

In 2011, The Gambia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government amended the Trafficking in Persons Act to strengthen the penalty for child trafficking and has recruited new staff and hired full-time investigators for the National Agency Against Trafficking in Persons. Efforts were also made to raise awareness among soldiers and hotel staff, and to train them in recognizing and addressing child sex tourism. However, the Government has yet to establish a coordinating mechanism to combat all worst forms of child labor, and existing programs do not address children working in dangerous activities in agriculture and domestic service. In addition, gaps remain in the legal framework as the compulsory education age is below the minimum working age. Children in The Gambia are found in the worst forms of child labor, including in street work and 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		70.5

Sources:

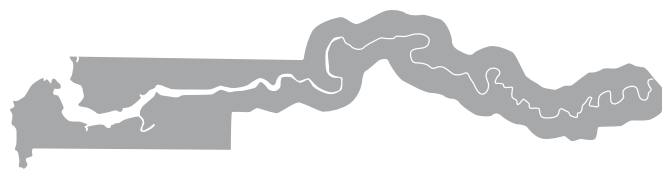
Primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2012.(1)

All other data: Understanding Children's Work Project's analysis of statistics from MIC3 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 street work and commercial sexual exploitation.(3-5) Girls work in street vending, often selling food items such as sweets, water, nuts and fruits for their parents.(3) Boys in urban areas work as taxi or bus attendants, apprentices in auto repair garages, street vendors, and in manual labor.(6, 7) Children working on the streets may be exposed to severe weather, are at-risk of injuries caused by their proximity to automobiles, and encounter criminal elements that make them vulnerable to the worst forms of child labor.(8)

Many children in rural areas are engaged in agricultural production.(3, 6) Children's work in agriculture commonly



involves using dangerous machinery and tools, carrying heavy loads and applying harmful pesticides.(9) Children are also believed to work in carpentry, masonry, sewing, plumbing, and as auto mechanics.(6, 10) Limited evidence suggests that in mechanics shops, children deal with poisonous gases.(7) This is also reportedly the case in metal welding workshops.(11)

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.(12) Child domestic labor commonly involves long hours and exposes children to physical and sexual exploitation by their employers.(13)

Commercial sexual exploitation of children continues to be a serious problem in The Gambia.(14-16) Some children, including orphans, work in brothels.(10) 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.(15, 17)

In The Gambia, it is a common practice to send boys to receive education from Koranic teachers called *marabouts*. In the past, many Koranic students, or *almudos*, were forced by their teachers to beg in the streets for money and food.(6, 10) However, reports suggest that *marabouts* rarely forced *almudos* to beg after the police began intervening and ordering *marabouts* to stop the practice.(10, 14, 17) Reports suggest that instead of requiring *almudos* to beg, many *marabouts* are giving their students items to sell on the street.(14) *Almudos* in rural areas often engage in long hours of farm work.(3)

Within The Gambia, children are trafficked for domestic service and commercial sexual exploitation, including in the tourism industry.(10, 14) Children of both sexes are trafficked to and from neighboring countries to work in the sex trade, domestic service and street work.(6, 14)

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.(18)

Gambia, The

The Gambian Children's Act sets the minimum age for light work at 16 but permits children as young as age 12 to hold an apprenticeship with a craftsman.⁽¹⁹⁾ The Children's Act specifically prohibits children younger than age 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.^(5, 18) 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.⁽¹⁹⁾

	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.^(19, 20) Several laws, namely the Children's Act and the Trafficking in Persons Act of 2007, explicitly criminalize all forms of child trafficking.^(19, 21) During the reporting period, the National Assembly approved an amendment to the Trafficking in Persons Act that makes child trafficking punishable by life imprisonment.⁽²²⁾ The law also prohibits promoting child prostitution and procuring a child for sexual exploitation.^(19, 23) 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.^(14, 17, 23-25) The Children's Act forbids procurement, use or offering of a child for illicit activities, including drug production and trafficking.⁽¹⁹⁾

Children under age 18 may not be recruited into the Armed Forces, as stipulated by the Children's Act.^(6, 19)

The Constitution guarantees the right to free education and school attendance is compulsory to age 12.^(10, 20) 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.⁽⁴⁾ Students who receive public, primary education are often charged school fees in violation of the Constitution.^(5, 10) However, the Government made an effort to increase the number of girls attending school by ensuring their tuition was waived.⁽¹⁰⁾

