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Forced Begging and Other Abuses against Talibs in Senegal

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The main routes of talib migration are well known in Senegal and Guinea-Bissau. The routes shown are based on Human Rights Watchs interviews with talibs, marabouts, parents, and humanitarian and government officials in Senegal and Guinea-Bissau; a 2007 quantitative study of begging children in Dakar performed by the United Nations Children's Fund (UNICEF), the International Labour Organization, and the World Bank; and detailed records kept by SOS Talib Children (SOS Crianas Talibs) of children returned to Guinea-Bissau after

running away from daaras in Senegal.

At least 50,000 children attending hundreds of residential Quranic schools, or daaras, in Senegal are subjected to conditions akin to slavery and forced to endure often extreme forms of abuse, neglect, and exploitation by the teachers, or marabouts, who serve as their de facto guardians. By no means do all Quranic schools run such regimes, but many marabouts force the children, known as talibs, to beg on the streets for long hoursa practice that meets the International Labour Organizations (ILO) definition of a worst form of child laborand subject them to often brutal physical and psychological abuse. The marabouts are also grossly negligent in fulfilling the childrens basic needs, including food, shelter, and healthcare, despite adequate resources in most urban daaras, brought in primarily by the children themselves.

In hundreds of urban daaras in Senegal, it is the children who provide for the marabout. While talibs live in complete deprivation, marabouts in many daaras demand considerable daily sums from dozens of children in their care, through which some marabouts enjoy relative affluence. In thousands of cases where the marabout transports or receives talibs for the purpose of exploitation, the child is also a victim of trafficking.

The Senegalese and Bissau-Guinean governments, Islamic authorities under whose auspices the schools allegedly operate, and parents have all failed miserably to protect tens of thousands of these children from abuse, and have not made any significant effort to hold the perpetrators accountable. Conditions in the daaras, including the treatment of children within them, remain essentially unregulated by the authorities. Well-intentioned aid agencies attempting to fill the protection gap have too often emboldened the perpetrators by giving aid directly to the marabouts who abuse talibs, insufficiently monitoring the impact or use of such aid, and failing to report abuse.

Moved from their villages in Senegal and Guinea-Bissau to cities in Senegal, talibs are forced to beg for up to 10 hours a day. Morning to night, the landscape of Senegals cities is dotted with the sight of the boysthe vast majority under 12 years old and many as young as fourshuffling in small groups through the streets; weaving in and out of traffic; and waiting outside shopping centers, marketplaces, banks, and restaurants. Dressed in filthy, torn, and oversized shirts, and often barefoot, they hold out a small plastic bowl or empty can hoping for alms. On the street they are exposed to disease, the risk of injury or death from car accidents, and physical and sometimes sexual abuse by adults.

In a typical urban daara, the teacher requires his talibs to bring a sum of money, rice, and sugar every day, but little of this benefits the children. Many children are terrified about what will happen to them if they fail to meet the quota, for the punishmentphysical abuse meted out by the marabout or his assistantis generally swift and severe, involving beatings with electric cable, a club, or a cane. Some are bound or chained while beaten, or are forced into stress positions. Those captured after a failed attempt to run away suffer the most severe abuse. Weeks or months after having escaped the daara, some 20 boys showed Human Rights Watch scars and welts on their backs that were left by a teachers beatings.

Daily life for these children is one of extreme deprivation. Despite bringing money and rice to the daara, the children are forced to beg for their meals on the street. Some steal or dig through trash in order to find something to eat. The majority suffer from constant hunger and mild to severe malnutrition. When a child falls ill, which happens often with long hours on the street and poor sanitary conditions in the daara, the teacher seldom offers healthcare assistance. The children are forced to spend even longer begging to purchase medicines to treat the stomach parasites, malaria, and skin diseases that run rampant through the daaras. Most of the urban daaras are situated in abandoned, partially constructed structures or makeshift thatched compounds. The children routinely sleep 30 to a small room, crammed so tight that, particularly during the hot season, they choose to brave the elements outside. During Senegals four-month winter, the talibs suffer the cold with little or no cover, and, in some cases, even a mat to sleep on.

Many marabouts leave their daara for weeks at a time to return to their villages or to recruit more children, placing talibs as young as four in the care of teenage assistants who often brutalize the youngest and sometimes subject them to sexual abuse.

In hundreds of urban daaras, the marabouts appear to prioritize forced begging over Quranic learning. With their days generally consumed with required activity from the pre-dawn prayer until late into the evening, the talibs rarely have time to access forms of education that would equip them with basic skills, or for normal childhood activities and recreation, including the otherwise ubiquitous game of football. In some cases, they are even beaten for taking time to play, by marabouts who see it as a distraction from begging.

Marabouts who exploit children make little to no effort to facilitate even periodic contact between the talibs and their parents. The proliferation of mobile phones and network coverage into even the most isolated villages in Senegal and Guinea-Bissau should make contact easy, but the vast majority of talibs never speak with their families. In many cases, preventing contact appears to be a strategy employed by the marabout.

Unfed by the marabout, untreated when sick, forced to work for long hours only to turn over money and rice to someone who uses almost none of it for their benefitand then beaten whenever they fail to reach the quotahundreds, likely thousands, of talibs run away from daaras each year. Many talibs plan their escape, knowing the exact location of runaway shelters. Others choose life on the streets over the conditions in the daara. As a result, a defining legacy of the present-day urban daara is the growing problem of street children, who are thrust into a life often marked by drugs, abuse, and violence.

The exploitation and abuse of the talibs occurs within a context of traditional religious education, migration, and poverty. For centuries, the daara has been a central institution of learning in Senegal. Parents have long sent their children to a maraboutfrequently a relative or someone from the same villagewith whom they resided until completing their Quranic studies. Traditionally, children focused on their studies while assisting with cultivation in the marabouts fields. Begging, if performed at all, was rather a collection of meals from community families. Today, hundreds of thousands of talibs in Senegal attend Quranic schools, many in combination with state schools, and the practice often remains centered on religious and moral education. Yet for at least 50,000 children, including many brought from neighboring countries, marabouts have profited from the absence of government regulation by twisting religious education into economic exploitation.

The forced begging, physical abuse, and dangerous daily living conditions endured by these talibs violate domestic and international law. Senegal has applicable laws on the books, but they are scant enforced. Senegal is a party to the Convention on the Rights of the Child,

the African Charter on the Rights and Welfare of the Child, and all major international and regional treaties on child labor and trafficking, which provide clear prohibitions against the worst forms of child labor, physical violence, and trafficking. International law also affords children the rights to health, physical development, education, and recreation, obligating the state, parents, and those in whose care a child finds himself to fulfill these rights.

The state is the primary entity responsible for protecting the rights of children within its borders, something which the government of Senegal has failed to do. With the exception of a few modern daaraswhich are supported by the government and combine Quranic and state school curriculanot one of the Quranic schools in Senegal is subject to any form of government regulation. In the last decade, the government has notably defined forced begging as a worst form of child labor and criminalized forcing another into begging for economic gain, but this adequate legislation has so far led to little concrete action. Rather than hold marabouts accountable for forced begging, gross neglect, or, in all but the rarest of cases, severe physical abuse, Senegalese authorities have chosen to avoid any challenge to the countrys powerful religious leaders, including individual marabouts.

Countries from which a large number of talibs are sent to Senegal, particularly Guinea-Bissau, have likewise failed to protect their children from the abuse and exploitation that await them in many urban Quranic schools in Senegal. The Bissau-Guinean government has yet to formally criminalize child trafficking and, even under existing legal standards, has been unwilling to hold marabouts accountable for the illegal cross-border movement of children. Guinea-Bissau has also failed domestically to fulfill the right to educationaround 60 percent of children are not in its school systemforcing many parents to view Quranic schools in Senegal as the only viable option for their childrens education.

Parents and families, for their part, often send children to daaras without providing any financial assistance. After informally relinquishing parental rights to the marabout, some then turn a blind eye to the abuses their child endures. Many talibs who run away and make it home are returned to the marabout by their parents, who are fully aware that the child will suffer further from forced begging and often extreme corporal punishment. For these children, home is no longer a refuge, compounding the abuse they endure in the daara and leading them to plan their next escapes to a shelter or the street.

Dozens of Senegalese and international aid organizations have worked admirably to fill the protection gap left by state authorities. Organizations provide tens of centers for runaway talibs; work to sensitize parents on the difficult conditions in the daara; and administer food, healthcare, and other basic services to talibs. Yet in some cases, they have actually made the problem worse. By focusing assistance largely on urban daaras, some aid organizations have incentivized marabouts to leave villages for the cities, where they force talibs to beg. By failing to adequately monitor how marabouts use assistance, some organizations have made the practice even more profitablewhile marabouts receive aid agency money with one hand, they push their talibs to continue begging with the other. And by treading delicately in their effort to maintain relations with marabouts, many aid organizations have ceased demanding accountability and have failed to report obvious abuse.

The government of Senegal has launched an initiative to create and subject to regulation 100 modern daaras between 2010 and 2012. While the regulation requirement in these new schools is a long-overdue measure, the limited number of daaras affected means that the plan will have little impact on the tens of thousands of talibs who are already living in exploitative daaras. The government must therefore couple efforts to introduce modern daaras with efforts, thus far entirely absent, to hold marabouts accountable for exploitation and abuse.

Under the Convention on the Rights of the Child, the Covenant on Economic, Social and Cultural Rights, and the African Charter on the Rights and Welfare of the Child the state is obliged to ensure that children have access to a compulsory, holistic primary education that will equip them with the basic skills they need to participate fully and actively in society. In addition to supporting the introduction of modern daaras, the government of Senegal should therefore ensure that children have the choice of access to free primary education through state schools or other means.

Without enforced regulation of daaras and success on accountability, the phenomenon of forced child begging will continue its decades-long pattern of growth. If the Senegalese government wants to retain its place as a leading rights-respecting democracy in West Africa, it must take immediate steps to protect these children who have been neglected by their parents and exploited and abused in the supposed name of religion.

This report is based on 11 weeks of field research in Senegal and Guinea-Bissau between November 2009 and February 2010. During the course of this research, interviews were conducted with 175 children; 33 religious authorities, marabouts, and imams in Senegal and Guinea-Bissau; Senegalese and Bissau-Guinean government officials at the national and local levels; diplomats; academics and religious historians; representatives from international organizations, including the United Nations Childrens Fund (UNICEF) and the International Organization for Migration (IOM); representatives from national and international nongovernmental organizations, national human rights groups, and community associations working in various ways to assist the talibs; and some 20 families in Senegalese and Bissau-Guinean villages who had sent their children to distant cities to learn the Quran.

In Senegal, research was conducted in the capital, Dakar; in the Dakar suburbs of Gudiawaye and Rufisque; in the cities of Saint-Louis, This, Mbour, and Kolda; and in villages in the region of Saint-Louis in the north (area called the Fouta Toro, or the Fouta) and in the region of Kolda in the south. In Guinea-Bissau, research was conducted in the capital, Bissau; the cities of Bafat and Gab; as well as in villages in the eastern regions of Bafat and Gab. This field research was accompanied by an extensive literature review of publicly available and unpublished studies on the talibs in Senegal and Guinea-Bissau conducted by a range of international and local organizations.

Of the 175 children interviewed, 73 were interviewed during in-depth conversations, generally about one hour in length, in one of two types of centers that assist talibs: food and healthcare assistance centers for current talibs; and temporary shelters that assist in the care and repatriation of runaway talibs. These sites helped ensure a secure environment for the children, most of whom were victims of serious abuse, during and immediately after the time of their interview. Of the 73 children interviewed in centers, 14 were interviewed, at the childrens request, in small groups of between two and four children from the same daara; the other 59 interviews of children in centers were conducted individually and privately, with only a translator and the interviewer present.

An additional 102 interviews were conducted with current talibs living in daaras in four Senegalese cities: Dakar, This, Mbour, and Saint-Louis. These interviews normally lasted from 10 to 15 minutes and were conducted away from their daara, generally on the street. About half of the street interviews were conducted in small groups of between two and five talibs, and the other half individuallydepending on whether the children were begging in a group or alone. Privacy from other people on the street was ensured. Human Rights Watch did not interview children in or around their own daaras in order to help protect against acts of reprisal such as beatings by the marabout.

All interviews with talibs, marabouts, and families were conducted with the use of an interpreter between French and one of the main languages spoken by respective ethnic groups in Senegal and Guinea-Bissau. The vast majority of interviews were conducted in the interviewees first languagegenerally Pulaar, Wolof, or Creole.

The names of all current and former talibs interviewed for this report have been withheld in order to protect their identity and help ensure their security. The names of parents have also been withheld, even when consent was provided, to protect the identities of their children who remain under the care of the marabouts. The names of some government officials and representatives of nongovernmental organizations, at their request, have likewise been withheld.

Human Rights Watch identified and spoke with talibs, marabouts, and families with the assistance of humanitarian organizations that work with current and former talibs. Different local partners and translators were used in every city and, often, in each neighborhood in which research was conducted.

The exchange rate between the United States dollar and the West African CFA franc (the currency used by seven West African francophone countries as well as Guinea-Bissau) fluctuated from lows around 430 to highs around 490 from October 2009 to March 2010. In this report, all dollar figures use a rate of 460 CFA to the dollar.

Senegal, the western-most country in continental Africa, has a population estimated at around 12 million, about 95 percent of which is Muslim. The largest ethnic groups in Senegal are the Wolof (approximately 43 percent of the population), Peuhl[1] (24 percent), and Serer (15 percent). Independent from France since 1960, Senegals official language according to the constitution is French,[2] though Wolof is generally the *lingua franca*. Arabic is the second most common language of literacy, even surpassing Frenchthe language taught in state schoolsin some regions of Senegal.[3]

The first article of Senegals constitution formally defines the state as secular.[4] However, Islamic authorities, particularly through the Muslim brotherhoods that dominate nearly all aspects of Senegalese life, wield considerable influence in the political and economic structures of the country.

The form of Islam prevalent in Senegal draws heavily from Sufisma broad tradition that includes various mystical forms of Islam. The movement began during the eighth century as a reaction to what was perceived as the overly materialistic and worldly pursuits of many leaders and followers of Islam. Sufi adherents are almost always members of *tariqas*, or brotherhoods, and, in addition to learning the holy texts, place great importance on following the teachings and example of a personal spiritual guide.[5]

There are four principal Sufi brotherhoods in Senegal: the Qadriyya, the Tijaniyya,[6] the Muridiyya,[7] and the Layenne. The oldest order is the Qadriyya, but the current dominant brotherhoods are the Tijaniyya, to which approximately half of Senegals Muslim population adheres, and the Muridiyya, the wealthiest and fastest-growing, followed by some 30 percent of Senegalese.[8]

Each brotherhood maintains a strict hierarchy, led by a caliph, a descendant of the brotherhoods founder in Senegal, followed by marabouts, who serve as teachers or spiritual guides for the brotherhoods disciples, or talibs. Marabouts wield immense influence over their disciples: the talib is expected to be devoted and strictly obedient; and the marabout, for his part, is expected to provide guidance and intercession throughout the disciples life.[9] Disciples consult marabouts for guidance on a variety of everyday and major life decisions and problems, such as family illness, a job search, and the harvest. Marabouts themselves are organized in a hierarchy, generally based on lineage, experience, and education. In addition, some marabouts in Senegal are imams, the leaders of mosques.

During the early colonial period, between 1850 and 1910, the French repressed charismatic religious leaders who, with their large followings, the colonial administrators feared could incite rebellion.[10] However, this served only to increase the religious leaders popularity.[11] By around 1910, the French and the brotherhood leaders began to see the political and economic benefits of adopting a more cooperative relationship. In return for the religious leaders pacifying the population and accepting colonial rule, the French relinquished to them immense profits from the production and trade of groundnutsone of Senegals most important exports even today.[12]

Post-independence, the religious leaders political and economic power continued to grow. During the presidency of Lopold Sdar Senghor, from independence to 1980, caliphs from the main brotherhoods issued *ndiguels* (religious edicts, in Wolof), guiding followers to vote for Senghor and the ruling Socialist Party. In return, Senghor affirmed the brotherhoods preeminent religious authority in Senegal and provided them considerable economic benefits.[13] In 1988, in hailing the efforts of Senghors successor, President Abdou Diouf, to provide roads and lighting in Touba, the Mourides holy capital, the Mouride caliph issued a ndiguel that equated voting for the opposition with a betrayal of the Mouride founder.[14] The brazenness of this ndiguel resulted in a backlash against caliphs overt intrusion into political life, which led subsequent caliphs to adopt a superficially apolitical stance regarding support for a given candidate.[15]

While caliphs are nominally apolitical in todays Senegal, politicking by politicians and political candidates of individual marabouts for their disciples votes remains an active practice in national and, even more so, in local elections.[16] Human Rights Watch interviewed marabouts in Dakar, Saint-Louis, Kolda, and Mbour who stated that during the last election cycle, in 2007, politicians or their intermediaries explicitly promised assistance in return for votes.[17]

These various forms of political courting of religious authorities, and political involvement by religious authorities, have over the years produced a political system in which no clear boundaries separate the religious and civic spheres.[18] While public expression of dissent toward the government is commonplace, the population and government leaders appear reluctant to express any opposition to religious leaders, an issue acknowledged by multiple government officials and humanitarian workers.[19] This dynamic has served to embolden

those responsible for the proliferation of forced child begging and other abuses committed by the marabouts against talib children.

