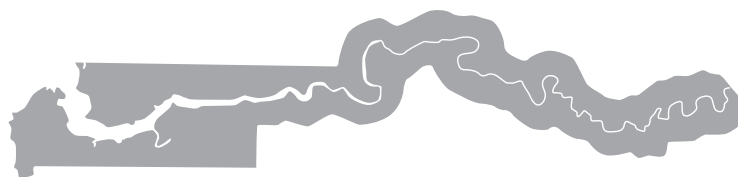


In 2016, The Gambia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government launched the Child Protection Strategy that includes actions to address the worst forms of child labor. In addition, the Child Protection Alliance trained government officials on the United Nations

Convention on the Rights of the Child. The Gambia Tourism Board continued to educate the public about child sex tourism and the consequences of violating the Code of Conduct for the Protection of Children and the Tourism Act. However, children in The Gambia continue to engage in the worst forms of child labor, including in commercial sexual exploitation and forced begging. Gaps in the law remain, including a need to increase the compulsory education age to the minimum age for work. In addition, labor law and criminal law enforcement efforts are limited.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in The Gambia engage in the worst forms of child labor, including in commercial sexual exploitation and forced begging.(1-4) Table 1 provides key indicators on children's work and education in The Gambia.

**Table 1. Statistics on Children's Work and Education**

| Children                      | Age     | Percent        |
|-------------------------------|---------|----------------|
| Working (% and population)    | 5 to 14 | 36.4 (180,954) |
| Attending School (%)          | 5 to 14 | 65.7           |
| Combining Work and School (%) | 7 to 14 | 29.6           |
| Primary Completion Rate (%)   |         | 70.5           |

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2015.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from MICS3 Survey, 2005–2006.(6)

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                             | Farming, including protecting crops by chasing animals (1, 7)   |
| Industry                                | Working in carpentry, masonry, sewing, plumbing, and in metal welding workshops† (1, 8, 9)              |
| Services                                | Domestic work (1, 2, 4, 8)  |
|   | Street work, including begging and vending (1, 4, 10-12)  |
|   | Scavenging for scrap metal and jewelry at dump sites (1)  |
|   | Working as taxi and bus attendants (1, 4)   |
|   | Working as auto mechanics† (1, 9, 10)   |
| Categorical Worst Forms of Child Labor‡ | Commercial sexual exploitation, sometimes as a result of human trafficking (1, 2, 12-15)                |
|   | Forced begging by Koranic teachers (1-3, 7)   |
|   | Forced labor in domestic work and street vending, each sometimes as a result of human trafficking (1-3) |

† 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.

In The Gambia, children are internally trafficked and subjected to commercial sexual exploitation, forced labor, and domestic work. Girls and boys from West African countries, including Benin, Ghana, Guinea, Guinea-Bissau, Liberia, Nigeria, Senegal, and Sierra Leone are trafficked for commercial sexual exploitation in The Gambia.(3) European tourists also subject children to commercial sexual exploitation in brothels and motels in tourist areas.(3, 8, 13, 16) In The Gambia, it is a common practice to send boys to receive education from Koranic teachers, *marabouts*. Some Koranic students, or *almudus*,

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are forced by their teachers to beg in the streets for money and food.(3, 8, 13, 17) Some *marabouts* also force students to sell items on the street and in rural areas or to work in agriculture for long hours.(8)

Article 30 of the Constitution mandates free compulsory education; however, families are often required to buy books and uniforms for their children and contribute to the school fund, which is used to pay for school activities. Absence from school due to unpaid fees increases children’s vulnerability to the worst forms of child labor.(18, 19) In addition, a report indicates a cultural preference to educate boys, which may cause girls to be more vulnerable to the worst forms of child labor. To address this issue, the Government waived school fees for girls.(17, 18) During the reporting year, the Government finalized a new education policy that provides additional technical and vocational education and makes school more affordable by abolishing basic and secondary education fees. The policy also emphasized the need to increase enrollment of girls in school.(20, 21) The Government has not conducted research to determine the activities carried out by children, including in agriculture and domestic work, to inform policies and social programs.

