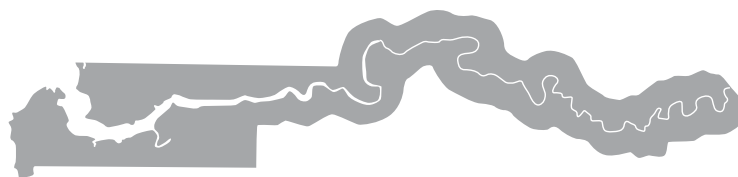


In 2018, The Gambia made a moderate advancement in efforts to eliminate the worst forms of child labor. During the year, the government published detailed information related to the criminal enforcement of child labor and allocated \$36,000 in funding to the National Agency



Against Trafficking in Persons for the 2018 fiscal year. It also provided trainings to hotel staff in support of the Code of Conduct of The Gambia Tourism Authority for the Protection of Children. However, children in The Gambia engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking and forced begging. Gaps in the law remain, including that children may commence an apprenticeship in the informal sector at the age of 12, an age below the compulsory education age of 16. Although the government has adopted various policies addressing human trafficking, research also found no evidence of a policy on other worst forms of child labor. In addition, the scope of social programs is insufficient to fully address the extent of the problem, as programs do not reach all children working in agriculture and domestic work, or those vulnerable to human trafficking, commercial sexual exploitation, forced begging, and street work.

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, sometimes as a result of human trafficking, and forced begging. (1-5) Table 1 provides key indicators on children's work and education in The Gambia.

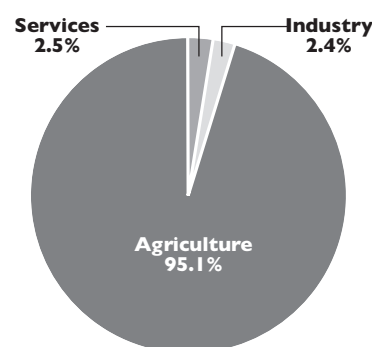
Table 1. Statistics on Children's Work and Education

| Children | Age | Percent |
|-------------------------------|---------|----------------|
| Working (% and population) | 5 to 14 | 20.1 (105,013) |
| Attending School (%) | 5 to 14 | 63.6 |
| Combining Work and School (%) | 7 to 14 | 10.3 |
| Primary Completion Rate (%) | | 70.2 |

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2019. (6)

Source for all other data: International Labor Organization's analysis of statistics from Integrated Household Survey on Consumption, Expenditure and Poverty Level Assessment, 2015–2016. (7)

Figure 1. Working Children by Sector, Ages 5-14



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 against animals (1,8) |
| Industry | Working in carpentry, masonry, sewing, plumbing, and in metal welding workshops† (1,3,9) |
| | Mining† and quarrying† (3) |
| Services | Domestic work (1-3) |
| | Street work, including begging and vending (1-3,10,11) |
| | Scavenging for scrap metal and jewelry at dump sites (1,12) |
| | Working as taxi and bus attendants (1) |
| | Working as auto mechanics† (1,3,9,13) |

The Gambia

MODERATE ADVANCEMENT

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

| Sector/Industry | Activity |
|---|---|
| Categorical Worst Forms of Child Labor† | Commercial sexual exploitation, sometimes as a result of human trafficking (1-5,11,14) |
| | Forced begging by Koranic teachers (1-4,8) |
| | Forced labor in domestic work and street vending, each sometimes as a result of human trafficking (2,5) |

† 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 trafficked internally 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. (3,4,15) Tourists from Britain, Germany, Scandinavia, the Netherlands, and Canada also subject children to commercial sexual exploitation in brothels and motels in tourist areas. (4,16) In The Gambia, it is a common practice to send boys to receive education from Koranic teachers, or *marabouts*, who sometimes force Koranic students, or *almudus*, to beg in the streets for money and food and to conduct street vending. (15,17,18)







