

In 2012, The Gambia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government established Community Child Protection Committees to raise awareness, arrested and prosecuted a teacher who forced children to beg, and apprehended and detained 18 people for child trafficking for commercial sexual exploitation and petty trade activities. However, gaps in the legal framework persist, such as between compulsory education and minimum working ages. In addition, the Government has yet to establish a coordinating mechanism to combat all worst forms of child labor, and existing social programs are not sufficient to meet the need. Children in The Gambia continue to engage in the worst forms of child labor, including in commercial sexual exploitation.



Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	36.4 (180,954)
Attending School	5-14 yrs.	65.7
Combining Work and School	7-14 yrs.	29.6
Primary Completion Rate		66.3

Sources:

Primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2013.(1)

All other data: Understanding Children's Work Project's analysis of statistics from MICS3 Survey, 2005-2006.(2)

Prevalence and Sectoral Distribution of Worst Forms of Child Labor

Children in The Gambia are engaged in the worst forms of child labor, including in commercial sexual exploitation.(3, 4) Commercial sexual exploitation of children continues to be a serious problem in The Gambia.(5-8) Some children are exploited in brothels.(4) Evidence suggests that sexual exploitation of Gambian children in touristic areas persists, although stricter laws and enforcement have driven such activity away from major hotels and toward lower-end guest houses and motels.(6, 9-11)

Children in rural areas are engaged in agricultural production.(12) Children's work in agriculture commonly involves using dangerous tools, carrying heavy loads, and applying harmful pesticides.(13, 14)

Children in The Gambia also work in domestic service. In particular, some girls from rural areas reportedly leave school to seek work as domestic servants in urban centers.(15) Child domestics may work long hours, performing strenuous tasks, without sufficient food or shelter. These children may also be isolated in private homes and are susceptible to physical and sexual abuse.(16, 17)

In The Gambia, it is a common practice to send boys to receive education from Koranic teachers called *marabouts*. Some Koranic students, or *almudos*, are forced by their teachers to beg in the streets for money and food.(11, 12, 18, 19) Some reports indicate that cases of begging forced on *almudos* by *marabouts* have decreased as a result of police and enforcement efforts.(4, 5, 9) However, reports also suggest that instead of requiring *almudos* to beg, many *marabouts* now force students to sell items on the street. *Almudos* in rural areas often engage in long hours of farm work.(5)

Within The Gambia, children are trafficked for domestic service and commercial sexual exploitation, including in the tourism industry.(4, 5) Children of both sexes are taken to and from neighboring countries where they are exploited in the sex trade, domestic servitude, and forced street vending.(5, 12, 20)

There are reports of children working on the streets, but specific information on hazards is unknown.(8, 12, 19, 21, 22)

Laws and Regulations on the Worst Forms of Child Labor

The Gambian Children's Act sets the minimum age for light work at 16, but permits children as young as 12 to hold an apprenticeship with a craftsperson.(23) The Children's Act prohibits children younger than 18 from engaging in hazardous work, night work and work that interferes with schooling. It prohibits children's participation in specific hazardous industries, including seafaring, mining, and quarrying.(23) It also prohibits children from carrying heavy loads, working in manufacturing industries in which chemicals are produced or machines are used, and holding employment in bars, hotels, and places of entertainment in which a child may be exposed to immoral behavior.(23) The Labor Act of 2007 also prohibits

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children under 18 from engaging in agricultural, industrial, or nonindustrial work. The Act includes exceptions for work done at vocational schools and training institutions as part of an educational program.(24) The law does not protect children working without a formal employer-employee relationship, such as children in domestic work.(25)

International Conventions and Selected Laws on Child Labor and Education

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

The Constitution and the Children’s Act prohibit forced and compulsory labor.(23, 26) Several laws, namely the Children’s Act and the Trafficking in Persons Act of 2007, explicitly criminalize all forms of child trafficking.(23, 27) The law also prohibits promoting child prostitution and procuring a child for sexual exploitation.(23, 28) The Tourism Offenses Act of 2003 prohibits child trafficking, prostitution, and pornography; it is specifically aimed at protecting Gambian children from exploitation by sex tourists.(5, 9, 28-30) The Children’s Act forbids procurement, use or offering of a child for illicit activities, including drug production and trafficking.(23) The Children’s Act also protects children from forced begging.(21) In addition, the Act also stipulates that children under 18 may not be recruited into the Armed Forces.(12, 23)

The Constitution guarantees the right to free education and school attendance is compulsory to age 12.(4, 26) Children ages 12 to 17 may be particularly vulnerable to the worst

forms of child labor, as they are no longer required to attend school but are not legally eligible to perform most types of work. Further, lack of appropriate resources and infrastructure prevent the full provision of free compulsory education as mandated by law.(31) Students who receive public primary education are often charged school fees.(3, 4) However, the Government has attempted to increase the number of girls attending school by waiving their tuition.(4)

Institutional Mechanisms for Coordination and Enforcement

The Ministry of Justice’s National Agency Against Trafficking in Persons (NAATIP) has a Chief Executive Officer and two full-time investigators, who are responsible for coordinating, administering, and monitoring the implementation of the Trafficking in Persons Act of 2007.(5, 8, 12, 32, 33) The Agency’s budget for the year was \$33,000, and while this amount is reportedly sufficient to perform general activities, the Agency does not have access to vehicles or transport. In addition, NAATIP investigators lack specialized training in the worst forms of child labor.(8) Although the Government has established the NAATIP as a coordinating body to combat trafficking in persons, research found no evidence that it has established a coordinating mechanism to combat other worst forms of child labor.