The introduction of Islam in Senegal brought with it the founding of Quranic schools, or daaras. Prior to the arrival of the Frenchand even after their arrival in all but the most populous citiesQuranic schools were the principal form of education.

The daaras in existence before French colonial rule, as remain today, were led by marabouts, and the students were, then as now, known as talibs. While many talibs lived at home and studied at a daara in their village, many others were entrusted to marabouts in distant villages. The talibs lived with the marabout at the daara, often without any contact with their parents for several years.[20] While both girls and boys undertook memorization of the Quran in their own villages, it was and remains almost exclusively boys whom parents confide to the care of marabouts.

In these traditional daaras that predominated through independence, most marabouts were also cultivators of the landthough their primary concern generally remained education.[21] During Senegals long dry season, emphasis was generally placed on Quranic studies. Then, during the harvest, the marabout and older talibs would work together in the fields to provide food for the daara for much of the yearaided by contributions from families whose talibs did not reside at the daara and from community members through almsgiving. While older talibs assisted in the fields, younger talibs would remain in the daara and continue learning, either from the marabout or an assistant.[22]

During this period, the practice of begging existed where children lived at a residential daara and the harvest could not sustain the daaras food needs. Mamadou Ndiaye, a professor at the Islamic Institute in Dakar who has studied the daara system for three decades, described how the practice of free boarding in Senegals Quranic schools led to the begging phenomenon.[23]

However, in the traditional practice, talibs generally did not beg for money; begging was solely for food and did not take time away from the talibs studies or put them on the street. Families would donate a bowl of food for a talib, who would then return to the daara where all would eat as a community.[24] The experience emphasized mastering the Quran and obtaining the highest attainable level of Arabic. This traditional form of begging, however, bears little resemblance to current practice in Senegals cities. Indeed, Professor Ndiaye prefers to refer to these two practices using entirely separate terms: *la qute*, or collection, for the traditional practice; and *la mendicit*, or begging, for the modern practice which is the subject of this report.[25]

Despite the imposition of restrictive regulations and sanctions, as well as strategic subsidies for daaras where French was taught, the French authorities were unable to significantly restrict the proliferation of Quranic schools or limit the influence of Islamic authorities over the population.

Between 1857 and 1900, the French colonial administration tried to limit the number of marabouts authorized to teach children the Quran, first in the then-capital of Saint-Louis[26] and soon after throughout the region.[27] Correspondence between colonial leaders and the means they employed toward their goals demonstrated the central motivations behind these efforts: first, a desire to see the French language replace Arabic as the dominant scholarly and common language; and, second, a fear that Islam as practiced in West Africa was not favorable to colonial rule.[28] One colonial administrator wrote, We are forced to ask ourselves what could be the utility of the study of the Quran as it is ... done in Senegal. The results from an intellectual point of view are negative.[29]

An 1857 order required marabouts in Saint-Louis to gain authorization from the French governor in order to legally operate a daara. The set of requirements for authorizationwhich included proof of residency, educational certificates, and certificates of good moralswere intended to both limit the number of daaras and put out of practice individual marabouts whom the French believed to be hostile to their rule.[30] The order also required that all marabouts send their students of 12 years of age or older to evening classes at either a secular or Christian school in order to learn French.[31]

In 1896, the French administrationextended this regulationthroughout Senegal in an orderthat continued the use of restrictive authorization requirements; forbade marabouts from receiving children between the ages of six and 15 at Quranic schools during the hours of public education; and required marabouts to obtain from all their students a certificate proving attendance at French school.[32] If a marabout operated a daara without authorization, or failed to comply with the law, he could be punished with a fine and, for the first time, imprisonment.[33]

These acts angered the population, who saw them as meddling with their religious affairs.[34] Most children continued to attend Quranic schools and French spread slowly. Many marabouts continued to teach without authorization, and even those who had authorization generally failed to comply with official requirements.[35]

In the early 20th century, the colonial authorities continued attempts to limit the influence of Islam and Arabic in favor of French rule and language, but changed their approach, from the stick of over-regulation and punitive sanctions, to cooperation and cash payments to marabouts who set aside two hours a day for French instruction.[36]

In another proactive effort, the French in 1908 established the Madrasa of Saint-Louis. A school run by the colonial authorities, its purpose, as stated by the governor general of French West Africa, was to fight against the proselytizing by those [hostile] marabouts and to improve the current, degraded teaching of Arabic through forming an official corps of marabouts.[37] Scholarships were awarded with a distinct focus on attracting the sons of leading and influential families. The goal was to train future Senegalese political and religious leaders who would be more inclined to support the French.[38] The Madrasas curriculum included French, traditional school subjects, Arabic, and the Quranprioritized in that order.[39]

Subsidies for Quranic schools that taught French and the training of religious and political leaders expanded the reach of the French language and French colonial authority. However, in most regions, parents continued to prefer traditional Quranic schools.[40] Throughout the entire colonial period, the traditional model of the daarain which children assisted with the harvest and collected meals, but did not beg for money and instead spent the vast majority of their time on mastering the Quranremained most prevalent. Ultimately unsatisfied with the results of the carrot approach as well, the colonial administration abandoned such attempts. A 1945 order stated that Quranic schools were not to be considered educational schools and were not to be given subsidies under any circumstances.[41]

Because the French authorities efforts were so explicitly intended to limit the influence of Islam and religious leaders, they have had a long-lasting impact on later attempts to regulate the daaras: nearly all proposed or enacted regulations have been immediately interpreted by religious leaders as anti-Quranic education and anti-Islam. When a number of marabouts in the post-independence period began to use Quranic education as a cover for the exploitation of talibs, the Senegalese governments immediate and continued failure to challenge religious authorities on this point allowed an ever-worsening system of exploitation and abuse to develop.

In the post-independence period since 1960, village-based daaras have increasingly given way to urban daaras, in which the practice of forced child begging has become more and more prevalent. Immediately following independence, village-based daaras remained the most common and were the sole option for a religious education, which was not provided by the secular state schools, still widely referred to as French schools. Then, severe droughts in the late 1970s brought an influx of migrants, including marabouts, from Senegals villages to its cities.[42] Unable to make use of the traditional forms of support as were available in the villages, many marabouts began forcing talibs to beg. By the 1980s, forced child begging was ubiquitous in Senegals cities, with profitability attracting numerous unscrupulous marabouts.[43] At present, the practice of child begging in Senegal is almost wholly linked to residential Quranic schools: a 2007 study by the United Nations Childrens Fund (UNICEF), the International Labour Organization (ILO), and the World Bank found that 90 percent of children begging in Dakar and its suburbs were talibs.[44]

While the government has categorically failed to respond to the known prevalence of exploitation and abuse of children associated with residential Quranic schools, it has made mild, unsuccessful attempts at larger reform of the education system. In an attempt to attract some families to the state education system, the Senegalese government introduced at independence the option of Arabic study in state schools,[45] but religious instruction was explicitly banned in state schools until 2004. Thousands of Senegalese families who prioritized religious education continued to send their children to daaras, contributing to the proliferation of Islamic associations and Arabic schools.[46]

At the onset of urban migration in the 1970s, many marabouts ran seasonal daaras, where marabouts and talibs would live in the city during the dry season and then return to the village to prepare for the harvest.[47] Then, as the profits obtainable from forced begging and the greater comforts of urban life became apparent, most marabouts remained in the cities all year. Professor Ndiaye explained these developments, and the negative effect that forced begging has had on childrens Quranic education:

Academics and Senegalese humanitarian officials working with the talibs noted howalmsgivingboth a central tenet of the Islamic faith and a widely practiced custom in Senegalhas had the effect of contributing to the entrenchment of the talib problem, and as a result, the exploitation and abuses associated with child begging. Professor Ndiaye described this phenomenon:

This should not be construed to suggest that most Senegalese are in favor of the exploitative and abusive practices carried out against the talibs as detailed in this report. Rather, the attendant need felt by many Senegalese to give alms, coupled with the widespread presence of begging talibs, has at once been exploited by many marabouts and contributed to the normalization of the practice throughout Senegal.

Village Daara

A form present in almost every Senegalese village, it generally preserves the traditional focus on memorizing the Quran. In many village daaras, children live at home with their families, attending state schools in the morning and the daara in the afternoon, or vice versa. Children residing at the daara assist the marabout with cultivation during the harvest and with other tasks such as the collection of wood and water.

Seasonal Daara

Almost nonexistent now, particularly in Dakar, marabouts and talibs live in cities during the dry season, with talibs generally forced to beg for money. During the rainy season, to prepare for the harvest, marabouts return to the village, often with the talibs who help cultivate.

Urban Daara with Few or No Talibs Residing at the Daara

Frequently led by imams at daaras connected with mosques, these daaras are overwhelmingly comprised of children who reside with their families in the surrounding neighborhood. Most of these children also attend state school. There is generally no begging.

Urban Daara with Talibs Residing at the Daara

Comprising the majority of daaras in cities, children often come from rural areas in Senegal and Guinea-Bissau to live and learn from a marabout. Under the pretext that begging is essential to sustain the daara and inculcate humility, many marabouts force their talibs to beg for long hours on the streets. The hours of actual Quranic education vary considerably.

Modern Daara

Though still relatively few in number, these daaras have introduced fields of study other than memorizing the Quran and learning Arabic, including French and state school subjects. Begging for money is generally not performed, as the modern daaras are often financed by inscription fees, religious authorities, the state, foreign aid, and humanitarian aid agencies.

In every major Senegalese city, thousands of young boys dressed in dirty rags trudge back and forth around major intersections, banks, supermarkets, gas stations, and transport hubs begging for money, rice, and sugar. Often barefoot, the boys, known as talibs, hold out a small tomato can or plastic bowl to those passing by, hoping to fulfill the daily quota demanded by their teachers, or marabouts, who oversee their schooling and, usually, living quarters. Typically the children are forced to beg for long hours every day and are beaten, often brutally, for lacking the tiniest amount. On the street they are vulnerable to car accidents, disease, and often scorching heat.

Inside the daaras, the boys are subjected to deplorable conditions and, at times, physical and sexual abuse from older boys. The boys are typically crammed into a room within an abandoned structure that offers scant protection against rain or seasonal cold. Many choose to

sleep outside, exposed to the elements. Very few are fed by their marabouts; instead, they must beg to feed themselves, leaving many malnourished and constantly hungry. When they fall sick, which happens often, they seldom receive help from the marabout in obtaining medicines. Ultimately exploited, beaten, and uncared for, at least hundreds every year dare to run away, often choosing the hardship of a life on the streets over the abuse of life in the daara.

Forced begging places children in a harmful situation on the street and therefore meets the ILOs definition of a worst form of child labor. Moreover, as the forced begging and gross neglect is done with a view toward exploitation, with the marabout receiving the child from his parents and profiting from the childs labor, it amounts to a practice akin to slavery.

In the environment of all-powerful religious brotherhoods, limited government response, and the migration of marabouts to urban centers where forced begging has proliferated, tens of thousands of talib children in Senegal, the vast majority under 12 years old, endure exploitation and severe abuses. Each year, more and more children fall victim to this system of abuse.

Precise estimates of the number of talibs forced to beg are difficult to ascertain, as children are constantly running away and marabouts, emboldened by the absence of government regulation, frequently open up new daaras. However, based on field research and censuses by academics and humanitarian workers interviewed for this report, Human Rights Watch estimates there to be at least 50,000 talibs in Senegal who are forced to beg with a view toward exploitation by their teachers, out of the hundreds of thousands of boys attending Quranic schools in total.

The Senegalese governments enactment in 2005 of a law that criminalized forcing another into begging for financial gain, as well as efforts to improve conditions in daaras by local and international aid agencies, have failed to stem either the growing numbers of talibs or the serious human rights violations associated with the practice of forced begging and daara life. Evidence of the growing problem includes:

Of the 175 talibs interviewed by Human Rights Watch, roughly half were 10 years of age or younger.[55] On average, the children had begun living at the daara at seven years of age, though Human Rights Watch interviewed talibs who arrived at the daara when only three years old.[56] Many talibs in Senegal are from neighboring countries, most notably Guinea-Bissau, and are thrust into a neighborhood or city where few people speak their language. Combined with their age and distance from home, they find themselves entirely dependent on the marabout, their fellow talibs, and, more often than not, themselves.[57]

The profiles of talibs interviewed by Human Rights Watch suggest that the practice of forced begging is not limited to children of any one ethnic group, region, or neighboring country. While boys from the Peuhl ethnic group were disproportionately represented amongst the talibs interviewed in most citiessome 58 percent of the talibs interviewed by Human Rights Watch were Peuhl, though the Peuhl ethnicity comprises only one-quarter of Senegals populationthere were a large number of Wolofs as well. And while a large portion of the talib population in Dakar hailed from Guinea-Bissau, they were a clear minority in most other Senegalese cities. No matter their places of origin, nearly all talibs who reside at the daara are far from home and rarely, if ever, in contact with their families.

Of the 175 talibs interviewed by Human Rights Watch, the majority (about 60 percent) were Senegalese. However, there were also many from Guinea-Bissau (about a quarter of those interviewed) and smaller, though significant numbers of talibs from the Gambia and Guinea. Of all those interviewed, the majority came from the Peuhl ethnic group (nearly 60 percent) followed by the Wolof (40 percent).

Click to expand Image

Click to expand Image

While samples were insufficient to effectively estimate proportions of talibs by ethnicity or country of origin in each city, Human Rights Watchs research revealed several distinct patterns of migration related to various cities:

I am from the region of Tambacounda. My father decided to send me to learn the Quran when I was six. My mother didnt want me to leave, but my father controlled the decision.

The daara wasnt a good place, and there were more than 70 of us there. If it was the rainy season, the rain came into where we slept. The cold season was also difficult. We didnt have any cover and there were no mats, so we slept only on the ground. A lot of the talibs slept outside, because it was more comfortable.

I did not have any shoes, and only one shirt and one pair of pants. The marabout had three sons, and when I got clean clothes, the marabout would take them from me and give them to his own children. The marabout paid for his children to go to a modern daarathey didnt beg.

When we were sick, the marabout never bought medicines. We would either come to centers where they would treat us, or we would use our own money to buy medicines. If I told the marabout I was sick and couldnt beg, the marabout would take me to a room and beat mejust as if I was not able to bring the sum. So I had to go to the streets, even when I was sick.

The normal hours for studying were from 6 to 7:30 a.m., 9 to 11 a.m., and 3 to 5 p.m. I begged for money and breakfast from 7:30 to 9 a.m., for money and lunch from 11 a.m. to 2 p.m., and for money and dinner from 5 to 8 p.m. When I first arrived, I had to bring 100 CFA (US$0.22) a daythat was the sum for the youngest. As I got older, the marabout raised the quota to 300 CFA ($0.65), half a kilogram of rice, and 50 CFA ($0.11) worth of sugar. I saw the marabout sell the rice in the community; he never used it to feed us. I have heard from talibs there now that the quota is up to 500 CFA ($1.09). Even then, it was very difficult for me to find the sum. It was easy on Friday, the holy day, but on many other days I had problems.

When I couldnt bring the quota, which happened at least every week, the marabout would take me into the room where the oldest talibs slept. Then he wrapped rope cord around my wrists and beat me with electric cable, over and over. I still have marks on my back (these marks were shown to Human Rights Watch). As bad as it was with the marabout, when he was gone it was even worse. The oldest talibs were really nasty. They would take our money and then beat us really badly if we missed the quotaI would just stay out and keep begging, sleep on the street if necessary.

Begging is difficult. We ended up having to do whatever it took to get the daily sum, even steal. To be a talib, its not easy.

In hundreds of urban residential daaras, the marabout appears to emphasize forced begging over learning the Quran. As one humanitarian worker who works closely with talibs told Human Rights Watch, In the urban daaras, there is a pretext of education with a real purpose of exploitation.[66]

In principle, the marabout is responsible for imparting mastery of the Quran and a moral education on the talib. In practice, the talibs are the marabouts workers, forced to spend long hours each day on the streets in search of money, rice, and sugar for the maraboutwho uses almost none of it for their benefit. With education often secondary to fulfilling the quota, mastering the Quran takes two or three times longer than it would if the children received a proper education, according to Islamic scholars in Senegal.