Article 30 of the Constitution mandates free compulsory education. However, families are sometimes required to buy books and uniforms, contribute to examination fees, and provide direct financial support to the school through a school fund, which families often cannot afford. Absence from school due to unpaid school fees increases children's vulnerability to child labor. (19,20) In addition, inadequate teaching facilities, low numbers of teachers in rural areas, and limited access to clean water in schools create barriers for children to access education. (3,18)

The government has not conducted research to determine labor activities carried out by children, including in agriculture, domestic work, and forced begging, to inform policies and social programs. (18)

II. LEGAL FRAMEWORK FOR 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 (Table 4). However, gaps exist in The Gambia's legal framework to adequately protect children from the worst forms of child labor, including that children may commence an apprenticeship in the informal sector at the age of 12, an age below the compulsory education age of 16.

Table 4. Laws and Regulations on Child Labor

| Standard | Meets International Standards | Age | Legislation |
|--------------------------------|-------------------------------|-----|---|
| Minimum Age for Work | Yes | 16 | Article 43 of the Children's Act (21) |
| Minimum Age for Hazardous Work | Yes | 18 | Article 44 of the Children's Act; Article 46 of the Labor Act (21,22) |

Table 4. Laws and Regulations on Child Labor (Cont.)

| Standard | Meets International Standards | Age | Legislation |
|---|-------------------------------|-----|---|
| Identification of Hazardous Occupations or Activities Prohibited for Children | Yes | | Articles 44–45 of the Children's Act (21) |
| Prohibition of Forced Labor | Yes | | Article 41 of the Children's Act (21) |
| 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 Offences Act (21,23,24) |
| Prohibition of Commercial Sexual Exploitation of Children | Yes | | Articles 26–27, 29–32, and 34 of the Children's Act; Articles 7–9 of the Tourism Offences Act (21,24) |
| Prohibition of Using Children in Illicit Activities | Yes | | Articles 31 and 36–37 of the Children's Act (21) |
| Minimum Age for Voluntary State Military Recruitment | Yes | 18 | Article 59 of the Children's Act (21) |
| Prohibition of Compulsory Recruitment of Children by (State) Military | N/A* | | |
| Prohibition of Military Recruitment by Non-state Armed Groups | Yes | | Article 31(c) of the Children's Act (21) |
| Compulsory Education Age | Yes | 16‡ | Article 18 of the Children's Act (21) |
| Free Public Education | Yes | | Article 30 of the Constitution; Article 18 of the Children's Act (20,21) |

* No conscription (25)

‡ Age calculated based on available information (20,21,26,27)

In The Gambia, children may commence an apprenticeship in the informal sector at the age of 12, which makes them vulnerable to engage in child labor and not complete basic education. (21)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Trade, Industry, Regional Integration and Employment's Department of Labor that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

| Organization/Agency | Role |
|--|---|
| Ministry of Trade, Industry, and Regional Integration and Employment | Conducts labor inspections and enforces labor laws pertaining to hazardous child labor through its Department of Labor. (3,19) |
| Department of Social Welfare (DSW) | Combats forced child labor; coordinates the handling of human trafficking victims, and works closely with social welfare officers in police units. (28) Operates a 24-hour hotline to address human trafficking, and in collaboration with The Gambia Tourism Board, maintains a database of individuals suspected of pedophilia or child trafficking. (5) Maintains an electronic database that contains information on cases requiring child protection, including those involving labor and human trafficking violations. (5,25) Housed under the Ministry of Health and Social Welfare. (3) |
| Child Protection Alliance (CPA) | Promotes children's rights and child protection services. Raises awareness about child exploitation. (29-31) Members include government departments, civil society organizations, UN agencies, NGOs, child and youth organizations, and bilateral institutions. (30) Trains journalists about child sex tourism and government officials on the UN Convention on the Rights of the Child. (32,33) Maintains 15 child protection centers across the country to monitor, identify, and report potential cases of child abuse and trafficking in persons. (18) |
| Children's Court | Adjudicates cases involving children and determines guardianship of child abuse victims, including child laborers, referred to the court by the DSW. (34) In 2018, there were three courts for seven regions in the country. (3,18) |
| National Agency Against Trafficking in Persons (NAATIP) | Investigates suspected cases of human trafficking. Members include investigators, police, members of the National Intelligence Agency, and five prosecutors. (18,35) Gathers evidence for the NAATIP director, who can recommend that the NAATIP prosecutor file charges for human trafficking violations. (18,35) |