Institutional Mechanisms for Coordination and Enforcement

The Ministry of Justice has recruited staff for the newly established National Agency Against Trafficking in Persons (NAATIP).⁽¹⁴⁾ The Agency has a Chief Executive Officer and two full-time investigators and is responsible for administering and monitoring the implementation of the Trafficking in Persons Act of 2007.^(6, 11, 26) Although the Government has established 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.⁽⁶⁾ Based on the most recent information available, the DOL employs approximately five labor inspectors to conduct all workplace inspections, including those based on child labor allegations.⁽⁶⁾ The DOL also maintains an electronic database that contains information on all the cases related to child protection, including those involving labor and trafficking violations.^(14, 17) Although employee labor cards, which include a person's age, were registered with the labor commissioner, inspections rarely occurred.

All law enforcement agencies have units dedicated to either anti-trafficking or child protection, which enforce the criminal laws related to the worst forms of child labor.⁽¹⁴⁾

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.^(14, 17) 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.(14, 17) There was one prosecution related to the worst forms of child labor in 2011. A *marabout* was arrested and prosecuted for sending 20 students to beg in Senegal.(6) There were no convictions for child trafficking during the reporting period.(14)

Some evidence suggests that occurrences of *marabouts* forcing *almudos* to beg have declined dramatically because of Gambia's diligent enforcement efforts and greater public awareness of the problem. Gambian security forces monitor the activities of *marabouts* of the Koranic students found begging in the streets.(14) During the reporting period, the Department of Social Welfare and Police identified and repatriated 20 children who had been forced to beg in Senegal; most of these children were Gambian, but included six Senegalese boys who were identified as street children in the Greater Banjul Area.(11, 14)

Government Policies on the Worst Forms of Child Labor

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.(6, 27) Research has shown that the average number of hours worked per child has decreased since the implementation of the education policy.(28)

GTB responded to the problem of child sex tourism by partnering with NGOs to develop the Code of Conduct for the Protection of Children from Exploitation in Travel and Tourism; one pillar of the Code is to raise awareness within the tourism industry and among tourists.(15, 29) The Code has been incorporated into training for new hotel staff at the beginning of the peak tourism season in October. During an orientation for 50 members of the TSU organized by the GTB, each soldier was given a copy of the Code and was educated on how to curb child sex tourism in resort areas.(29) In February 2012, hotel staff also received training on the Code of conduct, courtesy of the GTB, the Child Protection Alliance and ECPAT Netherlands.(29)

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*.(6, 14) Once *almudos* have registered in the drop-in center program, the

center tries to prevent children from returning to begging.(6) The Government also continues to run a 24-hour shelter for trafficking victims.(6)

In 2011, the Government of The Gambia also participated in several regional projects to combat the worst forms of child labor, including the regional USDOL-funded, 4-year ECOWAS Project. The ECOWAS Project, initially funded at \$7.95 million in 2009, was increased by \$5 million in 2010.(30, 31) This Project is assisting ECOWAS by developing systems to help its member countries reduce the worst forms of child labor; in 2011, it achieved a draft Regional Action Plan.(32)

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.(6) The Government is also participating in Children on the Move, a 3-year, sub-regional program funded by a Swiss NGO. The program targets trafficked children and supports repatriation efforts.(6)

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.

In accordance with its National Education Policy, the Government has made efforts to increase school enrollment and to improve the quality of education. One program provides basic school fees to girls.(6) The question of whether, and in what ways, government 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 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 work.	2010, 2011
Coordination and Enforcement	Establish a coordinating mechanism to combat all relevant worst forms of child labor.	2009, 2010, 2011
	Conduct targeted inspections in addition to complaint-based inspections.	2010, 2011
Policies	Explore ways to increase access to schooling to provide universal free, compulsory education as guaranteed by the Constitution.	2010, 2011
	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
Social Programs	Expand existing programs to prevent child trafficking, commercial sexual exploitation and street work.	2010, 2011
	Develop programs to assist children in agriculture and domestic service.	2009, 2010, 2011
	Assess the impact government education programs may have on addressing the worst forms of child labor.	2010, 2011

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