While the traditional daara placed primary focus on mastering the Quran, the contemporary urban residential daara often focuses on maximizing the marabouts wealth. Amadou S., 10, told Human Rights Watch that each day the marabout gathers the children at 6 a.m. and, before sending them off into the streets, encourages them by saying, The rice is there, good luck![67] The talibs interviewed by Human Rights Watch spent on average 7 hours and 42 minutes, spaced throughout the day, begging for either money or food.[68] Begging is therefore a full-time job for the talibs, generally performed seven days a week.[69]

The vast majority of marabouts in urban daaras demand a specific sum that the talibs must bring back each day.[70] This quota varies between daaras and even within an individual daara: the youngest and newly arrived are required to bring slightly less; those between eight and 15 years old must bring the most; and those over 15 are often exempt from begging.

For the 175 talibs interviewed by Human Rights Watch, the average daily quota of money demanded by the marabout was 373 CFA ($0.87), except for Friday, where as a result of some marabouts setting higher quotas to take advantage of greater almsgiving on the holy day, the average quota was 445 CFA ($0.97).[71] In a country where approximately 30 percent of the population lives on less than a dollar a day,[72] and the gross domestic product per capita is approximately $900,[73] this is a considerable and often difficult sum to achieve. The quota varies greatly by city, as shown in the text box below, but the hours spent begging each day are remarkably consistent. The principal difference is that Dakar is a far richer city, which results in a higher quota.

Normal Days

Friday

Hours

Dakar

463

642

7 hrs, 42 mins

Saint-Louis

228

228

7 hrs, 36 mins

This

254

268

7 hrs, 54 mins

Mbour

246

246

7 hrs, 18 mins

In addition to money, many marabouts require that their talibs bring back sugar and uncooked rice. Just over 50 percent of talibs interviewed by Human Rights Watch had a quota for either rice or sugar, around 14 percent had a quota for both rice and sugar, and 35 percent only had to bring whatever they could. The daily quotas ranged from half a kilogram to three kilograms of rice, and from 50 to

100 CFA ($0.11-$0.22) worth of sugar.

In daaras where quantities of rice or sugar are demanded, every talib told Human Rights Watch that none of what they brought back was ever used for their own consumption. The account of Samba G., eight years old, was typical of what occurred in daaras with high rice quotas or a large number of talibs: When you brought in the rice, the marabout would fill up large [50-kilogram] bags. When they were full, he would send them back to his village or he would sell them in the neighborhood.[74] A 50-kilogram bag of rice sells for around 20,000 CFA ($43.50) in Dakar.

As the forced begging is done with a view toward exploitation, with the marabout receiving the child from his parents and profiting from the childs labor, it amounts to a practice akin to slavery.[75]

In one of the most exploitative practices, many marabouts in Dakars suburbs force their talibs, either explicitly or indirectly, through an elevated quota of 750 ($1.63) to 1,500 CFA ($3.26), to travel into Dakar from Thursday to Saturday in order to maximize their earnings. They beg around the main mosques in Dakar, particularly on the Friday holy day when Senegalese give greater alms. Human Rights Watch interviewed over a dozen talibs from different suburbs, including Gudiawaye, Mbao, Pikine, and Keur Massar (ranging from 10 to 30 kilometers outside Dakar), and the vast majority said that they engaged in this practice.

An 11-year-old talib in Keur Massar described waking up at 5 a.m. on Thursday to catch public transport into Dakar, hopping off and walking when caught not paying. He, like the others, would then beg all day Thursday before sleeping on Dakars streets Thursday night. A full day of begging on Friday follows, either with a return to the suburb on Friday night or, more often, another night on the street before returning Saturday morning.

Rather than attending mosque with their talibs on Friday, marabouts are widely subjecting children to 16-hour work days and nights on the streets.

The hours spent on the street begging put talibs at considerable risk of injury and death from car accidents. It is a common sight to see talibs, some as young as four years old, weaving precariously between cars on major streets, approaching cars as they pull into and out of driveways and in inter-city transport hubs, and sticking their hand or bowl into car windows in the hopes that alms will be given.

Human Rights Watch documented four cases of death as a result of car accidents, and interviewed nine talibs who had been victims of car accidents, with injuries ranging from soreness and bruises to multiple broken bones. In addition, a marabout interviewed by Human Rights Watch said that an eight-year-old talib under his de facto guardianship had in late 2009 suffered breaks to both of his legs in a car accident.[76] A father of a former talib told Human Rights Watch that his son had in 2006 suffered a serious injury to his arm as a result of a car accident in Dakar, which still affected him three years later.[77]

While a small sample, all four deaths documented by Human Rights Watch occurred in Dakarnot surprising given the greater level of traffic in the capital. All the deaths and injuries documented happened while the talibs were begging. A 2007 study on begging children in Dakar noted that the conditions on the street inherently expose begging children to dangers, particularly illnesses and car accidents.[78] Likewise, government officials and directors of international humanitarian organizations and local human rights organizations all related to Human Rights Watch that the dangers on the street, including from car accidents, placed the talibs in an extremely vulnerable position for long hours each day.[79]

Pape M., 13, witnessed the death of a friend and fellow talib in a car accident in Dakar in 2007. He emotionally told Human Rights Watch:

Two other talibs told Human Rights Watch that a fellow talib in their daara had been killed by a car accident, but neither was present when it happened.[81]A traditional chief in Guinea-Bissau lost a talib nephew to a car accident in Dakar, concluding that the practice of forced begging on the street is truly terrible for the children.[82]

Nine talibs interviewed by Human Rights Watch described having suffered injuries from car accidents. Bouba D., nine years old, was injured while begging near the transport terminal in This:

Similarly, Ibrahima T., 13, related:

The frequent accidents demonstrate one of the many ways that forced begging meets the ILO definition of a worst form of child labor and constitutes a violation of the childs right to physical security and protection from injury, and, in cases of death, a violation of the right to life.[85] The Convention on the Rights of the Child (CRC) requires the state to take all appropriate measures to safeguard the childrens right to physical and mental security. Marabouts, as de facto guardians, are failing to act in the best interests of the child as is also required under the CRC.[86]

The limited time talibs spend in Quranic classes in most urban daaras, as compared with the time spent begging, brings into question not only the motives of the marabouts, but also the relative value of education received in the daaras.

The number of hours the talibs interviewed by Human Rights Watch spent in classes varied greatlyfrom less than one hour per day to as much as eight hours. However, they almost unanimously described spending more time begging for money and food than they spent in the classroom learning the Quran. On average, they spent nearly eight hours a day begging and only five hours a day scheduled for Quranic classes.

Talibs from several daaras made clear that the hours of study were strictly enforced; however, in the majority of daaras from which talibs were interviewed, it was clear that scheduledhours far surpassed actual hours of learning. Human Rights Watch interviewed tens of talibs in the street in the midst of hours that they said were set aside for studying; when asked why they were not in class at the daara, they universally responded that they would not go back until completing the quota. In addition, many talibs said that the long hours on the street make it difficult for them to concentrate even while at the daara, due to hunger and general fatigue.

The result is that in many urban residential daaras, the talibs progress in learning to master the Quran and read and write Arabic, as well as their ability to access education in other basic skills, is severely undermined by the marabouts apparent prioritization of begging over classroom time. One marabout in Mbour told Human Rights Watch: I have never begged my talibs because I want them to learn. The most important part of the apprenticeship is the Quran, and the hours of begging take away from that.[87] The president of ONG Gounass, a humanitarian organization in Kolda that works closely with daaras in the region and operates a modern daara, likewise related:

The right to education under the CRC includes an education designed to empower the child by developing his or her skills, learning and other capacities, human dignity, self-esteem and self-confidence.[89] Where a child barely learns the Quran and no other educational material, this right is clearly left unfulfilled. Article 7(b) of the Cairo Declaration on Human Rights in Islam gives parents the right to choose the form of education for their children, so long as they take into consideration the childs interests;[90] and article 9(b) states that [e]very human being has a right to receive both religious and worldly education.[91] While Quranic education can therefore be an integral part to a childs self-development, tens of thousands of talibs in Senegal are failing to receive either a religious education or an education in other basic skills.

The overwhelming majority of talibs interviewed by Human Rights Watch reported suffering repeated, often severe, physical abuse in the daara. Beatings were most frequentlyreported within the context of failing to return the daily quota, although there were tens of talibs who were also beaten for failure to master the Quranic verses.The physical abuse was perpetrated by the marabout himself or, to a lesser extent, an older talib, or grand talib, who served as an assistantteacher.[93]

Talibs typically described being taken to a room, stripped of their shirt, and beaten with an electric cable or a clubusually struck repeatedly on the back and neck. Some were subjected to stress positions, chained to a piece of furniture, or bound or shackled during the beating. More than 20 talibs revealed to Human Rights Watch welts and scars resulting from beatings they had received. The children expressed profound levels of fear at what would await them should they fail to meet the marabouts established quota.

Malick L., a 13-year-old former talib, showed Human Rights Watch the scars from the beatings he had suffered at the hands of his marabout more than a year before. He recounted his experience, which was typical of many other talibs interviewed:

Not surprisingly, all but one of the talibs interviewed by Human Rights Watch who had run away from their daaras said that they had been beaten repeatedly for failing to bring enough money; the other was brutally beaten for mistakes in memorizing the Quran. Of the 139 current talibs interviewed, 77 percent described being beaten for failing to collect the quota. Human Rights Watch believes that this percentage may be even higher, given the apparent fear among children interviewed in groups, particularly on the street, that other talibs might report to the marabout what had been discussed with the researcher.[95]

Of those who described being beaten for failing to collect the quota, the overwhelming majority stated that it happened each and every time that they could not bring the quota. Other talibs described being beaten only after being given a second chance to complete the quota, as Boubacar D., 12, told Human Rights Watch:

Every talib but one stated that the punishment was inflicted by the marabout himself or with his clear knowledge and endorsementsince he was, at a minimum, physically present when some of the beatings occurred.[97]

Determining the precise frequency of the beatings is difficult, as many of the talibs are very young and conceptions of time are not always accurate. All but one former talib interviewed by Human Rights Watch said that they suffered the beatings at least once a week, and many said two or three times. Among current talibs, answers varied from very rarely to every day.[98] A large number of talibs said that their beatings were particularly common on Saturdays and Sundays, since there are far fewer people on the streets to give money.

During in-depth interviews, talibs identified a number of different objects that marabouts and other teachers had used to beat them. Most commonly cited was electric cable (39 cases, including one in which a long strip of iron was attached to inflict additional damage), followed by a club (13 cases), a cane (six), a whip (four), a hand (three), a tire strip (three), rope cord (two), and whatever is lying around (two).

Human Rights Watch also documented multiple cases of marabouts using stress positions to accompany beatings.[99] Chrif B., 11, told Human Rights Watch:

Eight talibs described being chained or bound with rope during beatings by their marabout or an assistant.[101] Ibrahima T., 13, recounted being repeatedly bound and beaten in a daara in a Dakar suburb before running away in 2009:

One marabout employed a particularly heinous method of punishment, in which he forced the youngest talibs to brutalize each other or suffer additional consequences (see text box of the story of Laye B. below).

The talibs almost universally described the beatingsand the fear of a coming beating when they were unable to collect the quotaas the worst abuse in the daara. Babacar R., 14, related:

Moreover, the gross neglect, deprivation, and serious human rights abuses endured by tens of thousands of talibs at the hands of many marabouts are augmented when, as is common, the marabout is either absent or leaves the daara for days or even weeks. Human Rights Watch documented 18 cases in which the marabout lived in a house separate from the daara where the talibs slept, including some instances when the marabout only came to the daara on certain days.[104] Tens of talibs described how their marabouts left the city multiple times a year to return to home villagessometimes for holidays, sometimes to bring back more talibs.[105] In each of these daaras, talibs as young as four are left under the supervision of older talibs, generally around 18 years old. Under such circumstances, older talibs are responsible for frequent beatings, stealing money from younger talibs, and sexual abuse.[106]

Talibs who said that they were not beaten generally acknowledged another form of dangerous punishment: refusing entry into the daara. Talibs in these daaras said that while their marabout did not strike them, they could not come back to the daara until they completed the quota. This restriction often resulted in their begging late into the night or, alternatively, sleeping on the streets.[107] In only around 7

percent of Human Rights Watchs interviews did talibs say that there was no punishment at all for failing to bring the quota.

The fear of corporal punishment or of being forced to sleep outside for failing to meet their quota has driven some talibs to turn to stealing. Seydou R., 13, was one of several talibs to describe this phenomenon to Human Rights Watch:

A government official of the *Action Educative en Milieu Ouvert* (AEMO), a part of the Ministry of Justice that works with children, told Human Rights Watch that the problem of talibs implicated in theft, seemingly driven by their need to attain the required quota, is increasing each year.[109] The result, as stressed by a government official within the Ministry of Family, is that over time, because of the tough life they have led and because they are forced to steal, it becomes difficult to integrate them into productive life.[110]

The severe physical abuse that many marabouts inflict on the talibs in their care, as well as the looming threat of violence, violates the childrens right to freedom from physical and mental violence and abuse. Under the CRC, the state is obligated to protect children from such abuse whether committed by a parent, a legal guardian, or any other person caring for the childclearly applying to a marabout who acts as a de facto guardian.[111] The Committee on the Rights of the Child, the body charged with interpreting the CRC, has stated that the prohibition against physical and mental violence also applies to corporal punishment in schools.[112] The physical abuse likewise places the marabout in conflict with Senegals penal code, which provides particular care to children.[113]

In addition, particularly in cases in which chaining, binding, stress positions, and other more brutal forms of punishment are used, the physical abuse may rise to the level of torture under the Convention against Torture. The Committee against Torture has stated:

[W]here State authorities or others acting in official capacity or under colour of law, know or have reasonable grounds to believe that acts of torture or ill-treatment are being committed by non-State officials or private actors and they fail to exercise due diligence to prevent, investigate, prosecute and punish such non-State officials or private actors consistently with the Convention, the State bears responsibility and its officials should be considered as authors, complicit or otherwise responsible under the Convention for consenting to or acquiescing in such impermissible acts.[114]

Human Rights Watch found that many marabouts are grossly negligent in providing for the health and nutritional needs of the talibs for whom they are responsible. Children are subjected to severe overcrowding, a lack of sanitation, and inadequate protection from weather. The poor conditions in the daara are combined with a lack of clothes and shoes for the talibs long days on the street, which increases their vulnerability to disease. Forced to beg for food, many are also extremely malnourished. Often sick, their marabout rarely provides medicines, requiring them to beg even greater hours in order to pay for their own treatment; more often, they suffer from the illnessno matter how severeand continue begging to satisfy the quota. Human Rights Watch documented the cases of two talibs who died from illnesses, in both cases believed to be from malaria not adequately treated by the marabout.[115]

Human Rights Watch visited over 40 urban residential daaras throughout Senegal. In the vast majority, conditions severely undermined the childrens rights to health and an adequate standard of living for physical and mental development. Serious overcrowding, a lack of sanitation and running water, a lack of adequate protection from harsh weather conditions, and the instability of the daara structures themselves posed a serious health risk to the talibs.

Most of the daaras visited were situated in abandoned, partially constructed structures or makeshift thatched compounds with concrete or sand floors, which offered little protection from the heat, rain, or coldcompounded by a lack of cover and, in some cases, even something as basic as a mat to sleep on. The daaras are also extremely overcrowded with poor sanitation, leaving talibs dirty and vulnerable to bites from mosquitoes and other insects.

One daara visited by Human Rights Watch in Saint-Louis was located in the middle of the neighborhood garbage dump, surrounded by standing water and refuse. While dismal, the daara was described as an upgrade over where the talibs had formerly been housedthe back of an abandoned truck.[116] In Mbour, one talib was killed and four others were seriously injured in December 2009 when the partially constructed building acting as their daara collapsed at night.[117] While these were two of the most extreme cases documented by Human Rights Watch, the average daara is hardly much better.

Many boys interviewed by Human Rights Watch complained about the cold they suffered during Senegals winterfrom December through Marchwhen nightly temperatures routinely descend to 60 degrees Fahrenheit, or 17 degrees Celsius.[118] Very few of them had any form of cover, as described by nine-year-old Moussa A.:

Indeed, 56 percent of talibs interviewed said that they had no cover at all in the daara. Nearly all the others who reported having some form of cover said it had been provided by a humanitarian organization or marraines (community godmothers),[120]or was made by the talibs themselves.[121]

Moreover, just over 30 percent of talibs interviewed by Human Rights Watch said that they slept directly on the ground. The rest almost all slept on thin mats or rice sacks stuffed with anything soft that the talibs could find. Human Rights Watch visited only one daara in which talibs slept in bedsthey had been provided by a humanitarian organization in Mbour.