The Department of Labor (DOL), the Department of Social Welfare, NAATIP, and the Gambia Tourism Board (GTB) are responsible for enforcing the laws related to the worst forms of child labor. The DOL relies on tips and allegations to investigate possible child labor violations but does not conduct targeted inspections.(12) The DOL employs an estimated five labor inspectors to conduct all workplace inspections, including those based on child labor allegations.(8, 12) In 2012, the Government established a number of Community Child Protection Committees at the local level to raise awareness and increase reporting of cases to authorities.(21) The DOL also maintains an electronic database that contains information on all cases related to child protection, including those involving labor and trafficking violations.(5, 9, 11) While employee labor cards, which include a person’s age, were typically registered with the labor commissioner, inspections rarely occurred. In addition, the number of worst forms of child labor complaints and investigations that took place during the reporting period is unclear, as the Government did not make this information available. During the year, the Government arrested and prosecuted a Koranic teacher for forcing 20 child students to beg.(8) However, additional information about the outcome

of the case is not available.(5) In addition, a Norwegian foreign national was prosecuted and sentenced to three years in jail for sexual exploitation of six children and child pornography.(34)

All law enforcement agencies have units dedicated to either antitrafficking or child protection, which enforce the criminal laws related to the worst forms of child labor.(5)

Child labor violations that occur in tourist resort areas, which typically involve sexual exploitation, are reported to the Department of Social Welfare or the GTB. Both agencies notify the Tourism Security Unit (TSU), which patrols these areas and enforces laws related to child labor, including sexual exploitation and trafficking.(5, 9) The TSU is also responsible for preventing unaccompanied children from entering tourist areas. The TSU and GTB are compiling a database of persons suspected of pedophilia or child trafficking.(5, 9) During the year, Government officials apprehended and detained 18 people for child trafficking for commercial sexual exploitation and petty trade activities in the city of Banjul.(20, 35) However, it is unclear if this resulted in prosecution or conviction.

Government Policies on the Worst Forms of Child Labor

In 2012, the Government was in the process of developing a National Children's policy, which has not yet been approved.(21) The Government is also developing a National Plan of Action to Combat Sexual Exploitation of Children, with support from the European Commission and UNICEF. The Plan follows on from the previous 2004 CSEC National Action Plan, but has not yet been approved.(21)

The Government of The Gambia's National Education Policy (2004-2015) aims to expand education infrastructure, improve the quality of traditional and vocational education, and increase school enrollment, particularly among girls.(12, 36) Some research has indicated that the average number of hours worked per child has decreased since the implementation of the Education Policy.(37)

During the year, the Government continued to collaborate with the GTB to implement a policy to address child sex tourism by institutionalizing a code of conduct among tourist resorts.(8) One pillar of the code is to raise awareness within the tourism industry and among tourists; which has been incorporated into training for new hotel staff.(6, 38) In February 2012, hotel staff also received training on the code of conduct, courtesy of the GTB, the Child Protection Alliance, and ECPAT Netherlands.(38)

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

During the year, the Government spoke out against child sex tourism and the issue of street children, as part of an awareness-raising campaign.(10, 39, 40)

The Government of The Gambia funds and operates, with support from UNICEF, a drop-in center that provides medical care, food, and counseling to street children, including trafficking victims and *almudos*.(5, 8, 12, 21) Once *almudos* have registered in the drop-in center program, the center tries to prevent the children from returning to begging.(8, 12) During the reporting period, the Government allocated \$11,500 for the functioning of the center.(11) The Government participated in training events at the center.(41) The Government also operated, with support from NGOs, a conditional cash transfer program that gave *marabouts* \$3.33 per month and food rations for each of their child students on the condition that they not force their child students to beg.(34) The Government reports that more than a thousand children are benefiting from the program.(34)

During the reporting period, the Government of The Gambia continued to participate in several regional projects to combat the worst forms of child labor, including two USDOL-funded, 4-year regional projects to assist ECOWAS in developing systems to help its member countries reduce the worst forms of child labor. The ECOWAS I project was funded at \$7.95 million in 2009, and the ECOWAS II project was funded at \$5 million in 2010.(42-44) The Government of The Gambia also continued to participate in a project named Children on the Move, which is a 3-year regional program funded by a Swiss NGO. The project provides services to children who had been trafficked, including repatriation.(8, 12)

Government-supported programs are not sufficient to reach all the children vulnerable to trafficking, commercial sexual exploitation, and exploitive street work. Furthermore, existing programs do not target children working in agriculture and domestic service.

The Government of The Gambia continued to fund a program to subsidize and eliminate schools fees, especially for girls, in order to increase enrollment under the National Education Policy.(12)

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Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in The Gambia:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Raise the compulsory education age to 18 to be equivalent to the minimum age for most types of work.	2010, 2011, 2012
	Ensure the law includes provisions to protect children engaged in domestic work.	2012
Coordination and Enforcement	Establish a coordinating mechanism to combat all relevant worst forms of child labor.	2009, 2010, 2011, 2012
	Ensure appropriate agencies are fully funded, such as the NAATIP.	2012
	Provide necessary specialized training for appropriate agency officials, such as under the NAATIP.	2012
	Establish a mechanism for public reporting on the number of complaints, investigations, and prosecutions.	2012
Policies	Approve the National Children's Policy and the National Plan of Action to Combat Sexual Exploitation of Children.	2012
	Explore ways to increase access to schooling by providing universal free, compulsory education as guaranteed by the Constitution.	2010, 2011, 2012
	Continue monitoring and evaluating the impact of the National Education Policy on child labor, including the average number of hours worked per child.	2010, 2011, 2012
Social Programs	Expand existing programs to prevent child trafficking and commercial sexual exploitation.	2010, 2011, 2012
	Develop programs to assist children in agriculture and domestic service.	2009, 2010, 2011, 2012

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