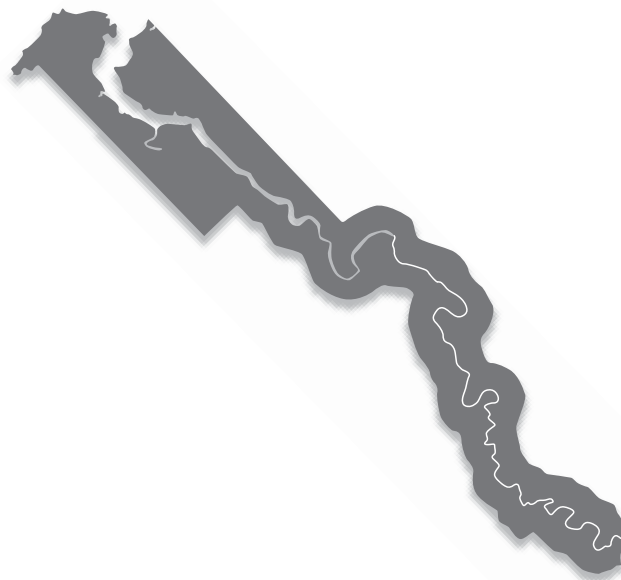


Gambia, The

The Government of The Gambia has made efforts to combat the worst forms of child labor through its existing legal framework. However, existing programs do not reach all vulnerable children. Children continue to be engaged in the worst forms of child labor, including in street work and commercial sexual exploitation

Statistics on Working Children and School Attendance

Children	Age	Percent
Working	5-14 yrs.	36.4
Attending School	5-14 yrs.	65.7
Combining Work and School	7-14 yrs.	29.6



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in The Gambia are engaged in the worst forms of child labor,²²³² including in street work and commercial sexual exploitation.²²³³

Girls engage in street vending, often selling food items such as sweets, water and fruits for their parents.²²³⁴ Boys working on the street are more likely to engage in odd jobs such as sweeping, hauling items, shining shoes and begging.²²³⁵

Children also work as bus and taxi assistants.²²³⁶ Children working on the streets may be exposed to severe weather, accidents caused by proximity to automobiles and criminal elements.

Many children in rural areas are engaged in agricultural production.⁶ Children's work in agriculture commonly involves using dangerous machinery and tools, carrying heavy loads and applying harmful pesticides.

Children in The Gambia also work in domestic service. In particular, some girls from rural areas leave school to seek work as domestic servants in urban centers.²²³⁸ Child domestic labor commonly involves long hours and exposes children to physical and sexual exploitation by their employers.

Commercial sexual exploitation of children continues to be a serious problem in The Gambia.²²³⁹ Some children, including orphans, work in brothels.²²⁴⁰ Evidence suggests that sexual exploitation of Gambian children in tourist areas persists, though stricter laws and enforcement have driven the activity away from major hotels toward lower-end guest houses and motels.²²⁴¹

In The Gambia, it is a common practice to send boys to receive education from Koranic teachers or *marabouts*. In the past, many Koranic students or *almudos* were forced by their teachers to beg in the streets for money and food.²²⁴² However, reports suggest that forced begging by *almudos* has been significantly reduced and continues to decline.²²⁴³ Reports suggest that instead of requiring *almudos* to beg, many *marabouts* are giving students items to sell on the streets.²²⁴⁴ *Almudos* in rural areas often engage in long hours of farm work.²²⁴⁵






Within The Gambia, children are trafficked for domestic service and commercial sexual exploitation, including in the tourism industry.²²⁴⁶ Children of both sexes are trafficked to and from neighboring countries to work in the sex trade, domestic service and street work.²²⁴⁷

Children are also believed to work in carpentry,

masonry, plumbing and as auto mechanics.²²⁴⁸ In mechanics shops, children deal with poisonous gases.²²⁴⁹

Laws and Regulations on the Worst Forms of Child Labor

The Labor Act of 2007 prohibits 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.²²⁵⁰ 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

	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

craftsperson.²²⁵¹ The Children’s Act specifically prohibits children younger than 18 from engaging in hazardous work, night work and work that interferes with schooling. It proscribes children’s participation in specific dangerous industries, including seafaring, mining and quarrying.²²⁵² It also prohibits children from carrying heavy loads; working in manufacturing industries where chemicals are produced or machines are used; and holding employment in bars, hotels and places of

entertainment where a child may be exposed to immoral behavior.²²⁵³

The Constitution and the Children’s Act prohibit forced and compulsory labor.²²⁵⁴ Several laws, namely the Children’s Act and the Trafficking in Persons Act of 2007, explicitly criminalize all forms of child trafficking.²²⁵⁵ During the reporting period, the National Assembly approved amendments to the Trafficking in Persons Act that make child trafficking punishable by life imprisonment.²²⁵⁶ The law also prohibits promoting child prostitution and procuring a child for sexual exploitation.²²⁵⁷ The Tourism Offenses Act of 2003 also prohibits child trafficking, prostitution and pornography, specifically aimed at protecting Gambian children from exploitation by sex tourists.²²⁵⁸ The Children’s Act forbids procurement, use or offering of a child for illicit activities, including drug production and trafficking.²²⁵⁹

