

In 2016, Djibouti made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government passed the Law on the Fight Against Trafficking in Persons and Illicit Smuggling of Migrants, which criminally prohibits domestic and international trafficking and addresses all acts in the trafficking process. However, children in Djibouti perform dangerous tasks in street work. Children also engage in the worst forms of child labor, including in commercial sexual exploitation. In addition, the law neither establishes a minimum age for hazardous work nor fully protects children from all forms of commercial sexual exploitation. Law enforcement efforts were inadequate to prevent and combat child labor, including its worst forms.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Djibouti perform dangerous tasks in street work. Children also engage in the worst forms of child labor, including in commercial sexual exploitation.(1-3) Table 1 provides key indicators on children's work and education in Djibouti.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	12.3 (23,693)
Attending School (%)	5 to 14	67.4
Combining Work and School (%)	7 to 14	10.2
Primary Completion Rate (%)		64.3

Source for primary completion rate: Data from 2016, published by the UNESCO Institute for Statistics, 2016.(4)

Source for all other data: Understanding Children's Work Project's Analysis of Statistics from Multiple Indicator Cluster Survey 3, 2006.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Caring for livestock (1, 6)
	Farming, activities unknown(6)
Services	Domestic work† (1, 6, 7)
	Street work, including shining shoes, washing and guarding cars, cleaning storefronts, sorting merchandise, collecting garbage, begging, and selling items, including khat (1, 2, 6, 7)
	Working in restaurants, small shops, and family businesses (1, 6, 7)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 6, 8-10)
	Forced domestic work and begging, sometimes as a result of human trafficking (1, 3, 6)
	Use in illicit activities (3, 6, 10)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Limited evidence suggests children, including undocumented migrant girls, are vulnerable to commercial sexual exploitation in Djibouti City and the Ethiopia-Djibouti trucking corridor.(6, 9) Girls from poor Djiboutian families may engage in commercial sexual exploitation as a means of income.(1)

While primary and middle school are tuition-free, other school-related expenses or family pressures may prevent children from attending school.(6, 11) Enrollment rates are lower for girls, children living in rural areas, and children living in poverty.(6, 12)




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II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Djibouti has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Djibouti's legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	16	Article 5 of the Labor Code (13)
Minimum Age for Hazardous Work	Yes	18	Articles 108 and 110 of the Labor Code (13)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 110 of the Labor Code (13)
Prohibition of Forced Labor	Yes		Articles 2 and 290 of the Labor Code; Article 23 of the Law Regarding Terrorism and Other Serious Crimes (13, 14)
Prohibition of Child Trafficking	Yes		Article 1 of the Law on the Fight Against the Trafficking of Persons and the Illegal Smuggling of Migrants; Article 23 of the Law Regarding Terrorism and Other Serious Crimes; Articles 10 and 15 of the Penal Code (14-16)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 462 and 463 of the Penal Code; Article 1 and Article 8 of the Law on the Fight Against the Trafficking of Persons and the Illegal Smuggling of Migrants (15, 16)
Prohibition of Using Children in Illicit Activities	Yes		Article 355, 356, and 461 of the Penal Code (16)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 1 of the National Army Amendment Decree (17)
Non-state Compulsory	Yes	18	Articles 149–151 and 461 of the Penal Code (16)
Compulsory Education Age	Yes	16	Article 4 of the Law on the Orientation of the Education System (18)
Free Public Education	Yes		Article 16 of the Law on the Orientation of the Education System (18)

* No conscription (19, 20)

During the reporting period, the Government passed new legislation that strengthens the legal framework on human trafficking. The law prohibits all forms of human trafficking and prescribes sufficiently stringent penalties.(10, 15)

Sources indicate that the Labor Code's minimum age provisions are not applied effectively to children working outside formal employment relationships.(13, 21-23) In addition, although the Labor Code prohibits the employment of children

between the ages 16 and 18 in domestic work, hotels, and bars, the types of hazardous work prohibited for children do not include street work, an area of work in which there is evidence of work in an unhealthy environment.(13, 21, 23)