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Gambia has ratified most 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 Gambia’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  | Yes                                   | 16  | Article 43 of the Children’s Act (22)   |
| Minimum Age for Hazardous Work  | Yes                                   | 18  | Article 44 of the Children’s Act; Article 46 of the Labor Act (22, 23)  |
| Identification of Hazardous Occupations or Activities Prohibited for Children | Yes                                   |     | Articles 44 and 45 of the Children’s Act (22)   |
| Prohibition of Forced Labor   | Yes                                   |     | Article 20 of the Constitution; Article 41 of the Children’s Act (19, 22)   |
| Prohibition of Child Trafficking  | Yes                                   |     | Articles 30 and 39 of the Children’s Act; Articles 28 and 56 of the Trafficking in Persons Act; Article 13 of the Tourism Offenses Act (22, 24, 25) |
| Prohibition of Commercial Sexual Exploitation of Children                     | Yes                                   |     | Articles 26 and 27, 29–32, and 34 of the Children’s Act; Articles 7–9 of the Tourism Offenses Act (22, 25)  |
| Prohibition of Using Children in Illicit Activities                           | Yes                                   |     | Articles 31, 36, and 37 of the Children’s Act (22)  |
| Minimum Age for Military Recruitment  |                                       |     |   |
| State Compulsory  | N/A*                                  |     | Article 59 of the Children’s Act (22)   |
| State Voluntary   | Yes                                   | 18  | Article 59 of the Children’s Act (22)   |
| Non-state Compulsory  | Yes                                   | 18  | Article 31(c) of the Children’s Act (22)  |

**Table 4. Laws and Regulations on Child Labor (cont)**

| Standard                 | Meets International Standards: Yes/No | Age | Legislation                           |
|--------------------------|---------------------------------------|-----|---------------------------------------|
| Compulsory Education Age | No                                    | 12  | Article 30 of the Constitution (19)   |
| Free Public Education    | Yes                                   |     | Article 18 of the Children's Act (22) |

\* No conscription (26)

In The Gambia, children are required to attend school until age 12, at which point they are permitted under Section 51 of the Children's Act to work as an apprentice in the informal sector. This requirement makes children ages 13 to 15 that are not engaged in apprenticeships in the informal sector particularly vulnerable to the worst forms of child labor.(18, 19, 27) Section 43 of the Children's Act, however, permits children at age 16 to do light work, or work that does not jeopardize the health or safety of the child and does not interfere with school attendance.(22) A report indicates that the minimum penalties for trafficking violations are not harsh enough to deter perpetrators.(4)

### 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  |
|---|---|
| Department of Social Welfare (DSW)                      | Combat forced child labor and coordinate the handling of trafficking victims, working closely with social welfare officers in police units.(8, 28) Monitor, through the operation of five Neighborhood Watch Groups, suspected cases of child abuse or child commercial sexual exploitation in urban areas near tourist sites. Operate a 24-hour hotline to address human trafficking and maintain a database of individuals suspected of pedophilia or child trafficking, in collaboration with The Gambia Tourism Board.(3) Maintain an electronic database that contains information on cases requiring child protection, including those involving labor and human trafficking violations.(3) |
| Child Protection Alliance (CPA)                         | Promote children's rights and child protection services. Raise awareness about child exploitation.(29-31) Include Government departments, civil society organizations, UN agencies, NGOs, child and youth organizations, and bilateral institutions.(30). Train journalists about child sex tourism and government officials on the UN Convention on the Rights of the Child.(32, 33)   |
| National Agency Against Trafficking in Persons (NAATIP) | Investigate suspected cases of trafficking. Includes investigators, police, members of the National Intelligence Agency, and five prosecutors.(34) Gather evidence for NAATIP Director, who can recommend that the NAATIP prosecutor file charges for trafficking violations.(34)   |
| The Gambia Tourism Board                                | Combat commercial sexual exploitation of children in tourist areas.(8). Educate the public about child sex tourism and the consequences for violating the Code of Conduct for the Protection of Children and the Tourism Act.(35)   |
| Tourism Security Unit                                   | Prevent unaccompanied children from entering tourist areas and patrol tourist areas for child labor and criminal violations, such as commercial sexual exploitation and human trafficking. Has a dedicated child protection division.(8, 28)  |
| Gambia Police Force Child Welfare Unit                  | Oversee all situations involving children's welfare.(31) Work with the CPA, DSW, NGOs, and other agencies to assess and identify children engaged in the worst forms of child labor.(10)  |
| Child Protection Committees                             | Raise awareness and report cases of labor issues, including child labor, to the authorities. DSW operates 15 Child Protection Committees across the country.(1, 10, 28, 36)   |
| Neighborhood Watch Groups                               | Monitor neighborhoods for child exploitation. Maintain five existing groups established by DSW in urban areas near tourist resorts.(28) Receive allowances and cell phone credit for members.(28)   |

#### *Labor Law Enforcement*

In 2016, labor law enforcement agencies in The Gambia did not take actions to combat child labor, including its worst forms (Table 6).