Children under 18 may not be recruited into the Armed Forces, as stipulated by the Children’s Act.²²⁶⁰

The Constitution guarantees the right to free education, and school is compulsory to age 12.²²⁶¹ 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 work. Further, lack of appropriate resources and infrastructure prevent the full provision of free, compulsory education as mandated by law.²²⁶² Students who receive public, primary education are often charged school fees in violation of the Constitution.²²⁶³

Institutional Mechanisms for Coordination and Enforcement

The National Agency to Combat Trafficking in Persons includes members of the Ministries of Justice, Health and Social Welfare, Foreign Affairs, Interior, Tourism and Trade, the Gambian Armed Forces and the National Intelligence Agency.²²⁶⁴ The Agency is responsible for administering and

monitoring the implementation of the Trafficking in Persons Act of 2007.²²⁶⁵ Although the Government has established a coordinating body to combat trafficking in persons, research found no evidence that the Government has established a coordinating mechanism to combat other worst forms of child labor.

The Department of Labor, the Department of Social Welfare and The Gambia Tourism Authority are responsible for enforcing laws related to the worst forms of child labor. The Department of Labor relies on tips and allegations to investigate possible child labor violations but does not conduct targeted inspections. Based on the most recent information available, the Department employs approximately four labor inspectors to conduct all workplace inspections, including those based on child labor allegations.²²⁶⁶ The Department maintains an electronic database with information on all cases related to child protection, including those involving labor and trafficking violations.²²⁶⁷

All law enforcement agencies have units dedicated to either anti-trafficking or child protection, which enforce criminal laws related to the worst forms of child labor.²²⁶⁸

Child labor violations that occur in tourist resort areas, which typically involve sexual exploitation, are reported to the Department of Social Welfare or the Gambian Tourism Authority (GTA). Both agencies notify the Tourism Security Unit (TSU), which patrols these areas and enforces laws related to child labor, including sexual exploitation and trafficking.²²⁶⁹ TSU is also responsible for preventing unaccompanied children from entering tourist areas. TSU and GTA are compiling a database of persons suspected of pedophilia or child trafficking.²²⁷⁰ There were no prosecutions or convictions for child trafficking during the reporting period.²²⁷¹

Some evidence suggests that forced begging by *almudos* has declined dramatically due to diligent

enforcement efforts and greater public awareness about the problem.²²⁷² Gambian security forces routinely interrogate *marabouts* of Koranic students found begging in the streets.²²⁷³ During the reporting period, the Department of Social Welfare and Police identified and repatriated 19 children from neighboring countries who had been sent by a Koranic teacher to do street work in The Gambia. The department also resettled seven Gambian children found working on the streets in Senegal.²²⁷⁴

Government Policies on the Worst Forms of Child Labor

GTA responded to the problem of child sex tourism by partnering with NGOs to develop a code of conduct for the protection of children in tourist areas.²²⁷⁵

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.²²⁷⁶ Though there is no evidence that incidence of child labor has significantly fallen with an increase in school attendance, research has shown that the average number of hours worked per child has decreased since the implementation of the education policy.²²⁷⁷ However, research has not demonstrated that changes in child labor trends are a direct result of the policy.

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

The Government funds and operates a drop-in center that provides medical care, food, and counseling to street children, including trafficking victims and *almudos*.²²⁷⁸ Once *almudos* have registered in the drop-in center program, centers try to prevent children from returning to begging.²²⁷⁹ The Government also continues to run a 24-hour shelter for trafficking victims.²²⁸⁰

The Government continues to participate in a 3-year, \$7.9 million regional project funded by USDOL. The program is designed to strengthen ECOWAS' Child Policy and Strategic Plan of Action and to develop programs focusing on child trafficking as it pertains to the strategic plan.⁵⁰ In December 2010, the Government began participating in a second USDOL-funded regional project. The \$5 million, 3-year program is meant to expand and extend the work of the initial project.²²⁸²

During the reporting period, the Government was involved in several anti-trafficking efforts. It participated in trainings for law enforcement and tourism industry stakeholders on child trafficking for commercial sexual exploitation.²²⁸³ The Government is also participating in Children on the Move, a 3-year, subregional program funded

by a Swiss NGO. The project targets trafficked children and supports repatriation efforts.²²⁸⁴

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

In accordance with its National Education Policy, the Government has made efforts to increase school enrollment and improve education quality. One program provides basic school fees to girls.²²⁸⁵ The question of whether and in what ways the Government's education programs have an impact on child labor does not appear to have been addressed.