Many talibs complained of severe overcrowding. Daaras ranged in size from only six talibs to more than 200, with most housing around 40 talibs. In the vast majority of daaras with fewer than 40 talibs, all of themfrom ages four to 18slept in a single room. As the daara size increased, additional rooms generally housing no fewer than 30 talibs each were added. The result, as explained by Alassane L., 12 years old, was that many move outside to sleep:

Human Rights Watch observed several talibs sleeping on the street in Dakar, Saint-Louis, and This. As Idrissa C., 11, and other talibs expressed, however, sleeping outside was impossible during some parts of the year: During the rainy season, we join the others inside because its a little dryer than outside [under the covering]. Its really crowded and hot then though. Its almost impossible to sleep.[123] Yet inside is only a little better during the rainy season, which lasts from July through September, as talibs from tens of daaras said that the shelters routinely leak, forcing them to sleep in water inside the daara.[124]

In addition to the cold, the rain, and the hard ground, talibs often described suffering from exposure to mosquitoes. Human Rights Watch

saw mosquito nets in only one of the daaras it visited, and a 2007 study of begging children in Dakar found that only 6 percent slept under mosquito nets.[125] Already only allotted around six hours of sleep a night because of the demands of begging and studying, the talibs are further deprived of sleep by the conditions that leave them at the mercy of the elements.

Marabouts interviewed by Human Rights Watch were keenly aware of the problem; the overwhelming majority cited a lack of rooms as either the most pressing or second most pressing issue they faced.[126] The second most cited problem, no less severe in terms of its effect on the talibs health, is a lack of a water pumpmeaning that the daara must purchase water, often leading to shortages.[127]

Compounding these difficult conditions, the vast majority of talibs owned few pieces of clothing and one or no pairs of shoes. Human Rights Watch conducted interviews during Senegals four-month winter and almost every talib described having only a T-shirt and pants in which to endure the nightly cold.[128] Several talibs said that the three-month rainy season was even worse: the brutally hot and humid days on the street, with frequent rain showers, combine to soak their clothes with sweat and rain, leaving them few or no other outfits to change into.[129] The few talibs who did describe having sufficient clothing all said that they had received none of it from their marabout.[130] With barely enough water for drinking in the daara, there is rarely enough left over for talibs to wash their clothes, except very infrequently or with the help of marraines or community centers.[131]

Human Rights Watch documented cases from eight daarasrepresenting over 15 percent of daaras from which talibs were subject to in-depth interviewsin which the marabouts stole new clothing that the talib had either been given or purchased for himself. While the traditional explanation for the talibs wearing rags and not having new clothes is to teach humility, that justification is shown to be hollow when every talib who had clothing stolen said that the marabout gave the new clothing to his own children.[132] Several talibs described seeing their clothing on the marabouts children, including 13-year-old Moustafa F.:

Over 40 percent of the talibs interviewed reported owning no shoes or sandals, a problem disproportionately weighted toward the youngest talibs and shocking given that plastic sandals generally cost less than 1,000 CFA ($2.17). Adama H., eight years old, told Human Rights Watch: I begged without shoes on in the heat, it was very difficult. [The ground] was so hot sometimes. I hurt a lot.[134] One medical professional who treats talibs told Human Rights Watch that the lack of shoes leads to cuts and other wounds on their feet, which often become infected.[135]

The conditions in the daara, including overcrowding, lack of sanitation, lack of protection from the harsh weather, and lack of clothing, violate the childrens right to an adequate standard of living for their physical and mental development, including the right to adequate housing, under the CRC and the African Charter on the Rights and Welfare of the Child.[136] When a marabout willfully deprives a child of these basic needs, he is also committing a criminal act under Senegals penal code.[137]

Forced to beg for their meals despite in some cases bringing a considerable amount of rice to the daara, most talibs interviewed by Human Rights Watch described suffering from extreme hunger on a daily basis, often eating at best one or two small meals a day, usually consisting of bread and rice. A 2007 report by UNICEF, the ILO, and the World Bank found that the majority of begging children in Dakar, including talibs, were observed to be malnourished, often severely.[138]

In only one of the more than 100 daaras from which Human Rights Watch interviewed talibs did the marabout provide food for them. Indeed, Human Rights Watch interviewed talibs from some 15 residential daaras in Saint-Louis just after Tabaski, one of the most important religious and cultural holidays in Senegal, marked by a feast of roasted sheep, and all said that they received no food from the marabout that dayeven in the daaras where the marabout had prepared one or multiple sheep for himself, his family, and sometimes others in the community.[139]

Deprived of food by their de facto guardians, many talibs are forced to beg in markets or door-to-door in neighborhoods to try to fulfill their daily nutritional needs. Many find specific families that are willing to provide some regular assistance, but rarely is it sufficient. Moussa A., nine years old, told Human Rights Watch:

To help ensure that no one goes completely without food, talibs in many daaras have developed a survival strategy of pooling their food. Issa S., a seven-year-old talib, told Human Rights Watch: We share our food from begging with each other, so if someone is not able to find any, he will still be able to eat a little.[141] Despite survival strategies, many talibs go hungry on an almost daily basis. Mamadou S., eight years old, related: It wasnt easy to find food; there were some days when I didnt eat anything at all.[142] Likewise, Lamine C., 12, recalled some days when he was so hungry that he looked through trash for food.[143]

The minority of talibs that did receive three full meals a day generally told Human Rights Watch that they were provided by a marraine,or community godmother.[144] Even when talibs had marraines, however, marabouts demands sometimes kept them from receiving their meals. Several marraines interviewed by Human Rights Watch said that the talibs they fed occasionally missed meals to beg so as to ensure that their quota was reached.[145] One marraine in Mbour said that a talib she helped support did not come on days after he was severely beaten, because the marabout refused to let him leave the daara for fear that his wounds would be seen by others.[146]

Forced to beg for food and often extremely malnourished, the vast majority of talibs in urban centers are denied their rights to food and physical development under the CRC and the African Childrens Charterrights which the state, parents, and the marabout, as a de facto guardian, are failing to fulfill.[147] The Senegalese penal code likewise criminalizes the act of willfully depriving a child of food and care in a way that impacts the childs health, placing many marabouts in conflict with the law.[148]

As a result of the long hours talibs spend on the street, the malnutrition they suffer from inadequate food, and the deplorable conditions in many daaras, nearly all talibs interviewed by Human Rights Watch described suffering from frequent illnesses. Although placed in charge of the talibs by parentsand seemingly in possession of money from the proceeds of forced beggingonly around 30 percent of marabouts in daaras from which children were interviewed provided medical assistance to talibs. One medical professional who treats large numbers of talibs described their situation to Human Rights Watch as very precarious in terms of their health.[149]

Over 90 percent of talibs interviewed described having suffered from one or more diseases in the previous year,[150] with the most common problems being infected wounds; skin diseases; diarrhea; malaria; eye infections; severe headaches; fever; and fatigue.[151]

One marabout said that several of his talibs had suffered from cholera during the hot rainy season.[152] Humanitarian workers described how diseases, particularly conjunctivitis and skin ailments like scabies that often cover the talibs entire bodies, spread rapidly through the daaras given the close quarters and lack of sanitation, leaving huge numbers of talibs in a daara sick at the same time. Human Rights Watch visited tens of daaras in which it appeared that over half the children required treatment for visibly present symptoms of conjunctivitis or skin disease.

Approximately 70 percent of talibs interviewed told Human Rights Watch that when they fell sick, their marabout provided no funds with which they could visit a clinic or purchase medicine, no matter how severe the illness was.[153] The account of Pape M., 13, was typical:

In a particularly egregious case, a group of some 10 talibs from a large Dakar daara told Human Rights Watch that a nongovernmental organization regularly provided their marabout with medicines, but rather than use the free medicines to treat the talibs, he sold the medicines for profit. When they fell ill, the marabout told them to use their own money from begging to buy medicines. The talibs said that even when their companion suffered a broken leg from a car accident, the marabout told the group to collectively pay for the hospital visit and treatment with begging proceeds.[155]

Human Rights Watch interviewed three talibs who described being beaten by their marabouts for having fallen ill, in order to test whether they were faking the illness. Birame N., 13, explained:

In addition to failing to provide medical treatment and sometimes physically abusing talibs when they fall ill, most marabouts continue to require the talibs to beg for their quota, even when sick. Saliou M., 13, told Human Rights Watch:

Many children are forced by their marabouts to make up the sum they would bring in from a days begging, once they are feeling better. Moussa A., nine, told Human Rights Watch:

The few marabouts who did provide medical assistanceincluding visits to the hospital for serious illnessesmost often did so only after the sickness had become severe.[159] Moreover, several talibs said that they had to repay the marabout for what he had spent on their treatment. Amadou S.,10, explained:

Forced to suffer through often severe illness, which in many cases could be prevented or treated relatively easily, children are denied their rights to the highest attainable standards of health and the right to physical development under international law.[161] The marabout, as de facto guardian, fails to provide the necessary living conditions, and the state fails to protect the childs health when parents and the marabout have proven unable or unwilling to ensure the childs rights. In cases in which the deprivation of healthcare is willful, the marabout is likewise guilty of criminal neglect under Senegals penal code.[162] Senegal is a state party to the International Covenant on Economic, Social and Cultural Rights, which requires that for children, work harmful to their morals or health or dangerous to life or likely to hamper their normal development should be punishable by law.[163]

Senegal is a conservative society in which discussions of sexual abuse are largely taboo. As a result, sexual abuse typically goes unreported, especially when both victim and perpetrator are male.[164] This conservatism has made it difficult to ascertain the prevalence of sexual abuse of boys living within the daaras, though research by Human Rights Watch and other groups suggests that the problem is very likely to be more widespread than the few cases that Human Rights Watch was able to document in interviews with talibs.[165]

Human Rights Watch documented three cases of sexual abuse within the daaras, two of which were described by the victims themselves and one by a witness to an attack.[166] In each case the perpetrator was an older talib, two of whom were also assistants to the marabout. Of the two victims, one said that there was inappropriate touching on multiple occasions; the other was raped on one occasion.[167] Ndiaga Y., 13, still clearly affected by the abuse, explained to Human Rights Watch:

Ousmane B., 13, described to Human Rights Watch what he witnessed:

In all three cases, the marabout either lived in a house separate from the daara or was away from the daara at the time when the abuses occurred.[170] None of the children informed the marabout about what happened for fear that the abuser would find out and retaliate. This fear demonstrates the need for state authorities to create a more protective environment for victims to come forward.

In addition to sexual abuse inside the daara, humanitarian agencies identified a risk for sexual abuse posed to children who had run away from an abusive marabout. In Mbour, Human Rights Watch was shown medical records documenting multiple cases of male rape against three former talibs, ages seven, eight, and 11, who had in 2008 run away separately from their daaras and were sleeping on a beach. According to a social worker familiar with the case, the children were separately and on several occasions accosted and raped by men armed with knives in the middle of the night.[171]

Social workers in centers for vulnerable children in Dakar, Rufisque, and Saint-Louis had also collectively documented tens of cases of sexual abuse against talibs in 2009, including cases in daaras and on the street after children had run away.[172] Several personnel related that in the daaras the abuser was most often an older talib.[173] According to one social worker, most cases on the street are committed by an older Senegalese youth also living on the street, who appeared to the child to be under the influence of alcohol or drugs.[174]

The Convention on the Rights of the Child obligates states parties to take all appropriate measures to protect children from sexual abuse.[175] In addition to directly improving protection in the daaras, the government must address the current climate in Senegal, in which discussion of such acts is taboo, so that talib victims feel more comfortable speaking about the abuse and are aware of state and non-state authorities who can provide protection and psychosocial assistance. While most Dakar-based and Saint-Louis-based Senegalese organizations have begun to document and discuss the problem of sexual abuse, the taboo in other regions remains strong. When asked about cases of sexual abuse by Human Rights Watch, multiple senior officials of local humanitarian groups noted for their admirable work responded with bewilderment, acknowledging that they had never asked male children about sexual abuse.[176]

Marabouts typically make little to no effort to facilitate periodic contact between the talibs for whom they are responsible and their

parents. Despite long distances between the daara and the talibs village, the proliferation of mobile phones and network coverage into even more isolated villages in Senegal and Guinea-Bissau should make periodic contact extremely easy.[177] However, Human Rights Watch found that the vast majority of talibs have no contact with their families. In many cases, this lack of contact was a deliberate policy of the marabout.

Fewer than 10 percent of talibs interviewed by Human Rights Watch had seen their parents since leaving home between several months to more than 10 years before. Even within the 10 percent, contact generally consisted of one visit by a parent over several years, or a return home for the Tabaski celebration.[178]

About 20 percent of talibs interviewed had spoken by phone with their family since leaving home, generally only on rare occasions.[179] Most talibs interviewed by Human Rights Watch believed that their marabout knew their parents phone numberespecially as many marabouts are relatives or acquaintances from the talibs village of originyet chose not to facilitate contact.

Moreover, in about 15 percent of daaras, the lack of communication was part of a conscious policy by the marabout, according to talibs interviewed by Human Rights Watch, enforced even if the child knew the parents mobile phone number and offered to pay for the credit with extra earnings from begging. Oumar M., 11, told Human Rights Watch:

Although marabouts consistently explained to Human Rights Watch that isolation from family is a way to help the child more effectively master the Quran, interviews with many parents suggested that there may be a more malevolent motivation: the marabouts desire to control information, so that the level of suffering and abuse in the daara is not conveyed back to the family. Ansou B., a father from a village in northern Senegal who has two children studying in a Saint-Louis daara, described how he only receives information about his children when the marabout comes back to the village: The marabout comes here often and he provides news. He tells me that my children are learning, that they are eating well, and that they are in good health. So I know they are well.[181] While he believed this news, several families interviewed by Human Rights Watch noted that a similar trust was betrayed when their children were returned by aid workers and the truth of the deplorable conditions was revealed.[182] One father related that despite several phone conversations regarding his sons well-being, the marabout did not tell him that his son suffered a serious injury from a car accident while begging. When the father was informed of his childs injury by an extended family member in Dakar, the marabout lied and said it happened while his son was playing around.[183]

Refusing to allow a talib to speak to his family, as well as deliberately providing misinformation about the childs health and well-being to the family, arguably violate the individual duty under article 29 of the African Charter on Human and Peoples Rights to preserve the harmonious development of the family and to work for the cohesion ... of the family.[184] As noted by Professor Ndiaye at the Islamic Institute in Dakar, whatever value the traditional practice of separation and isolation served when the principal focus was mastering the Quran, the current environment does not allow for this practice anymore.[185]

On average, the talibs interviewed by Human Rights Watch spent 13 hours a day begging to fulfill their marabouts quota, obtaining sufficient food for themselves, and studying the Quran. With their time consumed from the pre-dawn prayer until the late evening hours, talibs rarely have time to access forms of education that would equip them with basic skills, or for normal childhood activities and recreation, including the otherwise ubiquitous game of football. In some cases, they are even actively punished for playing by their marabouts who view it as a distraction from begging.

Out of the 73 in-depth interviews conducted with talibs, only three reported that their marabout specifically allowed time for leisure or recreation.[186] In addition, three marabouts told Human Rights Watch that they explicitly set aside time for recreation, understanding its benefit to studies, community integration, and quality of life.[187]

For most of the talibs, any chance to play comes at the expense of the hours spent begging, and so generally only occurs after having met the daily quota. Fallou P., 11, explained:

Some marabouts have gone even further by actively banning any form of leisure or recreation. Abdoulaye S., 11, told Human Rights Watch: The marabout did not allow us to even play football or anything else. He said, If you have the time to play, you have the time to beg. Go beg![189] Similarly, Pape M., 13, said, If we started to play, the marabout would take out the electric cable and say, If you continue, I will beat you.[190]

While the violation of the right to play may seem insignificant compared to the severe abuses committed against the talibs, several of the talibs interviewed said that, for them, it was one of the worst transgressions of life in the daara. Lamine C., 12, told Human Rights Watch:

The denial of the right to play, an essential element in the healthy development of a child and a guaranteed right under the CRC,[192] is the ultimate symbol that a talib has no chance, nor right, to be a child.

Unfed by the marabout, untreated when sick, forced to work long hours only to turn over money and rice to someone who uses almost none of it for their benefitand then beaten whenever they fail to reach the quotahundreds, likely thousands, of talibs run away from daaras each year. If found trying to run away by the marabout, the punishment is swift and severe. If able to achieve their freedom, they often take up life on the streetsgenerally shy of even 13 years of agewhere they encounter an environment replete with drugs, violence, and criminality.

Human Rights Watch interviewed 29 talibs who had run away from their daaras, representing only a small fraction of the children who try each year. Each former talib interviewed by Human Rights Watch noted that before he ran away, others had done the same.[193] Talibs living in one daara in Dakar with over 70 boys told Human Rights Watch that all of the children older than 12 or 13 had already run away.[194] Adama H., eight years old, similarly described:

Precise figures on the number of runaways per year are difficult, if not impossible, to ascertain, however the collective traffic of runaway talibs recorded in shelters and on the streets by humanitarian organizations in Senegal leads Human Rights Watch to believe that the number reaches more than 1,000.

