects have effective avenues for redress for child rights violations emanating from the operations of businesses they support.

6.3

FINAL REFLECTION

The protection of children's rights in business contexts must be understood as foundational to Africa's economic transformation.

Mainstreaming requires intentional, sustained, and multisectoral action that places children – Africa's largest demographic and its greatest asset – at the centre of economic governance and sustainable development. Consequently, mainstreaming child rights within business and human rights governance is not optional; it is essential for shaping equitable, inclusive, and

sustainable socio-economic development in Africa. The success of Africa's development trajectory hinges on protecting the continent's most valuable resource – its children. By embedding legal coherence, institutional accountability, and participatory governance into national and regional frameworks, African states and businesses can ensure that economic activity contributes meaningfully to the dignity, protection, and flourishing of every child.



IHRDA
defend, educate, inform

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