The law does not specifically criminally prohibit the offering of a child for prostitution, the production of pornography, or pornographic performances, or the use of a child for prostitution.(15, 16)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MOL)	Enforce all labor laws, including child labor laws and regulations.(2) Through its Inspectorate of Labor and Social Laws, regulate youth employment.(24)
National Police, including the Vice Squad	Enforce criminal laws and investigate crimes related to the worst forms of child labor.(25)
Ministry of Justice	Prosecute child labor cases after they have been referred by MOL.(2)
National Commission on Human Rights	Receive complaints and investigate cases of human rights violations, including the worst forms of child labor.(26, 27) Assist victims in obtaining legal aid to prosecute violators.(26)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Djibouti took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	\$5,649.71 (28)
Number of Labor Inspectors	13 (29)	13 (28)
Inspectorate Authorized to Assess Penalties	Yes (2)	No (10)
Training for Labor Inspectors		
Initial Training for New Employees	No (29)	Yes (28)
Training on New Laws Related to Child Labor	N/A	Yes (11)
Refresher Courses Provided	No (29)	No (10)
Number of Labor Inspections	30 (29)	30 (10)
Number Conducted at Worksite	30 (29)	30 (10)
Number Conducted by Desk Reviews	0 (29)	0 (10)
Number of Child Labor Violations Found	0 (2)	0 (10)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	N/A
Number of Penalties Imposed That Were Collected	N/A	N/A
Routine Inspections Conducted	No (2)	Yes (10)
Routine Inspections Targeted	N/A	Yes (10)
Unannounced Inspections Permitted	Yes (29)	Yes (10)
Unannounced Inspections Conducted	No (29)	Unknown (10)
Complaint Mechanism Exists	No (2)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (2)	No (10)

According to the Government, the labor inspectorate has insufficient funding and training to adequately enforce child labor laws.(2, 6) In 2016, the Government held trainings on the new Law on the Fight Against Trafficking in Persons and Illicit Smuggling of Migrants.(11)

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Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Djibouti did not take actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Yes (28)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Yes (28)
Refresher Courses Provided	Yes (30)	Yes (28)
Number of Investigations	0 (2)	Unknown (10)
Number of Violations Found	N/A	Unknown (10)
Number of Prosecutions Initiated	0 (2)	Unknown (10)
Number of Convictions	0 (2)	Unknown (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (2)	No (10)

The Government continued to detain street children, including potential child trafficking victims, following sweeps to clear the streets ahead of holidays and national events. Immigration officials worked with IOM to assist in returning unaccompanied minors to their countries of origin, including the provision of space for a second Migration Response Center in Loyada.(3, 11, 20) In late December 2016, the Government passed a law that allows unaccompanied minors to apply as asylum seekers.(11, 31)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established an Anti-Trafficking Working Group, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Anti-Trafficking Working Group	Coordinate efforts to combat human trafficking. Led by the Ministry of Justice and includes the Ministry of Labor.(3, 28)
National Council for Children (CNE)	Promote children's rights. Led by the Prime Minister and includes eight other agencies, representatives from NGOs, the private sector, and elected officials.(32)

Research found no evidence of coordination mechanisms to combat the worst forms of child labor.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan on Trafficking in Persons (2014–2020)	Aims to strengthen the legislative framework to combat human trafficking, protect and assist human trafficking victims, and establish a national referral mechanism between law enforcement officials and social service providers.(33) In 2016, with the support of UNODC, approved training of trainer modules to assist law enforcement officials in the identification of trafficking in persons cases.(20, 28)
UNDAF (2013–2017)	Provides access to basic social services to protect children against all forms of violence and exploitation. Includes plans for boys and girls in both rural and urban areas to have equal and quality access to basic education.(34) In 2016, research did not determine whether any activities were undertaken.(28)