There are tens of shelters in Senegal that briefly house vulnerable children while staff work, often with the Ministry of Justice and the International Organization of Migration (IOM), to return the child to his parents. With the exception of Centre Ginddi, a shelter in Dakar run by the Ministry of Family, the childrens shelters are all run by nongovernmental groups, but registered with, and inspected by, the state. Centre Ginddi has the capacity to house approximately 60 children at once, whereas most non-state centers can house between 20 and 30 children. A Human Rights Watch researcher visited shelters for vulnerable children in Dakar, Rufisque, Saint-Louis, and This, finding them all filled or nearly filled to capacity. Often, as many as 50 percent of the children at these shelters were runaway talibs. On average, children at these centers stay for a few weeks to a few months, indicating a collective flow of hundreds of runaway talibs each year.

In addition to figures from shelters in Senegal, groups operating in Senegal and Guinea-Bissau assist a number of runaway talibs to return home to Guinea-Bissau. Two Bissau-Guinean humanitarian organizations that operate shelters for former talibsSOS Talib Children (*SOS Crianas Talibs*) and Association of the Friends of Children (*Associaodos Amigosda Criana*, AMIC) helped more than 430 former talibs in Senegal to return to their families in Guinea-Bissau in 2007-2008.[196] Although statistics somewhat overlap, the IOM reported having assisted 307 victims of trafficking for forced begging between 2007 and 2009.[197] All of these figures are limited, however, to include only talibs that succeed both in running away and in finding centers to house them subsequent to their flight. Many talibs return home on their own[198] and hundreds of others take up life on the streets, particularly in Dakar.

Talibs appear to be running away in higher and higher numbers. Moussa Sow, the head of an organization that works with vulnerable children in Rufisque, told Human Rights Watch that while runaway talibs used to represent only 30 percent of the organizations caseload, they are now closer to 50 percent.[199] Isabelle de Guillebon, the director of Samusocial Senegal, an organization that provides healthcare to street children, likewise stated that the organization has seen a clear rise in the number of runaway talibs on the street in the past few years. A Samusocial social worker estimated there to be hundreds living on Dakars streets alone.[200]

Social workers delineate three principal categories of runaway talibs: those who are found by the marabout or a grand talib and returned to the daara; those who make it to a shelter; and those who take up life on the street. While fear of corporal punishment forces many to leave, it is likely also a major reason why some talibs do not run away. As severe as the beatings are for failing to bring the daily quota, the beatings inflicted when talibs try to run away and are then found are generally far worse. Assane B., 15, told Human Rights Watch:

Severe abuse was also documented when runaway talibs were brought back to the daara by parents after successfully making it all the way home. One former talib described:

Many talibs thus plan their escape, knowing exact locations of shelters to reduce the possibility of being found and returned. Aliou E., 11, recalled going directly to a Dakar shelter when he ran away during the rainy season in 2008.[203] Djiby H., 12, fled his daara with two other talibs in December 2007, telling Human Rights Watch: One of my companions knew about Centre Ginddi, and we went directly there.[204]

Other talibs choose life on the streetseither while they figure out how to return home or simply to live there semi-permanentlyover the daara. One former talib, tired of the beatings in the daara and already returned once by his parents after having fled, walked from Kaolack to Fatick (around 50 kilometers) before finding a vehicle that was traveling to Dakar, where he took up residence on the streets.[205]

Human Rights Watch interviewed talibs who had lived on the streets for periods ranging from two days to more than five years. A former talib explained to Human Rights Watch the rationale of his decision:

Three former talibs who had lived on the streets for months and, in one case, years, described living in bands ranging from nine to over 40 youthand described tens of similar bands throughout the region of Dakar.[207] The children generally beg for survival, often posing as talibs to improve their odds. Several admitted, however, that the dire conditions lead them to steal in the market and from houses. The 27-year-old leader of one group of street children and youth explained the streets difficulties:

Guinze, a Wolof term, is an industrial thinner that many street children soak their shirts in or place under their nostrils.[209] Of the more than 15 youth living on the street at one site near downtown Dakar visited by Human Rights Watch, every youth but one was visibly on guinze. Those who take this drug often become violent, fighting each other with broken bottles, at times leading to severe injuries.[210]

One of the defining legacies of the present-day urban daara is the growing problem of street children;[211] talibs who run away and find themselves on the street are thrust into a life of drugs, theft, predatory behavior, and violence. Without a concerted and sustained effort by the state, religious leaders, families, and nongovernmental organizations, the numbers of street children will continue to grow.

I was born in the town of Dara Diolof [in northwestern Senegal]. When I was five, my family sent me to a powerful marabouts daara in Saint-Louis. Almost all of us slept outside under the sky because there was no room for us in the daara. There were at least 60 talibs.

Each day, the marabout divided us into groups of two. We had to bring 350 CFA ($0.76), rice, and milletall were obligatory. Then, if one of the two of us found the sum, but the other one failed, the marabout forced the one with the most money to beat the otherwith electric cable laced with a strip of iron. If the talib refused, then the marabout himself would beat both talibs.

I couldnt handle it anymore, so my older brother came to get me. When he arrived, the marabout told him that I was close to finishing the Quran, so my brother left. I was not even halfway through the Quran. It was then that I decided to run away. The first three times, a grand talib trapped me and brought me back to the daara. With the marabout there, the grand talib would lock me in a room all day and beat me; he would leave and then return to beat me again. Finally, there was a truck traveling to my aunts village, so I escaped.

My parents said that they were going to send me back to the daara, so I ran away again, this time to Kaolack. From there, I fled to Mbour, where I begged for money to pay for a trip to Dakar.

In Dakar, Ive lived on and off the streets for the last six years. I begged to survive. During the rainy season, I slept under the overhang of a bank; otherwise I slept outside, where there were other ex-talibs. I often had problems with people on the streetthey would rob me while I was asleep and beat me. The police would find us outside sometimes and take us to the police station for a couple days.

Its because of beggingthat is why there are so many children on the streets. The marabouts need to understand that its really difficult for us to have to bring the sum every day.

Hundreds of marabouts in Senegal subject talibs living under their de facto guardianship to conditions akin to slavery. They force the children to perform a worst form of child laborbegging on the streets for long hoursand subject them to often brutal physical and psychological abuse, all within a climate of fear. They are also responsible for gross negligence, failing to fulfill the childrens basic needsincluding food, shelter, and healthcaredespite a presumption of adequate resources, brought in primarily by the children themselves. Senior religious leaders have failed to subject exploitative marabouts to any kind of regulation or implement disciplinary measures.

The governments of Senegal and Guinea-Bissau, who bear ultimate responsibility under national and international law for human rights abuses within and at their borders, have failed to take effective action to protect these children, including through punishing the perpetrators and preventing future abuse. In Senegal, the government has made next to no attempt to introduce, much less enforce, regulation of the daaras, apparently allowing the anticipated political backlash from the brotherhoods to trump the welfare of tens of thousands of children. The government has likewise made almost no effort to enforce key laws and hold accountable marabouts who force children to beg or physically abuse them. In Guinea-Bissau, the government has taken some meaningful steps to prevent the large-scale trafficking of children to Senegal, but remains unwilling to hold accountable marabouts who are involved in the practice. Moreover, the Bissau-Guinean government has largely ignored the growing problem of begging talibs in its own cities.

Many parents who knowingly send their children into an abusive situation also bear responsibility for failing to adequately protect their children from harm. Lastly, humanitarian organizations, while attempting to fill the protection gap left by the state, have sometimes incentivized the proliferation of unscrupulous marabouts and urban daaras where forced begging is rampant.

Marabouts interviewed by Human Rights Watch often rationalized the practice of forced child begging with explanations that hardly withstand reason. Some marabouts who hide behind these explanations ultimately stand to gain considerable money from the talibs labor. Meanwhile, marabouts and religious leaders who take seriously their role as a religious teacher have failed to publicly voice concern, much less take action to end the abuses.

Each of the some 30 marabouts interviewed by Human Rights Watch about why they force children under their care to beg gave one or more of three reasons: to provide for the talibs food; to pay the rent and related costs; and to teach humility. However, forced child begging as practiced throughout Senegal is wholly inconsistent with each of these stated reasons.

Every marabout interviewed by Human Rights Watch said that he had too many talibs to be able to adequately feed them himself, so begging was necessary to meet the daaras food needs. While this may provide for a collection of meals, it is wholly inconsistent with begging for money. As noted above, Human Rights Watch interviewed children living in more than 100 daaras and, with just one exception, none of the money or rice the talibs collected was ever used for their food needs.

A majority of marabouts also said that begging was necessary to assist with the daaras other costs, including rent. Aliou Seck, a marabout in Saint-Louis, explained: Begging, in terms of the hours, is mostly so that the daara can survivein order to pay the electricity, to buy Quranic books, for medicines and shoes, and for soap to clean.[213] But by occupying abandoned or partially constructed buildings, many marabouts avoid having to pay rent in the first place. And, as demonstrated throughout this report, the clear majority of marabouts who force talibs to beg fail to provide medical care, clothing, adequate shelter, or other basic needs.

Even in daaras where marabouts do pay rent and cover other costs, it is not the childrens responsibilityparticularly through a worst form of child laborto pay for the daara. This is all the more so given that most marabouts consciously chose to leave a village in which they had a house, separate children from families that could have been the primary provider of basic needs, and take them into a situation where these costs exist.

Finally, a majority of marabouts claimed that begging is important for the talibs moral education, particularly to teach humility. Masso Bald, a marabout in Saint-Louis, explained: Begging is above all for humilitywe need to give an education that is very difficult. In order to truly learn the Quran, one must suffer. Begging is a part of that.[214]

While many marabouts profess the importance of teaching humility, three times as many talibs interviewed by Human Rights Watch said that their marabouts own children did not beg as those who said that they did.[215] Similarly, as detailed above, some marabouts take clothes from talibs and give them to their own children. In these cases, any argument that forced begging is necessary to inculcate humility appears incredibly hollow. Lastly, the collection of food from community families, combined with living in relatively ascetic conditions and assisting with cultivation, was formerly sufficient to teach humility in the traditional daaraand remains sufficient in village daaras and some urban daaras throughout Senegal.

If one accepts that asceticism and humility are important components of Quranic education, the teaching of these qualities still offers no justification, as many marabouts say, for the forced begging, daily quotas, and physical punishment for failing to bring the quota inflicted on the talibs. As asserted by a Senegalese academic who has studied the daara system: As we currently observe [the situation] in urban areas, begging does not represent an element of religious education.[216]

Unjustified by any of the marabouts explanations, the practice of forced begging for money, particularly with an often brutally enforced quota, can only be described as exploitation. Aliou Seydi, a marabout in Kolda who has followed his fathers example by not having his talibs beg, explained:

A Quranic teacher since 1990, Mohamad Ba returned from Dakar to his Kolda village in 1996, with the help of UNICEF. The daara, a well-made structure built by Ba, currently has 60 talibssix live with families in surrounding villages and 54 reside at the daara. Three women in the village cook for the talibs in residence, and the costs are covered through the cultivation of millet, rice, and fruit.

During the week, the children go to school from 8 a.m. to 4 p.m., with a break for lunch and recreation. On the weekend, the talibs combine Quranic studies with cultivation and prayer lessons. Only during the harvest period do children assist with cultivation on weekdays.

On his own initiative, Ba modernized the daara. The talibs learn French in addition to Quranic and formal Arabic studies. With a strong focus on studies, talibs master the Quran in three years, or in five years when combined with French and Arabic proficiency. When a talib masters the Quran, Ba travels with the child to his village, for the traditional test and celebration.

In addition to providing greater assistance for village daaras, Ba recommends the creation of a diploma for completing Quranic school, to show who has really mastered the Quran.

Mohamadou Sali Ba, a marabout in Saint-Louis, similarly felt that exploitation through forced begging, as well as physical abuse in daaras, sharply conflicted with the tenets of Islam:

While Human Rights Watch is not in a position to determine the origin of a given marabouts apparent wealth, it is clear that some measure of many marabouts wealth is derived from the exploitation of talibs. At the least, the money obtained through forced begging is sufficient to provide for a considerably higher standard of care in the daara.

Human Rights Watch visited more than 40 daaras in Senegal, observing that many maraboutsincluding some who force talibs to beglive ascetic and relatively poor lives. Other maraboutsgenerally those that demand higher quotas of money, rice, and sugarappeared to use proceeds from forced begging for their personal benefit. Many talibs, fellow marabouts, and community members told Human Rights Watch that they knew marabouts who owned multiple homes and enjoyed all available modern luxuries.

In a country where 30 percent of the population lives on less than a dollar a day,[220] half of the population lives below the poverty line,[221] and the government pays the average primary school teacher a monthly wage of around 125,000 CFA ($272),[222] many marabouts have found a way to live comfortably through the exploitation of children.

While each daara is unique in terms of the number of talibs and the quota imposed, below are calculations from four representative daaras from which Human Rights Watch interviewed talibs:

Location

Number of Talibs

Daily Quota per Talib

Weekly Demanded Total from Talibs

Marabouts Annual Demanded Total

This

~20

250 CFA, rice and sugar optional

35,000 CFA ($76)

1,820,000 CFA (~$4,000)

Saint-Louis

28

300 CFA and kg rice

58,800 CFA ($128); 98 kg rice, worth 39,000 CFA ($85)

5,085,600 CFA (~$11,000)

Dakar

~60

On Friday, 1,000 CFA; other days, 300 CFA; every day, 2 kg rice, and 20 morsels sugar

168,000 CFA ($365); 840 kg rice, worth 336,000 CFA ($730); and 8,400 sugar morsels, worth 28,000 CFA ($61)

27,664,000 CFA (~$60,000)

Gudiawaye

150+

On Friday, 750 CFA; Sunday, rest; other days, 500 CFA; every day but Sunday, 1 or 2 kg rice (dependent on age), sugar optional

487,500 CFA ($1,060); 1,350 kg rice, worth 540,000 CFA ($1,174)

53,430,000 CFA (~$116,000)

A former talib from the daara in Dakar detailed above, who had run away with four others because of frequent beatings, told Human Rights Watch that the marabout lived in a nice house separate from his daara in Dakar, and that he also had the largest house, which the talib had visited, within his and the surrounding villages in Guinea-Bissaucomplete with fully installed electricity, multiple motorbikes, and multiple televisions.[224]

Indeed, talibs from several daaras told Human Rights Watch that they believed their marabouts were wealthy enough from their exploitation to own multiple, often lavish homes, which the talibs had visited.[225] Human Rights Watch visited one daara with over 200 talibs in Gudiawaye, where the talibs lived crammed in an abandoned structure swarming with insects and without water, windows, doors, or a toilet. A kilometer away, the daaras marabout, Malic Mane, had a house, visited by Human Rights Watch, but he more often resided in a second house in the Dakar suburb of Mbaocoming to the daara only once or twice a week according to talibs at the daara.[226] Several local organizations had informed the Ministry of Justice of the daaras squalid conditions in 2005, according to the director of one organization, but no action was taken.[227] Human Rights Watch scheduled two meetings with the marabout, but the marabout failed to honor the engagement.[228]

Fellow marabouts and community members in Kolda, a region in southern Senegal from which a disproportionate percentage of Senegalese talibs and marabouts hail, cited wealth as relatively common. One marabout in Kolda stated:

A community member who has lived in the region of Kolda for more than 40 years likewise told Human Rights Watch:

A number of marabouts and imams expressed indignation over the proliferation of faux-marabouts and what they perceived to be the prioritization of begging and money over the Quran in other daaras. However, few were willing to publically denounce the exploitation, press for government regulation, or bring religious institutional pressure to bear on those engaging in the practice.

Mohamed Niass, a marabout and imam in Gudiawaye, told Human Rights Watch:

Ibrahima Puye, a marabout in Gudiawaye, expressed concern that the proliferation of forced begging would result in discrediting the practice of Quranic education within Senegalese society:

Yet despite the anger expressed to Human Rights Watch, these marabouts, and hundreds of others who feel similarly, have yet to take action to demand regulation and accountability from the government or religious hierarchy.[233] In January 2010, the spokesperson for the Tijaniyya brotherhood voiced opposition to rampant forced begging; however, the statement was not accompanied by concrete action.[234] Leaders of the other brotherhoods have yet to even publicly object to the practice. As expressed by one Senegalese humanitarian worker, If leaders of the two great brotherhoods in Senegal said no more forced child begging, there would be no more forced begging.[235]

In contrast to Senegal, religious authorities in Guinea-Bissau have begun to speak out against the practice of sending children to daaras in Senegal. Alhadji Alonso Faty, the first vice-president of the High Islamic Council (*Conselho Superior Islmico*) in Guinea-Bissau, was one of a half dozen religious leaders who took part in a commission that investigated the conditions of talibs in Senegal, which he said shocked and revolted him and his colleagues.[236] The commission presented their findings on national television and urged parents to keep their children in Guinea-Bissau. The president of the National Community of Islamic Youth (*Comunidade Nacional da JuventudeIslmica*, CNJI) said that her organization had worked closely with imams in Bissau and cited as concrete results the discussion of sending children to Senegal during the Friday prayer and on radio broadcasts.[237] The head imam in Bafat, the second-largest city in Guinea-Bissau, told Human Rights Watch that he had publicly expressed his opposition to sending children to Senegal and advised families against it.[238]

Despite these efforts, marabouts continue to bring hundreds, likely thousands, of children from Guinea-Bissau into Senegal each year. The CNJI president acknowledged that sensitization efforts were mostly concentrated in the capital of Bissau and its surroundings, while the vast majority of cross-border movement takes place in the regions of Bafat and Gab, in the east.[239] More importantly, all of these religious leaders expressed that, even in the case of child trafficking, they were reluctant to involve the state and press for criminal charges to be brought against perpetrators.