The Gambia

MODERATE ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

| Organization/Agency | Role |
|--|---|
| Tourism Security Unit | Prevents unaccompanied children from entering tourist areas and patrols tourist areas for child labor and criminal violations, such as commercial sexual exploitation and human trafficking. Has a dedicated child protection division. (17,19,28) |
| Community Child Protection Committees | Raises awareness and reports cases of labor issues, including child labor, to the authorities through 15 operating committees across the country. (18,25) |
| Neighborhood Watch Groups | Monitors neighborhoods for child exploitation with support from the DSW. Maintains 11 existing groups established by the DSW in urban areas near tourist resorts. (16,18,28) |
| Village Development Committees | Serves as volunteer arbiters and mediators for community disputes involving children and other matters. (3) |
| Gambia Police Force Child Welfare Unit | Oversees all situations involving children's welfare. (31) Collaborates with the CPA, the SDW, NGOs and other agencies as the designated governmental coordinating body for all child welfare activities in The Gambia. (3,36) |
| The Gambia Tourism Board | Combats commercial sexual exploitation of children in tourist areas. (17) Educates the public about child sex tourism and the consequences for violating the Code of Conduct for the Protection of Children and the Tourism Act. In collaboration with the DSW, maintains a database of individuals suspected of pedophilia or child trafficking. (18,37) |

In 2018, research was unable to determine whether members of the 1,500 Village Development Committees were trained on child protection and the worst forms of child labor. (3,18) Reports indicate that the Department of Social Welfare-organized Neighborhood Watch Groups remain largely inadequate, as they are not empowered to investigate or report cases, are untrained, and only 2 of the 11 groups are occasionally active. (16)

Labor Law Enforcement

In 2018, labor law enforcement agencies in The Gambia took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Trade, Industry, Regional Integration, and Employment that may hinder adequate labor law enforcement, including investigation planning.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

| Overview of Labor Law Enforcement | 2017 | 2018 |
|--|-------------|--------------|
| Labor Inspectorate Funding | Unknown (3) | Unknown (18) |
| Number of Labor Inspectors | 7 (3) | 7 (18) |
| Inspectorate Authorized to Assess Penalties | Yes (3) | Yes (18) |
| Initial Training for New Labor Inspectors | Yes (3) | Yes (18) |
| Training on New Laws Related to Child Labor | Unknown (3) | N/A (18) |
| Refresher Courses Provided | Unknown (3) | Yes (18) |
| Number of Labor Inspections Conducted | Unknown (3) | Unknown (18) |
| Number Conducted at Worksite | Unknown (3) | Unknown (18) |
| Number of Child Labor Violations Found | Unknown (3) | 1 (18) |
| Number of Child Labor Violations for Which Penalties Were Imposed | Unknown (3) | 0 (18) |
| Number of Child Labor Penalties Imposed that Were Collected | Unknown (3) | N/A (18) |
| Routine Inspections Conducted | Yes (3) | Yes (18) |
| Routine Inspections Targeted | No (3) | Yes (18) |
| Unannounced Inspections Permitted | Yes (3) | Yes (18) |
| Unannounced Inspections Conducted | Yes (3) | Yes (18) |
| Complaint Mechanism Exists | Yes (3) | Yes (18) |
| Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services | Yes (3) | Yes (18) |

The number of labor inspectors is likely insufficient for the size of The Gambia's workforce, which includes more than 700,000 workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less-developed economies, The Gambia would employ about 19 labor inspectors. (38,39) Per the law, inspectors are not authorized to inspect private homes or farms in which children may be working in violation of the minimum age for work. (3,18) The government did not provide information for inclusion in

this report on its labor inspectorate funding, and the number of labor inspections conducted, including those conducted at worksite.