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

IN THE AREA OF LAWS AND REGULATIONS:

- Raise the compulsory education age to 18 to be equivalent to the minimum age for work.

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Establish a coordinating mechanism to combat all relevant worst forms of child labor.
- Conduct targeted inspections in addition to complaint-based inspections.

IN THE AREA OF POLICIES:

- Explore ways to increase access to schooling to provide universal free, compulsory education as guaranteed by the Constitution.
- Assess the impact the National Education Policy has had on child labor, including the average hours worked per child.

IN THE AREA OF PROGRAMS:

- Expand existing programs to prevent child trafficking, commercial sexual exploitation and street work.
- Develop programs to assist children in agriculture and domestic service.
- Assess the impact government education programs may have on addressing the worst forms of child labor.

²²³² Data provided in the chart at the beginning of this country report are based on UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity, School Attendance, and Combined Working and Studying Rates*, 2005-2011. Data provided are from 2005-2006. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics and information on children's work in general are reported in this section, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children, and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.

²²³³ Gambia Department of State for Education official, Interview with USDOL contractor, September 4, 2006, 32. See also U.S. Department of State, "The Gambia," in *Country Reports on Human Rights Practices- 2010*, Washington, DC, April 8, 2011, section 7d; available from <http://www.state.gov/g/drl/rls/hrrpt/2010/af/154348.htm>.

²²³⁴ Christian Children's Fund- The Gambia, *Child Protection Baseline Assessment for Children Living and Working in the Streets of Banjul*, February 2006, 13. See also Gambia Department of State for Education official, Interview, September 4, 2006, 33.

²²³⁵ Christian Children's Fund- The Gambia, *Child Protection Baseline Assessment*, 13.

²²³⁶ U.S. Department of State, "Country Reports- 2010: The Gambia," section 7d.

²²³⁷ U.S. Embassy- Banjul, *reporting, February 2, 2010*, 2A. See also Gambia Department of State for Education official, Interview, September 4, 2006, 32.

²²³⁸ U.S. Embassy- Banjul, *reporting, February 2, 2010*, 2A.

²²³⁹ U.S. Department of State, "Country Reports- 2010: The Gambia," section 6. See also U.S. Department of State, "The Gambia," in *Trafficking in Persons Report- 2010*, Washington, DC, June 14, 2010; available from <http://www.state.gov/g/tip/rls/tiprpt/2010/>. See also Integrated Regional Information Networks, "Gambia: Sex tourists exploiting children", IRINnews.org, [online], October 30, 2008 [cited January 24, 2011]; available from <http://www.irinnews.org/PrintReport.aspx?ReportId=81205>. See also ECPAT, *Global Monitoring Report on the Status of Action against Commercial Sexual Exploitation of Children: The Gambia*, 2007; available from [hard copy on file].

²²⁴⁰ U.S. Department of State, "Country Reports- 2010: The Gambia," section 6.

²²⁴¹ U.S. Embassy- Banjul, *reporting, March 3, 2011*. See also Integrated Regional Information Networks, "Sex Tourists Exploiting Children".

²²⁴² U.S. Embassy- Banjul, *reporting, March 3, 2011*. See also Christian Children's Fund- The Gambia, *Child Protection Baseline Assessment*, 3, 13, 15. See also IOM, *Traditional Practices Being Abused to Exploit Children in West Africa*, Warns IOM, [online] 2006 [cited January 24, 2011]; available from <http://www.iom.int/jahia/Jahia/newsArticleAF/cache/offonce?entryId=12007>.

²²⁴³ U.S. Embassy- Banjul, *reporting, March 3, 2011*. See also U.S. Department of State, "Country Reports- 2010: The Gambia," section 7d. See also U.S. Department of State, "Trafficking in Persons Report- 2010: The Gambia."

²²⁴⁴ U.S. Embassy- Banjul, *reporting, March 3, 2011*.

²²⁴⁵ Gambia Department of State for Education official, Interview, September 4, 2006.

²²⁴⁶ U.S. Department of State, "Trafficking in Persons Report- 2010: The Gambia."