The state is the primary entity responsible for protecting the rights of children within its borders, something which the government of Senegal has failed to do with respect to tens of thousands of talibs. In 2007, the government established the Partnership for the Withdrawal and Reinsertion of Street Children (*Partenariat pour le Retrait et la Rinsertion des Enfants de la Rue*, PARRER), a coordinating body of government ministries, civil society, religious groups, and aid agencies to help address the problem of street children, including the talibs. While PARRER has commissioned and undertaken studies on the number of begging children in Senegal and effective response strategies, it focuses, as its president told Human Rights Watch, not on the government, [but] on prevention and building social mobilization.[240] In January 2010, the state signed a 23 million CFA ($50,000) partnership with PARRER, for the coordinating body to continue prevention work.[241]

While improved funding to remove children from the street and to sensitize parents is noteworthy, the government continues to neglect other, crucially important responses that could serve as a deterrent. Central to the widespread neglect and abuse of the talibs is the governments failure to inspect and regulate the daaras and to require that children access a well-rounded education, much less investigate and prosecute marabouts engaged in the abuse and exploitation of children.

With the exception of a few modern daaras, none of the Quranic schools in Senegal are subject to any form of government regulation, be it regarding the curriculum, living conditions, or standards of health. The government does not require registration of the daara or the children in the daara, nor are there requirements regarding hours of learning; subjects taught; teacher qualifications; student-to-teacher ratio; the quality of the structure where children live and learn; or provision of clean water, nutrition, and healthcare.

Not surprisingly, this has allowed for the proliferation of daaras and marabouts, including those who appear to have little interest in educating children. The governments failure to regulate the daaras has contributed to every human rights abuse endured by the talibs documented in this report. It can only begin to protect these children if it is enacts legislation to register and regulate all daaras, creating adequate mechanisms to monitor compliance, and then exercise its power to close daaras in which children are forced to beg, brutalized,

and subjected to conditions that endanger their education and health.

The need for regulation has long been discussed by Senegalese government officials, the diplomatic community, and aid agencies. Various ministries, particularly the Ministry of Education, have hosted and attended tens of conferences, seminars, and workshops on Quranic education in Senegal.[242] In 2004, the Daara Inspection Directorate was established within the Ministry of Education; however, the unit did not become operational until 2008. Furthermore, its mandate is very limited: the daaras subject to inspection are modern daaras.[243] Traditional daaras and urban residential daaraswhich one inspector referred to as daaras outside the laware not overseen.[244] Expansion plans for modern daaras, discussed below, will increase the number of daaras subject to regulation, but will still not impact government oversight over the daaras that are the subject of this report. While the government formally recognized all Quranic schools in February 2010, recognition was not coupled with regulation.[245] As a result, it is precisely the daaras most prominently associated with exploitation and abuse that remain outside of the states regulatory reach.

As long ago as 1978, a seminar at the Islamic Institute in Dakar, attended by high-level officials of the Ministry of Education,[246] recommended that Quranic school teachers should meet well-defined professional criteria; that pedagogy should be established; and that there should be requirements for opening and operating daaras.[247] However, when interviewed by Human Rights Watch, one high-level official in the Ministry of Family stated: It is impossible for the state to regulate immediately. It must first gain the marabouts trust [and] reflect further on the institution of daaras.[248]Three decades after leading Islamic authorities in Senegal led a call for regulation to eliminate the then-newly burgeoning exploitation of children, the government still professes a need to further study the issuenow with tens of thousands of children affected.

State authorities in Senegal have also failed to investigate and hold accountable marabouts implicated in abuse and neglect. In 2005, the government passed a law that criminalized forcing another into begging for financial gain, under penalty of a large fine and imprisonment for between two and five years.[249] Five years later, no government official interviewed by Human Rights Watch could identify a single instance when the law was applied to sanction a marabout solely for the practice of forced begging.

One high-level official in the Directorate for the Protection of Childrens Rights, within the Ministry of Family, explained to Human Rights Watch the two choices the state has identified to address forced child begging:

It is not clear why these are the only two options. An influential assemblywoman, who disagreed with the states reluctance, noted that the state could hold accountable the most exploitative or abusive marabouts through imprisonment and fines, and use alternative sanctions like public shaming for others. Most importantly, she noted, the state is obligated to take the children out of the abusive environment and return them to their families.[251] Indeed, determining the most exploitative marabouts requires only simple interviews with talibs who are begging outside of their daara, to determine the quota and the punishment for failing to bring the quota.

Beyond failing to punish marabouts for forced begging, state authorities have demonstrated a reluctance to launch and follow through with criminal proceedings, even when marabouts engage in excessive physical abuse against talibs. In the few cases that have resulted in sentencing, judges have only imposed short prison terms. Article 298 of the penal code states that anyone who voluntarily injures or strikes a child under 15 years of age, excluding minor assaults, shall be punished with imprisonment and a fine. The findings in this report demonstrate that many marabouts abuse their talibs in a manner far beyond a minor assault. Yet for each year between 2005 and 2009, fewer than five arrests of marabouts were made for physical abuse against talibs.[252] Government officials with the Ministry of Justice in Mbour and Kolda said that they could not remember a single case in which a marabout was brought before the tribunal for physically abusing a talib.[253]

Cases resulting in criminal proceedings and punishment have almost exclusively been those in which a talib was beaten to death or near-death. A marabout who beat a talib to death was sentenced to four years imprisonment in 2007; and a marabout who beat a talib to near-death in 2008 was sentenced to three years in prison.[254] One of the few cases in which the perpetrator received a substantial punishment was in 2008, when an assistant Quranic teacher was sentenced to life in prison for torturing and gruesomely suffocating a talib in his fathers daara.[255]

As noted in the background section of this report, religious leaders wield enormous social, political, and economic power in Senegal. Almost every humanitarian worker and many government officials interviewed by Human Rights Watch described how the brotherhoods power underscores the governments lack of political will to ensure that relevant ministry personnelnotably from the Ministries of Interior, Justice, and Educationboth regulate and hold marabouts accountable for abuse and exploitation. One government official in the Ministry of Family told Human Rights Watch:

One high-level government official told Human Rights Watch that in 2005 she publicly pushed for the prosecution of a marabout who had severely beaten a three-year-old talib. While the marabout ultimately received a two-year prison sentence, the government official received multiple death threats by telephone. The official noted that her colleagues are afraid to take the same risks.[257] Similarly, an individual who runs a center for talibs in Mbour described how she faced threats and ostracism from marabouts and the local community for trying to press charges regarding the rape of a young talib.[258]

Social pressure, in addition to outright threats, reduces the number of cases brought before the authorities. One man who dared to file charges after his son was brutally beaten by a marabout was shunned by his village and his own father, who told an Associated Press journalist: [The beating] was an accident and my son had no right to humiliate the marabout.... The day they took the marabout to prison, it hurt me so much it was as if they had come to jail me.[259]

While individuals may endure threats and social pressure for taking action against marabouts, these concerns are no excuse for the Senegalese government, whose support could reduce reprisals. One government official in the Ministry of Justice expressed this sentiment to Human Rights Watch:

Many parents refuse to send their children to state schools due to the curriculums lack of Quranic instruction and the imposition of informal school fees. In recognition of the former, in 2004 the government amended the education law to allow for religious instruction in state schools.[261] The government has also built state-funded modern daaras in which Quranic studies are combined with Arabic, French, and subjects such as mathematics and science. With funding assistance from international partners, the Ministry of Education in

2010 began the construction of modern daaras to number 100 by 2012, each of which will accommodate around 300 students. According to the plan, the state will establish and regulate the curriculum, teacher training and standards, and health and safety requirements. The schools will be subjected to inspection by state officials and, if they fail to meet standards, can be ordered to close. According to the Ministry of Education, this will satisfy the states responsibility regarding universal primary education for these children, while accommodating parental preferences.[262]

While the initiative shows many promising attributes, it is not a solution for the vast majority of exploited talibs. As noted by an inspector in the Ministry of Education, more than 1,600 daaras have already applied to be chosen as one of the 100 to modernize.[263] Moreover, those marabouts interested in personal financial gain at the expense of education are unlikely to apply in the first place, because they can reap far greater profits than a state-employed teacher. The result is that while the right to education will be extended to an important number of children, the impact on the tens of thousands of talibs toiling on the streets will be minimal. Their daaras will remain unregulated under current government plans, and additional daaras outside the law will very likely be opened.

Plans to expand modern daaras must be paralleled with efforts to ensure that state education is accessible and attractive to children and parents, as well as a determined effort by state authorities to close daaras marked by exploitation and abuse and sanction those who have committed or allowed such abuse. Addressing the widespread exploitation and abuse of children cannot be postponed during the decades it will take to extend modernization to the vast majority of daaras in Senegal.

A final problem that has plagued the Senegalese government is its diffuse and uncoordinated response to the exploitation of talibs. Multiple officials from national and international organizations told Human Rights Watch that a major impediment to effective state action is that the government response is spread over the Ministries of Family, Education, Justice, Interior, Social Affairs, and even Foreign Affairs with respect to Guinea-Bissaunot to mention dozens of directorates within these ministrieswithout a clear leader. Officials interviewed by Human Rights Watch felt that the response was at worst contradictory, but more often simply incoherent, with officials in one ministry unaware of other government initiatives.[264] Given the gravity of the problem in Senegal, there is a need to identify one official as a focal point to develop a coordinated strategy.

While the government of Guinea-Bissau has taken some meaningful steps to combat the illegal cross-border movement of talibs into Senegal, efforts remain hesitant and marred by insufficient financing. Most importantly, the government has lacked the will to sanction marabouts who move children across the border in a manner that violates domestic laws and international human rights norms. Furthermore, the Bissau-Guinean government has largely ignored a burgeoning domestic problem of begging talibs. Underpinning both cross-border movement and forced begging is the governments failure to ensure the right to education for many children.

After decades of ignoring the mass exodus of Bissau-Guinean children to daaras in Senegal, where thousands have been abused and exploited, the government of Guinea-Bissau finally formed a National Committee to Fight against the Trafficking in Persons (National Trafficking Committee) in 2008 and acknowledged the severity of the problem.[265] Since then, the government has taken positive steps to reduce the illegal movement of children to Senegal, including through training border guards and civil police. Yet action remains limited and slow. The government has left police woefully underfunded to combat the problem, has failed to criminalize child trafficking, and has avoided accountability efforts.

The National Trafficking Committee has conducted training for civil and border police, and immigration and customs personnel, with some positive results. The commissioner of the civil police force in Bafat region, perhaps the principal departure point for marabouts and talibs, told Human Rights Watch that in 2007 and 2008, civil and border police stopped around 200 talibs at the border and returned them home. They also arrested nine individuals, either marabouts or someone tasked by the marabout, who were moving the children across the border.[266] In 2009, according to the commissioner and confirmed by the leading humanitarian organization in the region, less trafficking through official posts resulted in the police stopping fewer children and only arresting two marabouts.[267]

While the commissioner felt that this reduction was in part due to reduced overall illegal cross-border movement, he acknowledged that it was also a result of marabouts better hiding themselves and the children when they are going across.[268] The police commissioner in Gab further explained:

Indeed, several children interviewed by Human Rights Watch described crossing the border at night, and one recalled having to walk a long distance with a grand talib to pass the border clandestinely, before being met by the marabout with a car in Senegal.[270]

A senior police official also acknowledged that efforts to stop child trafficking through official posts remained hampered by bribe-taking officials.[271] Moreover, a humanitarian organization director who assists in border police trainings described receiving phone calls from border officials inquiring as to whether individuals could pass without childrens paperworksuggesting both the need for further police training, but also the improvements that have led some to recognize a potential problem and seek guidance.[272]

Police face their biggest problem in combating the illegal cross-border movement of children, however, from the lack of funding by the Bissau-Guinean government. Police and border officials in Bafat region told Human Rights Watch that they collectively had just one car and one motorbike; in Gab, there was one car, one motorbike, and one bicycle. As Bafats police commissioner described, If the car is on mission elsewhere, and we receive a call about the movement of children across the border, we are immobilewe cannot do anything.[273]

The lack of laws specifically criminalizing trafficking in Guinea-Bissau severely undermines efforts to reduce child trafficking, worsened by a lack of accountability for marabouts who illegally move children into Senegal.

At this writing, there is no law in Guinea-Bissau that criminalizes trafficking, including child trafficking. There is, however, a draft law. The government focal person for the National Trafficking Committee, as well as a UNICEF child protection officer assisting on the issue, expressed optimism that the legislature would pass the law during the first half of 2010, but admitted that the process has already been delayed several times.[274]

At present, arrests are based on border requirements and violations of penal code provisions including kidnapping and abuse of confidence.[275] Under Bissau-Guinean law, a non-parent taking a child across the border must present a signed declaration from both

parents indicating their approval and a stated purpose.[276] Quranic school education is a legitimate purpose according to the law, but a government official said that both the parents and the marabout must state that the child will not beg and will not be beaten.[277] When these requirements are not met, the cross-border movement is illegal, and, according to the law, the marabout should be arrested and taken before a tribunal.

In practice, this rarely happens. Humanitarian officials who work closely on the issue told Human Rights Watch that no case of a marabout attempting to illegally move children across the border has gone all the way through trial, much less been judged and criminally punished.[278] While the humanitarian officials cited a lack of political will as the primary explanation, the states focal person on the National Trafficking Committee cited the lack of legislation specifically sanctioning the practice as the main impediment and assured: When the [anti-trafficking] law exists, it will be for everyonemarabouts will not be treated differently than anyone else. The law is the law, and the law will be applied to everyone the same.[279]

Numerous aid workers as well as representatives from UNICEF and the National Community of Islamic Youth told Human Rights Watch that the problem of forced begging in Guinea-Bissau has risen dramatically within the last five years, particularly in the capital.[280] The prevalence of tens of begging talibs, with a forced quota, was confirmed by Human Rights Watch in several cities, notably Bissau and Gab.[281]

At present, the Bissau-Guinean government has failed to take concrete action to combat the rising problem. Unlike in Senegal, forced begging is neither criminalized in domestic law nor defined as a worst form of child labor.[282] The governments principal response, according to multiple state officials, is sensitization against the practice of forced begging, combined with exploratory efforts into offering financial assistance for madrasas, the Bissau-Guinean equivalent to modern daaras in Senegal.[283] Human Rights Watch urges the Bissau-Guinean government to look carefully at the example of Senegal, where decades of alternative solutions and avoiding accountability have served to embolden the perpetrators and resulted in ever-growing numbers of victims.

Under Bissau-Guinean law, primary education should be compulsory and free, in accordance with international law. Yet when free primary education was introduced in the mid-2000s, the government was unprepared for the enormous number of children who entered school for the first time. The state, recovering from a decade of instability, found itself unable to cover the costs of teachers, materials, and buildings. While the law prescribes education to be free, representatives of multiple organizations working on education issues with the government said that informal fees, including inscription and monthly fees, are widespread. The fees force many parents to remove their children from state school and send them to a Quranic school, in either Guinea-Bissau or Senegal, where parents were not responsible for any costs.[284] As a result of this and other barriers to accessing education, more than 60 percent of children in Guinea-Bissau are not enrolled in state school.[285]

Human Rights Watch interviewed eight children in two different village residential daaras in Guinea-Bissau. Seven of the eight had previously attended state school, combining regular school subjects with Quranic studies in their home village, until their parents could no longer cover the state school fees. Six of the seven who were previously in state school said that both they and their parents would have preferred that they continue attending state school and Quranic school at home.[286] While the Bissau-Guinean government certainly faces financial constraints, it must take positive steps toward the realization of the right to education.

As in Senegal, many families in Guinea-Bissau emphasize religious learning at least equally to, if not greater than, state school education. For these families, the government should work with leading Islamic organizations in Guinea-Bissau to regulate and standardize Quranic schools, with a view to ensure educational quality, adequate living conditions, and no exploitation.