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in The Gambia took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including enforcement of penalties.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

| Overview of Criminal Law Enforcement | 2017 | 2018 |
|---|-------------|----------|
| Initial Training for New Criminal Investigators | Yes (3) | Yes (18) |
| Training on New Laws Related to the Worst Forms of Child Labor | Unknown (3) | N/A (18) |
| Refresher Courses Provided | Yes (3) | Yes (18) |
| Number of Investigations | Unknown (3) | 1 (18) |
| Number of Violations Found | Unknown (3) | 3 (18) |
| Number of Prosecutions Initiated | Unknown (3) | 1 (18) |
| Number of Convictions | 0 (40) | 0 (18) |
| Imposed Penalties for Violations Related to The Worst Forms of Child Labor | Unknown | N/A (36) |
| Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services | Yes (3) | Yes (18) |

Training on the topic of human trafficking was held for security forces, in cooperation with ECOWAS, as part of a one-day event in advance of the opening of the Senegambia Bridge along the Trans-Gambia Highway near the town of Farafenni. (4) Although Articles 39 and 40 of the Children's Act prohibit human trafficking and slave dealing of children and carry a penalty of life imprisonment, a source indicates that penalties are not fully applied, possibly hindering enforcement and emboldening violators. (25,36) The government began prosecution of two Nigerian nationals for commercial sexual exploitation of four Nigerians—one minor and three adults—trafficked to The Gambia. (18,25)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including the lack of adequate funding and the inactivity of some coordinating bodies during the reporting period.

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

| Coordinating Body | Role & Description |
|---|--|
| National Coordination Committee on Child Labor | Coordinates child labor enforcement processes, including prosecutions of the worst forms of child labor. Led by the DSW, comprises representatives from UNICEF, Department of Labor, NAATIP, Action Aid, Ministry of Basic and Secondary Education, Gambia Teachers Union, Young People in the Media, and the Inspector General of Police. (3) Research was unable to determine whether the coordinating body was active in 2018. |
| National Agency Against Trafficking in Persons (NAATIP) | Coordinates, administers, and monitors the implementation of the Trafficking in Persons Act. Shares information among law enforcement agencies. Created under the Ministry of Justice. Convenes and leads monthly meetings with the National Trafficking in Persons Task Force, focusing on multiple sectors in which human trafficking occurs across the country. (17,28) The Task Force includes NAATIP, Ministry of Justice, Department of Immigration, Department of Social Welfare, Ministry of Foreign Affairs, Women's Bureau, Gambia Radio and Television Services, Center for Street Children, and Gambia Police Force. (40) In 2018, government funding for the NAATIP was \$36,000, with assurances that funding would double to \$72,000 in 2019. (36) |

The government continued to provide limited funding to the NAATIP, with no direct funding for advocacy and training of officials; thus hindering the NAATIP's ability to conduct investigations on trafficking in persons. (3,4,16,18)

The Gambia

MODERATE ADVANCEMENT

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including the lack of a national child labor policy.

Table 9. Key Policies Related to Child Labor

| Policy | Description |
|--|--|
| National 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. (41) Research was unable to determine actions taken to implement this policy in 2018. |
| National Trafficking in Persons Action Plan (2016–2020) | Organizes governmental efforts to combat human trafficking. Drafted by the Ministry of Justice and the NAATIP, which is responsible for updating and implementing the action plan. In 2018, the action plan was extended until 2020, yet implementation was limited due to a lack of funding. (4,18,25,42) |
| The Gambia and Senegal Trafficking Memorandum of Understanding | Coordinates the two countries' efforts to address human trafficking through meetings, information sharing, improved laws, and prevention, protection, and assistance activities. (18) Research was unable to determine actions taken to implement this policy in 2018. (25) |
| 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. (17,43) Requires new hotel staff to be trained on the Code at the beginning of the annual peak tourism season. (17) In 2018, the government reported new hotel staff received this training by the Gambia Tourism Authority as part of the policy's implementation. (18,36) |