²²⁴⁷ Ibid. See also U.S. Embassy- Banjul, *reporting, March 3, 2011*.

²²⁴⁸ U.S. Embassy- Banjul, *reporting, February 2, 2010*, 2A. See also U.S. Department of State, "Country Reports- 2010: The Gambia," section 7d.

²²⁴⁹ Child Protection Alliance official, Interview with USDOL contractor, August 21, 2006, 4.

²²⁵⁰ Government of the Gambia, *Labour Act*, 5/2007, (October 17, 2007), article 45.

²²⁵¹ Government of the Gambia, *Children's Act*, (July 21, 2005), articles 43, 51.

²²⁵² Ibid., articles 41-44. See also Government of the Gambia, *Labour Act*, article 46.

²²⁵³ Government of the Gambia, *Children's Act*, articles 44, 45.

²²⁵⁴ Government of the Gambia, *Constitution*, (1997), article 20; available from <http://confinder.richmond.edu>. See also Government of the Gambia, *Children's Act*, articles 39-40.

²²⁵⁵ Government of the Gambia, *Children's Act*, articles 26, 39. See also Government of the Gambia, *Trafficking in Persons Act*, (October 5, 2007), article 28.

²²⁵⁶ Government of the Gambia, *Trafficking in Persons Act (Amendment)*, (February 24, 2011).

²²⁵⁷ Government of the Gambia, *Children's Act*, articles 26-38. See also ILO NATLEX National Labor Law Database, *Tourism Offences Act*, May 24, 2011; available from http://www.ilo.org/dyn/natlex/natlex_browse.home.

- ²²⁵⁸ U.S. Embassy- Banjul, *reporting, March 3, 2011.*
- ²²⁵⁹ Government of the Gambia, *Children's Act*, article 31.
- ²²⁶⁰ Ibid., article 59(1). See also Coalition to Stop the Use of Child Soldiers, "Gambia," in *Child Soldiers Global Report 2008*, London, 2008; available from <http://www.child-soldiers.org/library/global-reports>.
- ²²⁶¹ Government of the Gambia, *Constitution*, article 30. See also U.S. Department of State, "Country Reports- 2010: The Gambia," section 6.
- ²²⁶² U.S. Department of State, "Country Reports- 2010: The Gambia," section 6.
- ²²⁶³ UNESCO, *Education for All Global Monitoring Report: Reaching the Marginalized*, 2010; available from www.unesco.org/new/en/education/themes/leading-the-international-agenda/efareport/reports/2010-marginalization/.
- ²²⁶⁴ U.S. Embassy- Banjul, *reporting, February 2, 2010, 2D*. See also U.S. Department of State, "Trafficking in Persons Report- 2010: The Gambia."
- ²²⁶⁵ UNODC, *Toolkit to Combat Trafficking in Persons*, 2008, 105; available from http://www.unodc.org/documents/human-trafficking/Toolkit-files/08-58296_tool_3-2.pdf.
- ²²⁶⁶ U.S. Embassy- Banjul, *reporting, February 2, 2010, 2C*.
- ²²⁶⁷ U.S. Embassy- Banjul, *reporting, March 3, 2011.*
- ²²⁶⁸ Ibid.
- ²²⁶⁹ Ibid. See also U.S. Department of State, "Trafficking in Persons Report- 2010: The Gambia."
- ²²⁷⁰ U.S. Embassy- Banjul, *reporting, March 3, 2011.* See also U.S. Department of State, "Trafficking in Persons Report- 2010: The Gambia."
- ²²⁷¹ U.S. Embassy- Banjul, *reporting, March 3, 2011.*
- ²²⁷² Ibid.
- ²²⁷³ U.S. Department of State, "Trafficking in Persons Report- 2010: The Gambia."
- ²²⁷⁴ U.S. Embassy- Banjul, *reporting, March 3, 2011.*
- ²²⁷⁵ Integrated Regional Information Networks, "Sex Tourists Exploiting Children"
- ²²⁷⁶ International Monetary Fund, *The Gambia: Poverty Reduction Strategy Paper- Annual Progress Report*, Washington, DC, February 2009.
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- ²²⁸² ILO-IPEC, *Eliminating the Worst Forms of Child Labour in West Africa and Strengthening Sub-Regional Cooperation through ECOWAS-II*, Project Document, Geneva, December 20, 2010, i, vi.
- ²²⁸³ U.S. Embassy- Banjul, *reporting, March 3, 2011.*
- ²²⁸⁴ Ibid.
- ²²⁸⁵ U.S. Department of State, "Country Reports- 2010: The Gambia," section 6.