Although the project remains in its infancy, the Bissau-Guinean government has started to take steps toward this goal. In September 2009, the government, under the direction of the Institute for the Development of Education (*Instituto Nacional para o Desenvolvimento da Educaao National*, INDE), formulated an action plan for the integration of madrasas[287] into the national education system. The plan calls for a consistent curriculum and teacher standards, as well as state subsidies. While these principles have been clarified, ambiguities remain, including whether madrasas will be stand-alone schools with full state school curriculum, or an exclusively religious school associated with a nearby state school. Moreover, as described by several aid workers, it remains unclear how the government plans to fund these initiatives, since 60 percent of its children remain outside the education system largely due to already inadequate funding.

Parents treatment of the children they choose to send hundreds of kilometers away to marabouts ranges from neglect to knowing complicity in abuse. In some cases, parents are indeed unaware of the abuse endured by their childrenin part due to deliberate obfuscation by the maraboutbut in others, they willingly send or return their children to a situation they know to be abusive.

Parents interviewed by Human Rights Watch gave three primary motivations for entrusting a child to a marabout. First, every parent interviewed stressed their desire for the child to memorize the Quran. Second, many parents stated that they could not financially support the child, and thus chose to confide him to a marabout. Finally, some parents stated that the marabout demanded the child, and that since the marabout was an authority figureoften an elder, respected relative or community memberthey could not say no.

In general, talibs in urban residential daaras originate from some of the poorest, rural regions of Senegal and Guinea-Bissau. In Kolda regionfrom where the largest number of talibs in Senegal hailthe average household has less than a dollar a day (278 CFA, or US$0.60) to spend per person. Seventy-three percent of household expenditures are dedicated to food, leaving 5 percent and 3 percent, respectively, for health and education.[288] Pressed financially, some parents send their children ostensibly to learn the Quran, but also to alleviate household expenditures. One father who sent three of his nine children to learn the Quran told Human Rights Watch:

The president of a Senegalese organization that works to sensitize parents, communities, and religious leaders regarding childrens rights in Islam and the risks of sending their children away, explained to Human Rights Watch:

Indeed, several parents interviewed by Human Rights Watch believed that they had no responsibilities once they confided their child to the marabout. One father of two talibs said, When I handed [my children] over to the marabout, I gave them to him. They are his responsibility now. If you have questions, you should go ask himI do not have any answers.[291] A mother in another village likewise said that she was no longer responsible for the child with a marabout, and that the researcher should speak with him.[292] The

overwhelming number of talibs interviewed by Human Rights Watch did not want to leave their family and expressed mild to severe feelings of abandonment, amplified by the fact that, despite the ease of mobile phone communication, they had not spoken with their parents since leaving the village.

The Convention on the Rights of the Child assigns to parents the primary responsibility to ensure within their abilities and financial capacities, the conditions of living necessary for the childs development.[293] At present, the parents of thousands of exploited and abused talibs are failing to meet this obligation. These parents provide no assistance to the marabout for the childs physical development and fail to maintain contact to aid the childs emotional development, much less monitor the childs welfare.

In many cases, parents appear to be unaware of the severity of abuses that their children suffer or are likely to suffer in a daara. In Human Rights Watchs interviews with talibs, the marabout was frequently someone from the talibs village of origin; a relative, either a distant or close one; or someone from or with whom their father studied the Quran. In very few cases was the marabout someone with whom the parents, particularly the father, had no prior contact. Parents therefore often believe that despite the existence of exploitative marabouts, their sons marabout will focus on education.

When children are returned to their villages by humanitarian organizations after running away, some parents are shocked to hear of their treatment. A village chief in Kolda region who sent one of his nine children to a marabout in Dakar told Human Rights Watch:

Malam Baio, the director of SOS Talib Children in Bafat, Guinea-Bissau, created a video detailing the conditions and level of exploitation under which most talibs in Senegals cities live, which he shows to village communities. He told Human Rights Watch that most parents are appalled when presented with visual evidence of conditions in daaras. Notwithstanding, some of the same parents send their children to Dakar daaras anyway.[295]

Many parents are indeed well aware that their children suffer neglect and abuse. Human Rights Watch interviewed many families who knew that their children begged long hours, but justified it as necessary for the marabout to survive and pay rent.[296] In a recent study in Kolda region, 30 percent of families who had entrusted a child with a marabout believed that living conditions at the daara were indeed harsher for the child than those at home.[297] In these cases, parents are not only implicated in neglect, but also complicit in abuse.

Most egregious, however, some parents return runaway children to a marabout known to be abusive. Human Rights Watch documented tens of cases in which this occurred; in some instances the parents even further beat the child for having run away.

Adama H. was seven years old in 2008 when he ran away from his daara in Mbour because of beatings and constant illness. He found his way home, where he told his parents about the abuse. His parents, particularly his father, decided immediately to return him to the daara. At merely eight years old, he fled again. Knowing that home was no refuge, he set out on foot toward Dakar, 70 kilometers away. A driver eventually brought him to Dakar, where he lived on the street before a social worker found him. At a shelter for two months when interviewed by Human Rights Watch, Adama said, I want to go back home, but I am afraid, because I dont want to be sent back to the marabout.[298]

Another former talib, Seydou R., 13, told Human Rights Watch a similar story:

Unable to turn to his parents, Seydou traveled alone to Dakar, at 12 years old, where he had lived on the street for eight months when interviewed by Human Rights Watch.[300] Even if parents can claim not knowing the exploitative conditions in daaras when first entrusting their child to a marabout, the decision to return a child to that situation once they are aware of the abuse without question makes parents complicit in the abuse.

Dozens of national and international humanitarian aid organizations in Senegal provide a range of services to assist talibs and improve conditions in daaras. Many have done so for almost a decade. Forms of assistance include provision of mats for sleeping; water; clothing and shoes; construction of shelters; food; bath soap, laundry detergent, and disinfectant; medicines or healthcare assistance; French classes; money to satisfy the talibs quota; microcredit loans to marabouts to start businesses; and payment of the marabouts rent. Given the deplorable conditions in urban daaras, the aid organizations efforts are certainly understandable, but they have unintended consequences: by and large, they incentivize marabouts to come to the citieswhere begging is prevalentand they reduce the responsibility of the state, families, and religious authorities. Moreover, many marabouts continue to force their talibs to beg, thereby obtaining even greater net income as the aid organizations help eliminate costs. In extreme cases, marabouts sell the food and medicines they receive from aid organizations. Many organizations have failed to halt assistance to marabouts who continue to exploit talibs under their care, much less report such marabouts to the authorities for abuse and neglect.

Large-scale giving by aid organizations, with no strings attached, encourages village marabouts to come to the cities, where the overwhelming majority of assistance is provided. A marabout in a Kolda village described this enthusiasm to Human Rights Watch:

Rather than assisting marabouts who remain in villages, where begging is almost nonexistent, most humanitarian assistance has had the effect of pulling marabouts and their talibs to cities, where begging is omnipresent. Several organizations, including UNICEF, Terre des Hommes, and Intermonde, are working with the Senegalese governments project against the worst forms of child labor in order to return several urban daaras to villages. Other groups, like ONG Gounass and Tostan, assist village daaras in particular or community development more generally and encourage marabouts and families to keep children in their villages. But the vast majority of money assisting daaras continues to be funneled into urban daaras, particularly in Dakar region.

Some marabouts appear to effectively use the assistance to reduce or eliminate their talibs begging hours and greatly improve the health conditions in the daara. Human Rights Watch visited several daaras supported by aid organizations where every child could be seen wearing clean clothes and shoes, there were blackboards and new books, and children did not beg for more than food.[302] In other daaras, marabouts drastically reduced hours of begging and told Human Rights Watch that, with a little more assistance, they would stop forcing children to beg for money altogether.[303]

However, according to interviews with talibs and aid agencies, many marabouts who receive assistance do not adjust the practice of begging at all, but merely use the assistance to obtain even greater net income. As detailed above, current talibs from one Dakar daara

told Human Rights Watch that their marabout sold medicines given by an aid agency, requiring the talibs to pay for their own medicines through greater hours of begging.[304] Moreover, several people who formerly assisted one international aid organization expressed grave concerns about that organizations decision to support daaras through assistance including loans and paying the marabouts rent. They stated that although the organization told marabouts to cease forcing talibs to beg in return for the provisions, they routinely encountered talibs from these daaras begging on the street. Their opinion was that the organization was indeed sustaining and encouraging the practice of faux-marabouts.[305] Finally, one aid agencys internal review of its three-year programno longer in existenceto assist scores of daaras acknowledged that some daaras made no effort to either improve sanitation or reduce begging despite considerable assistance provided.[306]

The internal review noted that a serious shortcoming of its program was the lack of consequences for marabouts who failed to demonstrate progress in reducing the hours of begging.[307] Indeed, one employee told Human Rights Watch that when a marabout was caught forcing children to beg after the agreed-upon hours, the sole response was to put an X down in one of the organizations records; no matter how many bad marks the marabout received, the organization never ended its support, claiming that it was trying to build confidence among the marabouts.[308] There is little doubt that significant assistance, with no serious efforts at conditioning the assistance or holding accountable those who abuse it, serves to encourage unscrupulous marabouts to start daaras and exploit children.

UNICEFs current position is not to directly support urban daaras through material means, but rather to work with families, marabouts, and communities on prevention efforts to keep children in their villages and address the issue on a systemic level, including through assisting the Ministry of Family to relocate several urban daaras to villages, improving access to the public education system, and improving the financial standing of families and communities so that children are able to remain at home.[309] While most humanitarian organizations have not followed UNICEFs lead by halting direct assistance to urban daaras, they must take greater efforts to ensure that assistance is not incentivizing the exploitation of more talibs.

Even when direct assistance improves daara conditions, the programs are generally not sustainable over the long term, and diminish the responsibility of marabouts, parents, religious institutions, and the state. The internal review of the same aid organizations talib program stated that sustainability was the most significant obstacle it faced, acknowledging that once program funding ended and provisions to the marabouts accordingly ceased, most daaras returned to their pre-assistance state of begging and lack of sanitation.[310] With tens of thousands of begging talibs in Senegals cities, aid agencies simply cannot finance a permanent end to exploitation. Indeed, given the continued rise in the number of talibs forced to beg on the streets, such assistance has proved largely ineffective, and reduces the obviousness of the otherwise indisputable need for a government response to the problem.

Finally, while many international and national humanitarian organizations played a crucial role in pressuring the Senegalese government to pass the 2005 anti-trafficking law that criminalized forced begging, many have subsequently failed to insist on accountability or denounce the governments utter failure to enforce the law. The humanitarian organization Samusocial Senegal stands out as an exemplary outlier, informing Human Rights Watch that its standard response when members of its staff encounter a child who has been subject to physical abuse is to inform the authorities.[311] By contrast, directors of more than 10 humanitarian organizations working on the talib problem told Human Rights Watch that pressure for accountability was at present unnecessary, counterproductive, or even a waste of time because it had fallen on the states deaf ears for so long.[312] One director of a national organization went so far as to say that sanctions would be unfair: You cannot sanction someone who does not understand or know why they are being sanctionedthat is what it would be to criminalize or imprison most of the marabouts.[313]

International and national humanitarian organizations in Senegal and Guinea-Bissau have thus adopted an approach of so-called constructive engagement and prevention toward the abuse and neglect inflicted by the marabouts. In so doing they have largely failed to report cases of abuse and neglect to the relevant authorities, much less demand accountability for abusive marabouts.

For their part, UNICEF, in both Senegal and Guinea-Bissau, has contributed to addressing the abuses against the talibs over the last decade. It has commissioned and led several studies on the prevalence of child begging in Senegal and on underlying reasons for child migration and *confiage*. It has, as discussed, also worked extensively on the protection of vulnerable children, including talibs, through prevention efforts. However, while UNICEFs country operations in Senegal and Guinea-Bissau have lobbied the respective governments to pass legislation against trafficking and forced begging, they have been hesitant to follow with sustained pressure to apply the laws, particularly regarding prosecution and punishment for forced begginga hesitancy that stems from concerns about damaging working relationships with government officials over this sensitive issue.[314] Human Rights Watch believes that as the preeminent child protection body, UNICEF must couple its noteworthy prevention work with sustained calls for accountability, as the exploitation and abuse of the talibs will only end with both types of action.

Ultimately, despite the efforts of many humanitarian organizations and community associations, the phenomenon of begging talibs continues to grow. As the director of one large humanitarian organization who formerly ran programs that directly assisted daaras, but who has now shifted his strategy to relocating daaras back to the villages, told Human Rights Watch:

The abuses perpetrated against the talibs represent violations of international and national law. The various abuses suffered by the talibs qualify under international human rights law as a practice similar to slavery, a worst form of child labor, and, in hundreds if not thousands of cases per year, child trafficking. In addition, abuses suffered by the talibs violate rights guaranteed in the Convention on the Rights of the Child, the African Charter on the Rights and Welfare of the Child, and the Cairo Declaration on Human Rights in Islam. Senegal has passed several laws to harmonize its domestic law with international human rights standards, but there has been a complete lack of will to apply these laws.

The UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (Supplementary Convention) defines practices similar to slavery as:

Children are routinely delivered by parents or guardians to a marabout. The central question is whether the practice involves a view to the exploitation of the child. The use of *a* view in the definition indicates that exploitation need only be one of the purposes for the child being delivered. As the evidence of abuses and concomitant benefits for marabouts described in this report makes clear, exploitation is certainly one of the marabouts motivations when receiving the child in the majority of urban residential daaras. Therefore, the threshold is met.[317]

To combat these practices similar to slavery, the Supplementary Convention requires states parties to take all practicable and necessary legislative and other measures to bring about progressively and as soon as possible the complete abolition or abandonment of [these] institutions and practices.[318] Senegal has failed to take such measures to protect the talibs.

Slavery, servitude, and forced labor are also prohibited by article 8 of the International Covenant on Civil and Political Rights.[319] Article 5 of the African Charter on Human and Peoples Rights prohibits all forms of exploitation and degradation, including slavery.[320]

Article 3 of International Labour Organization (ILO) Convention 182 defines the worst forms of child labor to include:

As discussed above, the practice of forcing children to beg easily qualifies as a practice similar to slavery. In addition, the workwhich requires long hours on the street, puts children at risk of car accidents and diseases, and often encourages stealing when a child cannot obtain the quotaqualifies as a worst form of child labor under subsection (d).

Senegal, a party to ILO Convention 182, has indeed defined the practice of forced begging, including specific mention of forcing talibs to beg, as a worst form of child labor.[322] However, the ILOs Committee of Experts on the Application of Conventions and Recommendations (CEACR), which oversees states parties compliance with ILO conventions, including the Worst Forms Convention, noted in 2009 Senegals failure to enforce its own legislation:

While the committees recommendation for accountability is important, the committees language may leave many situations that violate the Worst Forms Convention untouched. Few marabouts can be said to use talibs for purelyif one defines purely as onlyeconomic purposes, as there is generally some, even if minute, educational purpose. At a minimum, accountability must exist for marabouts who *principally* use talibs for economic purposes or who, as the childrens de facto guardian by accepting them into their care, fail to ensure that their most basic rights are fulfilled.

In contrast to Senegal, the Bissau-Guinean government has not defined forced child begging as a worst form of child labor.

The United Nations Trafficking in Persons Protocol (Trafficking Protocol), article 3, states:

Under international law, threat, coercion, deception, and other means are not necessary to meet the threshold of trafficking when a child is involved. Every talib interviewed by Human Rights Watch was transported or received by the marabout. Therefore, to be defined as trafficking under the protocol, the marabout must receive the child for the purpose of exploitation. In article 3(a), the Trafficking Protocol defines exploitation as including, at a minimum, practices similar to slavery[325]which the talibs situation has been shown to meet.

However, as compared to the Supplementary Convention, which required only *a* view to exploitation, the Trafficking Protocols requirement that the childs movement be with *the* purpose of exploitation appears to be a higher standard.[326] Even this threshold is almost certainly met in tens of cases documented by Human Rights Watch, in which marabouts lied to family members to keep a child in the daara, brutalized talibs who tried to run away or asked to be returned home, and deceived parents about the conditions in the daara. A strong case can likewise be made that in daaras where marabouts impose the highest quotas and the longest hours of begginglargely neglecting Quranic educationthe principal purpose is exploitation.

The requirements for satisfying the child trafficking definition are therefore fully met in many cases, and largely met in others, leaving Human Rights Watch to conclude that there are hundreds, if not thousands, of cases of child trafficking by marabouts of talibs. The situation in some daaras, where begging is coupled with serious studies, is more ambiguous under the Trafficking Protocol.

The Cairo Declaration, to which Senegal is a supporter, outlines human rights and related responsibilities deemed in line with the Quran and Sharia. Its provisions regarding education and exploitation would appear to interpret the abuses endured by talibs as counter to the tenets of Islam:

The Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of the Child (African Childrens Charter) lay out the principal responsibilities of the Senegalese and Bissau-Guinean governments under international law in protecting and fulfilling the rights of the child.