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**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

| Overview of Labor Law Enforcement  | 2015        | 2016          |
|--|-------------|---------------|
| Labor Inspectorate Funding   | Unknown (1) | Unknown* (37) |
| Number of Labor Inspectors   | 4 (1)       | 5 (37)        |
| Inspectorate Authorized to Assess Penalties  | Unknown (1) | Yes (37)      |
| Training for Labor Inspectors  |             |               |
| Initial Training for New Employees   | Unknown (1) | Yes (37)      |
| Training on New Laws Related to Child Labor  | Unknown (1) | Unknown* (37) |
| Refresher Courses Provided   | Unknown (1) | Unknown* (37) |
| Number of Labor Inspections  | Unknown     | Unknown* (37) |
| Number Conducted at Worksite   | Unknown     | Unknown* (37) |
| Number Conducted by Desk Reviews   | Unknown     | Unknown* (37) |
| Number of Child Labor Violations Found   | Unknown     | Unknown* (37) |
| Number of Child Labor Violations for Which Penalties Were Imposed                  | Unknown     | Unknown* (37) |
| Number of Penalties Imposed that Were Collected                                    | Unknown     | Unknown* (37) |
| Routine Inspections Conducted  | Unknown     | Yes (37)      |
| Routine Inspections Targeted   | Unknown     | No (37)       |
| Unannounced Inspections Permitted  | Yes (1)     | Yes (37)      |
| Unannounced Inspections Conducted  | Yes (1)     | Yes (37)      |
| Complaint Mechanism Exists   | No (28)     | Yes (28, 37)  |
| Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services | Yes (28)    | Yes (37)      |

\* The Government does not publish this information.

The number of labor inspectors is insufficient for the size of Gambia's workforce, which includes over 700,000 workers. According to the ILO recommendation of 1 inspector for every 40,000 workers in less-developed economies, The Gambia should employ about 19 inspectors.(38-40) A source indicates that inadequate transportation and a lack of fuel presented a challenge for inspectors to carry out their duties.(1, 8) Child laborers found during labor inspections are referred to the Department of Social Welfare (DSW).(28)

### *Criminal Law Enforcement*

In 2016, criminal law enforcement agencies in The Gambia took 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 (37)      |
| Training on New Laws Related to the Worst Forms of Child Labor                        | Unknown | Unknown (37)  |
| Refresher Courses Provided  | Yes (1) | Yes (37)      |
| Number of Investigations  | Unknown | 2 (37)        |
| Number of Violations Found  | 3       | Unknown* (37) |
| Number of Prosecutions Initiated  | 19 (1)  | Unknown* (37) |
| Number of Convictions   | Unknown | Unknown* (37) |
| Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services | Unknown | Yes (37)      |

\* The Government does not publish this information.

During the reporting year, government officials attended training sessions sponsored by UNODC. The sessions focused on teaching attendees about useful tools to dismantle the efforts of criminal organizations that benefit from global criminal activities such as child trafficking.(41)

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

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

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

| Coordinating Body                                       | Role & Description   |
|---|--|
| Department of Social Welfare (DSW)                      | Coordinate Government efforts to combat the worst forms of child labor.(8)   |
| National Agency Against Trafficking in Persons (NAATIP) | Coordinate, administer, and monitor the implementation of the Trafficking in Persons Act and share information among law enforcement agencies. Led by the National Agency Against Trafficking in Persons, meetings are convened monthly.(8, 28) Although the funding was unknown during the year, the investigators revealed the funding was insufficient to cover training costs and there continues to be inadequate transportation and supplies to conduct inspections.(37) |

#### 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<sup>‡</sup>**

| Policy   | Description  |
|--|--|
| Child Protection Strategy (2016–2020)*   | Outlines strategies to improve child protection, including addressing the worst forms of child labor by increasing awareness and strengthening coordination among government agencies.(42)                   |
| Code of Conduct of The Gambia Tourism Authority for the Protection of Children | Raises awareness of commercial sexual exploitation of children in the tourism industry and among tourists.(8, 43) At the beginning of the annual peak tourism season, trains new hotel staff on the Code.(8) |
| National Trafficking In Persons Action Plan (2012–2016)                        | Establishes a plan to combat human trafficking and NAATIP is responsible for implementation of the plan.(28)   |

\* Policy was launched during the reporting period.