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (18)

Although the government has adopted various policies addressing human trafficking, research found no evidence of a policy on other worst forms of child labor. (18)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

| Program | Description |
|---|--|
| Combating Child Sex Tourism Project | CPA project, funded by ECPAT Netherlands, that raises awareness about commercial sexual exploitation of children, the Tourism Offences Act, and the Code of Conduct among Tourism Security Unit personnel, hoteliers, travel agencies, and other tourism stakeholders. (1) Research was unable to determine actions taken in 2018. |
| Street Children Center† | Drop-in center in Talinding Kunjang run by the DSW with support from international organizations, foreign NGOs, and local businesses. Provides medical care, food, and counseling to street children, including human trafficking victims and <i>almudus</i> . (17,28) In 2018, research indicated that this center continued to operate with the DSW providing a monetary allocation to the shelter for meals. (4) |
| Conditional Cash Transfers to the Majaalis† | Ministry of Education program in partnership with the Institute for Social Reformation, an Islamic NGO based in The Gambia, that gives <i>marabouts</i> food rations and approximately \$2 monthly for each student if the <i>marabouts</i> do not force students to beg. (16,18,28) Provides teachers for English, mathematics, and science subjects to Koranic schools. (1,17) As of 2018, the program reached 17 schools throughout all regions encompassing 1,500 children. (16) |

† 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. (44)

Although The Gambia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem. Programs do not reach all children working in agriculture and domestic work or those vulnerable to human trafficking, commercial sexual exploitation, forced begging, and street work. (18)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in The Gambia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

| Area | Suggested Action | Year(s) Suggested |
|---------------------|---|-------------------|
| Legal Framework | Harmonize provisions of the Children's Act and the Labor Code that regulate apprenticeships and ensure that children are at least 14 years of age before beginning workplace apprenticeships. | 2017 – 2018 |
| Enforcement | Ensure that village development committees receive training on the worst forms of child labor. | 2017 – 2018 |
| | Increase the number of labor inspectors responsible for enforcing labor laws, including laws related to child labor, to meet the ILO's technical advice. | 2016 – 2018 |
| | Ensure the labor inspectorate has authority to conduct inspections on farms and in homes. | 2017 – 2018 |
| | Ensure penalties for child trafficking are stringent enough to deter violations. | 2016 – 2018 |
| | Publish information on the labor inspectorate's funding levels and total inspections, including those conducted at worksites. | 2012 – 2018 |
| | Ensure neighborhood watch groups are properly trained and empowered to investigate and report cases of child labor. | 2018 |
| Coordination | Ensure the NAATIP has sufficient funding to conduct investigations on trafficking in persons. | 2012 – 2018 |
| | Ensure that the National Coordination Committee on Child Labor meets regularly and carries out activities to support its mandate. | 2018 |
| Government Policies | Undertake activities in support of the National Child Protection Strategy, National Trafficking in Persons Action Plan, and The Gambia and Senegal Trafficking Memorandum of Understanding. | 2017 – 2018 |
| | Adopt a policy that addresses all relevant worst forms of child labor, including commercial sexual exploitation. | 2015 – 2018 |
| Social Programs | Undertake activities in support of the Combating Child Sex Tourism Project. | 2017 – 2018 |
| | Expand existing programs to address the scope of the child labor problem. | 2010 – 2018 |
| | Enhance opportunities for children to access education by providing adequate teaching facilities and clean water, and assigning teachers to rural areas. | 2017 – 2018 |
| | Ensure that children can complete primary school by subsidizing or defraying the cost of books, uniforms, and other fees. | 2010 – 2018 |
| | Conduct research to determine the activities carried out by children, including in agriculture, domestic work, and forced begging, to inform policies and social programs. | 2017 – 2018 |

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The Gambia

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