The Government has not included child labor elimination and prevention strategies into the National Strategy and the Education Sector Strategic Plan.(1, 35) Research was unable to determine whether activities were undertaken to implement UNDAF during the reporting period.(28)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that may contribute to the prevention or elimination of child labor (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description and Objectives
USDOS-Funded Strengthening the National Criminal Justice System's Response to Trafficking in Persons in Djibouti	\$500,000 USDOS-funded program, implemented by UNODC in partnership with the Government, that establishes a national referral mechanism for victims of human trafficking and a mechanism for data collection, raises awareness of human trafficking, and conducts law enforcement trainings.(20, 30)
National Family Solidarity Program [†]	Government-funded program implemented by the State Secretariat for National Solidarity that establishes cash transfers to support Djiboutian households in extreme poverty.(36) In 2016, the program continued to provide cash transfers to families.(11)
UNICEF-Funded Projects	Humanitarian Action for Children Project and UNICEF Country Program (2013–2017) that promotes access to quality education for children, especially from rural and poor urban areas, increases birth registration, and provides support for orphans and vulnerable children.(35, 37, 38) In 2016, IOM and UNICEF hosted a workshop with Government officials, including law enforcement officials, who work on unaccompanied minor issues to validate a referral mechanism to address the issue of unaccompanied migrant children, particularly those trafficked.(11)
World Bank-Funded Programs	<u>Enhancing Income Opportunities Program</u> (2015-2019), in partnership with the Government, aims to provide at least 2,200 youth with basic life skills training, coaching in business plan development, and access to finance. <u>Access to Quality Education Project</u> , a Global Partnership for Education-funded program, in collaboration with the World Bank and Government, seeks to improve the learning environment in the first three years of primary education and to construct classrooms, rehabilitate and extend schools in rural areas, train teachers, procure student learning materials, and distribute hearing aids and glasses to students who need them.(12, 39, 40) In 2016, project activities began.(11)
World Food Programme-Funded Projects in Support of Food Security	Alleviates food insecurity and builds resiliency. <u>Support for the National School Feeding Programme</u> provides daily meals at schools for 17,900 children. <u>Enhancing the Resilience of Chronically Vulnerable Rural, Urban and Refugee Populations and Reducing Undernutrition in Djibouti</u> increases resilience of rural food-insecure populations to shocks.(41-43) In 2016, projects continued activities.(11)

[†] Program is funded by the Government of Djibouti.

[‡] The Government had other programs that may have addressed child labor issues or had an impact on child labor.(1, 10, 20, 25, 30)

Although the Government of Djibouti has implemented programs that target migrant children, research found no evidence of programs to assist children involved in domestic work and commercial sexual exploitation.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Djibouti (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that hazardous occupations and activities prohibited for children are comprehensive.	2009 – 2016
	Ensure that all children are protected by law, including children working outside formal employment relationships.	2015 – 2016
	Ensure that laws criminally prohibit the use and offer of a child for prostitution, production of pornography, and pornographic performances.	2012 – 2016
Enforcement	Publish data on number of criminal investigations, violations found, prosecutions initiated, and convictions related to the worst forms of child labor.	2010 – 2016
	Strengthen the labor inspectorate by allowing the assessment of penalties, providing refresher courses, and providing information on the number of unannounced labor inspections conducted.	2015 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Provide additional resources to the labor inspectorate and criminal law enforcement agencies so that more inspectors and officers can be hired and receive adequate training.	2011 – 2016
	Cease the detention of street children and establish referral mechanisms between labor and criminal law enforcement agencies and social service providers so that exploited children, particularly victims of child trafficking, receive appropriate care and reintegration services.	2014 – 2016
Coordination	Establish coordinating mechanisms to combat child labor, including in all its worst forms.	2009 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2014 – 2016
	Undertake activities to implement UNDAF.	2016
Social Programs	Conduct research to determine the activities carried out by children working in agriculture to inform policies and programs.	2013 – 2016
	Enhance efforts to eliminate barriers and make education accessible for all children, including girls, by removing other school-related expenses.	2015 – 2016
	Implement programs to specifically address children involved in domestic work and commercial sexual exploitation.	2009 – 2016

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