‡ The Government had other policies that may have addressed child labor issues or had an impact on child labor. (44, 45)

In 2016, the Government passed a new Education Sector Policy, but child labor elimination and prevention strategies do not appear to be integrated into the policy. Although the Government has adopted the Trafficking MOU with Senegal, research found no evidence of a policy on other worst forms of child labor.(1) A report indicates that The Gambia has a weak policy framework and limited coordination capacity to provide child protection services to children who are abused and exploited.(12)

#### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

**Table 10. Key Social Programs to Address Child Labor<sup>‡</sup>**

| Program  | Description   |
|--|---|
| Combating Child Sex Tourism Project                      | CPA project, funded by ECPAT Netherlands, that raises awareness about commercial sexual exploitation of children and the Tourism Offences Act and the Code of Conduct among Tourism Security Unit personnel, hoteliers, travel agencies, and other tourism stakeholders.(1, 46)   |
| Results for Education Achievement and Development (READ) | \$8.5 million World Bank-funded project that focuses on increasing access to basic education and improving the quality of education in lower basic schools.(47)   |
| Street Children Center <sup>†</sup>                      | DSW, with support from international organizations, foreign NGOs, and local businesses, runs a drop-in center in Talinding Kunjang that provides medical care, food, and counseling to street children, including human trafficking victims and <i>almudus</i> .(8, 28, 36) Works to prevent children from returning to street begging.(17, 48) |
| Conditional Cash Transfers to the Majaalist              | Ministry of Education program gives <i>marabouts</i> food rations and approximately \$2.56 monthly for each student if the <i>marabouts</i> do not force students to beg.(28) Provides teachers for English, mathematics, and science to Koranic schools. More than 1,000 children have benefited from the program.(1, 8, 49)                   |

† Program is funded by the Government of The Gambia.

‡ The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(50-52)

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In 2016, the Government participated in a “Smart Initiative” project that focuses on using technology to improve access to education.(53)

Although The Gambia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem to reach all children working in agriculture and domestic work and those vulnerable to human trafficking, commercial sexual exploitation, and street work.

### 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 The Gambia (Table 11).

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

| Area                | Suggested Action  | Year(s) Suggested |
|---------------------|---|-------------------|
| Legal Framework     | Adopt legislation that increases the age of compulsory education to 16 so that it is commensurate with the minimum age for work.                                | 2010 – 2016       |
|                     | Ensure penalties for trafficking violations are harsh enough to deter violations.   | 2016              |
| Enforcement         | Employ enough labor inspectors to provide sufficient coverage for the workforce.  | 2016              |
|                     | Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents. | 2016              |
|                     | Provide labor law enforcement with sufficient staffing and financial resources to conduct inspections.  | 2013 – 2016       |
|                     | Publish information about the labor inspectorate’s funding, training related to child labor, inspections, violations found, and penalties collected.            | 2012 – 2016       |
|                     | Publish information about the criminal law enforcement violations found, prosecutions, and convictions concerning the worst forms of child labor.               | 2015 – 2016       |
| Coordination        | Ensure the NAATIP has sufficient funding to provide training on trafficking in persons and other worst forms of child labor.                                    | 2012 – 2016       |
| Government Policies | Ensure that child labor elimination and prevention strategies are integrated into the Education Policy.   | 2015 – 2016       |
|                     | Adopt a policy that addresses all relevant worst forms of child labor, such as commercial sexual exploitation.  | 2015 – 2016       |
| Social Programs     | Expand existing programs to address child trafficking, commercial sexual exploitation of children, and children working in the street.                          | 2010 – 2016       |
|                     | Conduct research to determine the activities carried out by children, including in agriculture and domestic work, to inform policies and social programs.       | 2009 – 2016       |
|                     | Ensure that children can complete primary school by subsidizing or defraying the cost of books, uniforms, and other fees.                                       | 2010 – 2016       |
|                     | Expand existing programs to address children working in agriculture and domestic work.  | 2015 – 2016       |

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For analytical purposes, the Development Policy and Analysis Division (DPAD) of the Department of Economic and Social Affairs of the United Nations Secretariat (UN/DESA) classifies all countries of the world into one of three broad categories: developed economies, economies in transition, and developing countries. The composition of these groupings is intended to reflect basic economic country conditions. Several countries (in particular the economies in transition) have characteristics that could place them in more than one category; however, for purposes of analysis, the groupings have been made mutually exclusive. The list of the least developed countries is decided upon by the United Nations Economic and Social Council and, ultimately, by the General Assembly, on the basis of recommendations made by the Committee for Development Policy. The basic criteria for inclusion require that certain thresholds be met with regard to per capita GNI, a human assets index and an economic vulnerability index. For the purposes of the Findings on the Worst Forms of Child Labor Report, "developed economies" equate to the ILO's classification of "industrial market economies," "economies in transition" to "transition economies," "developing countries" to "industrializing economies," and "the least developed countries" equates to "less developed countries." For countries that appear on both "developing countries" and "least developed countries" lists, they will be considered "least developed countries" for the purpose of calculating a "sufficient number" of labor inspectors.
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