The Senegalese government is clearly violating its obligations under the CRC with respect to at least some talibs rights to life,[331] health,[332] physical and mental development,[333] education,[334] recreation and leisure,[335] protection from economic exploitation,[336] and protection from sexual abuse.[337]

Article 19 of the CRC also requires the state to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or *any other person who has the care of the child* (emphasis added).[338] General Comment No. 8 by the Committee on the Rights of the Child, the body responsible for interpreting the convention, made clear that the requirements outlined in article 19 apply to corporal punishment in all settings, including schools.[339] As outlined in this report, the physical abuse that many marabouts inflict on talibs is severe and is unquestionably a violation under article 19. The state has an obligation to protect these talibs, including through improved legislation, regulation of the daaras, and accountability.[340]

As well as including provisions similar to those in the CRC, the African Childrens Charter includes several important additional provisions:

The CRC, African Childrens Charter, and the International Covenant on Economic, Social and Cultural Rights all contain provisions requiring states parties to ensure that education leads to the full development of the child.[344]

Finally, article 29 of the African Charter on Human and Peoples Rights states, The individual shall ... have the duty ... to preserve the harmonious development of the family and to work for the cohesion and respect of the family.[345] When marabouts forbid talibs to have contact with their families, or when marabouts lie to families regarding the well-being of their children, they violate this duty.

Several Senegalese laws are likewise relevant to the protection of the talibs, including those governing forced begging, trafficking, abuse, and neglect.

In 2005, the Senegalese government passed Law No.2005-06, which outlawed the practice of forced begging. Article 3 of the law states:

The marabouts of almost all the talibs interviewed by Human Rights Watch are forcing children to beg for their financial gain. At the time of this writing, the Senegalese government has failed to punish a single marabout for violating the provisions of this law, despite its daily occurrence in cities across Senegal.

In addition to criminalizing forced begging, the 2005 law formally harmonized Senegalese domestic law with the Trafficking Protocol and made trafficking punishable by imprisonment of between 5 to 10 years and a fine of 5 to 20 million francs ($11,630 to $46,520).[347]

Article 298 of the Senegalese penal code criminalizes physical abuse and willful neglect of children, stating:

The penal code prescribes a heightened penaltyup to 10 years imprisonmentif the abuser is a parent or any other person having authority over the child or acting as the childs guardian.[349] Marabouts, as de facto guardians, would qualify under this elevated standard. While the penal code exempts minor assaults, the vast majority of marabouts described in this report perpetrate physical abuses that cannot be considered minor. The abuse inflicts severe physical harm, as well as terror, on the children, the vast majority of whom are under 15 years old and therefore covered under the statute. Neglect, through the willful deprivation of food or care, is likewise a common occurrence in many urban residential daaras as documented in this report.

This report was researched and authored by Matthew Wells, a fellow in the Africa Division at Human Rights Watch. It was reviewed and edited by Corinne Dufka, senior West Africa researcher; Lois Whitman, childrens rights director; Clive Baldwin, senior legal advisor; and Andrew Mawson, deputy director of the Program Office. Thomas Gilchrist, senior associate in the Africa Division, provided editorial and production coordination. The report was translated into French by Franoise Denayer and Olivier Ervyn, and into Portuguese by Diana Tarre. Vetting for a faithful translation into French was provided by Thomas Gilchrist and Peter Huvos, French website editor; and into Portuguese by Lisa Rimli, researcher in the Africa Division. John Emerson designed the map. The report was prepared for publication by Grace Choi, publications director; Anna Lopriore, creative manager; and Fitzroy Hepkins, mail manager.

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[1] This includes three distinct subgroups of the Peuhl, or Fulani, family: the Toucouleurs, or Fula Toro, who live predominantly in the north and east of Senegal; the Fulakunda, who live predominantly in eastern Casamance; and the Fula Jalon, who live predominantly in western Casamance.

[2] Constitution of Senegal, art. 1.

[3] See Ministry of the Economy and Finance, National Agency of Statistics and Demography (ANSD), Results of the Third General Census of the Population (2002) (finding approximately 20 percent of the population literate in Arabic, compared to 37 percent in French).

[4] Constitution of Senegal, art. 1 (*La Rpublique du Sngal est laque, dmocratique et sociale*).

[5] Sufism is not a sect of Islam, as adherents are still often either Sunni or Shia, but rather represents a particular conception of Islam. For background information, see BBC, Sufism, http://www.bbc.co.uk/religion/religions/islam/subdivisions/sufism_1.shtml (accessed February 3, 2010).

[6] Adherents are referred to as Tidjanes or Tidianes.

[7] Adherents are referred to as Mourides.

[8] See Codou Bop, Roles and the Position of Women in Sufi Brotherhoods in Senegal, *Journal of the American Academy of Religion*, vol. 73(4), December 2005, pp. 1103-1104; Cheikh Anta Babou, Brotherhood solidarity, education and migration: The role of the *dahiras* among the Murid Muslim community of New York, *African Affairs*, vol. 101, 2002, p. 153; Andrew F. Clark, Imperialism, Independence, and Islam in Senegal and Mali, *Africa Today*, vol. 46, 1999, p. 160.

[9] See Bop, Roles and the Position of Women in Sufi Brotherhoods in Senegal, *Journal of the American Academy of Religion*, p. 1104; Christian Coulon, The Grand Magal in Touba: A Religious Festival of the Mouride Brotherhood of Senegal, *African Affairs*, vol. 98, 1999, p. 202 (stating that the oath of allegiance of a disciple to his marabout, or sheikh, is comparable to the feudal notion of homage).

[10] For example, the French exiled the founder of the Muridiyya brotherhood, Sheikh Amadou Bamba Mbakk, to Gabon (1895-1902) and Mauritania (1903-1907), and likewise fought with the founder of the Layenne brotherhood, Seydina Laye, despite his teachings of non-violence. See David Robinson, Beyond Resistance and Collaboration: Amadu Bamba and the Murids of Senegal, *Journal of Religion in Africa*, vol. 21(2), 1991, p. 160; Eva Evers Rosander and David Westerlund, Senegal, in David Westerlund and Ingvar Svanberg, eds., *Islam Outside the Arab World* (New York: St. Martins Press, 1999), p. 83.

[11] See Bop, Roles and the Position of Women in Sufi Brotherhoods in Senegal, *Journal of the American Academy of Religion*, p. 1105; Robinson, Beyond Resistance and Collaboration: Amadu Bamba and the Murids of Senegal, *Journal of Religion in Africa*, p. 161-62; Lucy Creevey Behrman, Muslim Politics and Development in Senegal, *Journal of Modern African Studies*, vol. 15(2), 1977, p. 262.

[12] See Bop, Roles and the Position of Women in Sufi Brotherhoods in Senegal, *Journal of the American Academy of Religion*, p. 1105; Lucy Creevey, Islam, Women and the Role of the State in Senegal, *Journal of Religion in Africa*, vol. 26(3), August 1996, pp. 268-69 (The French used the marabouts to get support for their programs and obedience to their edicts. The marabouts in their turn received government assistance and even used French support to eliminate threatening rivals within their brotherhoods.).

[13] Benefits included land, unregulated control of Senegals informal market, loans that often did not need to be repaid, and the creation of a de facto free port zone in Touba, the holy capital of the Mourides. Linda J. Beck, Reining in the Marabouts? Democratization and Local Governance in Senegal, *African Affairs*, 2001, p. 612; Coulon, The Grand Magal in Touba, *African Affairs*, pp. 203-04; Bop, Roles and the Position of Women in Sufi Brotherhoods in Senegal, *Journal of the American Academy of Religion*, p. 1105.

[14] Beck, Reining in the Marabouts?, *African Affairs*, p. 612 (noting also that 96 percent of voters in Touba voted for Diouf in that election).

[15] See Ibid., p. 613; Frank Wittmann, Politics, religion and the media: The transformation of the public sphere in Senegal, *Media, Culture & Society*, vol. 30, 2008, pp. 484-85. At times the relationship between President Abdoulaye Wade and the Muridiyya brotherhood has appeared to revert to previous forms of overt religious politicking. Without formally issuing a *ndiguel*, the Mouride caliph voiced his support for Wade on national television just prior to the 2007 presidential vote, stating that a Wade reelection would result in the completion of Toubas infrastructural development. Penda Mbow, Senegal: The Return of Personalism, *Journal of Democracy*, vol. 19(1), January 2008, p. 161.

[16] See Beck, Reining in the Marabouts?, *African Affairs*, p. 612, note 28; and Bop, Roles and the Position of Women in Sufi Brotherhoods in Senegal, *Journal of the American Academy of Religion*, p. 1105 (noting also that [i]n return, brotherhood leaders are rewarded with land, technical equipment, and bank loans which may or may not be repaid).

[17] Human Rights Watch interviews with a marabout, Gudiawaye, November 21, 2009; with a marabout, Saint-Louis, December 2, 2009; with a marabout and imam, Saint-Louis, December 2, 2009; with a marabout, Kolda, January 6, 2010; with a marabout, village of Simtian Samba Koulobale, Kolda region, January 7, 2010; and with a marabout, Mbour, December 18, 2009.

[18] See Mbow, Senegal: The Return of Personalism, *Journal of Democracy*, p. 160; and Wittmann, Politics, religion and the media, *Media, Culture & Society*, pp. 484-85.

[19] Human Rights Watch interviews with Aida Mbodj, former minister of the Family and current vice-president of the National Assembly, Dakar, February 11, 2010; with a government official, Mbour, December 18, 2009; with a director of a local organization working on the talib issue, Gudiawaye, November 18, 2009; and with a director of talib programs for a local organization, Dakar, November 6, 2009.

[20] Mamadou Ndiaye, *LEnseignement arabo-islamique au Sngal* (*Arabic-Islamic Education in Senegal*), 1982, p. 47; Rudolph T. Ware III, *Njngaan*: The Daily Regime of Qurnic Students in Twentieth-Century Senegal, *International Journal of African Historical Studies*, vol. 37, no. 3, 2004, p. 524; and Donna L. Perry, Muslim Child Disciples, Global Civil Society, and Childrens Rights in Senegal: The Discourses of Strategic Structuralism, *Anthropological Quarterly*, vol. 77, no. 1, 2004, pp. 56-58.

[21] Ndiaye, *LEnseignement arabo-islamique au Snegal*, p. 42; but see Ware, *Njngaan*: The Daily Regime of Qurnic Students in Twentieth-Century Senegal, *International Journal of African Historical Studies*, p. 524 (discussing exploitation of talibs labor in some traditional daaras).

[22] Human Rights Watch interview with Mamadou Ndiaye, director of the Education Department at the Islamic Institute in Dakar and professor in the Arabic Department at University Cheikh Anta Diop (UCAD), Dakar, January 21, 2010.

[23] Ndiaye, *LEnseignement arabo-islamique au Sngal*, pp. 49-50.

[24] Human Rights Watch interview with Mamadou Ndiaye, January 21, 2010. See also Ndiaye, *LEnseignement arabo-islamique au Sngal*, p. 51.

[25] Human Rights Watch interview with Mamadou Ndiaye, January 21, 2010. While a review of the history of Quranic schools in Senegal shows that economic exploitation through forced begging is a relatively recent phenomenon, Human Rights Watch is not in a position to make determinations regarding the prevalence during the pre-colonial and colonial periods of other abuses currently associated with many urban residential daaras, including physical abuse and gross negligence in care. For a discussion of abuses in traditional daaras prior to independence, see Ware, *Njngaan*: The Daily Regime of Qurnic Students in Twentieth-Century Senegal, *International Journal of African Historical Studies*; and Perry, Muslim Child Disciples, Global Civil Society, and Childrens Rights in Senegal, *Anthropological Quarterly*, pp. 56-58.

[26] Dakar replaced Saint-Louis as the capital of French West Africa in 1902.

[27] In 1857, in introducing the first law to regulate the daaras in Saint-Louis, the colonial governor stated that the French government could not remain indifferent to the question of educating children from Muslim families and that since, up to today, no guarantee of knowledge and morality has been demanded of marabouts, the master of the school, with each free to exercise this profession and to exercise his way, it is time to end this abuse, in the interest of the families as well as the children. Order no. 96: Order on Quranic schools, Administrative Bulletin of Senegal 1857, June 22, 1857, p. 446.

[28] Ndiaye, *LEnseignement arabo-islamique au Sngal*, pp. 135-36 (citing, for example, a letter from the governor general of West

Africa, in which he wrote, We cannot subsidize the Quranic schools and we should even avoid appearing to encourage the development of a religion whose adherents, in French West Africa at least, would not be very favorable to our influence and to the ideas which we are representing here).

[29] Ibid., p. 128.

[30] Ibid., p. 142 (In imposing the certificate of good morals the colonial authority looked to eliminate the marabouts who were hostile to its politics and who could constitute a restraint against the expansion of its ideas and its language). For the requirements of the 1857 order, see Order no. 96, Administrative Bulletin of Senegal 1857, pp. 445-47.

[31] Order no. 96, Administrative Bulletin of Senegal 1857, art. 5, p. 446. In 1870, the French required that within two years, all Quranic schools must teach French to their studentsthereby requiring that the marabout, too, learn French. Ndiaye, *LEnseignement arabo-islamique au Sngal*, p. 147.

[32] Order no. 123: Order regarding the reorganization of Muslim schools, Administrative Bulletin of Senegal 1896, May 9, 1896, pp. 227-228.

[33] Ibid., art. 11, p. 228.

[34] Ndiaye, *LEnseignement arabo-islamique au Sngal*, p. 123.

[35] Ibid., pp. 157-58.

[36] See Order no. 254: Order providing a subsidy to Arabic teachers in directly administrated and regularly authorized Territories, who teach French at least two hours per day, Administrative Bulletin of Senegal 1906, June 12, 1906, pp. 607-08.

[37] Ndiaye, *LEnseignement arabo-islamique au Sngal*, p. 168, and see also p. 170 (citing a report from the Inspector of Public Education and Muslim Education, which stated that the graduates of the Madrasa could be used as Quranic school leaders under the authority of the colonial administration, permitting them to supplant the marabouts trained outside of our [system]). For the order creating the Madrasa, see Order no. 68: Order creating in Saint-Louis a Madrasa or School of Muslim higher education, Administrative Bulletin of Senegal 1908, January 15, 1908, pp. 98-99.

[38] Ndiaye, *LEnseignement arabo-islamique au Sngal*, p. 169 (quoting the French Inspector of Muslim Education at the time, who wrote: In creating the Madrasa, we are trying to create the indigenous personnel that we need, the magistrates and clerks, not to mention the masters of Quranic schools and the professors called to teach the elements of our language and interpret the texts that so far have been interpreted in a manner hostile to our ideas and our influence).

[39] Ibid., p. 181. During the first two years of the students education, French received 10 hours of instruction a week, while Arabic received nine. During the following two years, French received 10 hours of instruction a week, while Arabic received six. In teaching Arabic, the school gradually replaced religious texts with literary texts, with the goal of secularizing Muslim education. Ibid., p. 172.

[40] Ibid., p. 198.

[41] Ibid., p. 202 (citing Order no. 2541, Administrative Code of French West Africa, August 22, 1945).

[42] Ndiaye, *LEnseignement arabo-islamique au Sngal*, pp. 11, 237-38; Human Rights Watch interview with the director of a local humanitarian organization and shelter for vulnerable children, November 6, 2009; and with Ousmane Diop, Quranic student in region hardest hit by drought during period of mass exodus, Fouta Toro area, December 2, 2009; and Anti-Slavery International, *Begging for Change: Research findings and recommendations on forced child begging in Albania/Greece, India and Senegal*, 2009, p. 16.

[43]Ndiaye, *LEnseignement arabo-islamique au Sngal*, pp. 237-38, 270.

[44] UNICEF, the ILO, and the World Bank, *Enfants mendiants dans la rgion de Dakar*, November 2007, p. 37.

[45] Ndiaye, *LEnseignement arabo-islamique au Sngal*, p. 270.

[46] Ibid., p. 270. In 1997, the caliph of the Mourides, Serigne Saliou Mback, closed all of the French schools in the city of Touba, protesting the lack of religious education. Only in 2009, five years after the Senegalese government changed the education law to permit religious instruction in state schools, did the new caliph, Serigne Bara Mback, signal an acceptance of the return of state schools to the city. Human Rights Watch interview with Hameth Sall, daara inspector in the Ministry of Education and department head at the Islamic Institute, Dakar, February 8, 2010; Touba: Retour annonc dcoles publiques en langue franaise, Agence Presse Senegalaise, April 6, 2009, http://www.seneweb.com/news/article/22139.php (accessed February 8, 2010).

[47] Human Rights Watch interview with Mamadou Ndiaye, January 21, 2010.

[48] Ibid. A director of a local shelter for runaway talibs echoed many of these points, stating, With the crisis in the 1970s and 1980s, with the drought, there was a strong immigration to cities. It was at this point it became a form of trade, of financial gain, for many. The entire practice has become lucrative. Human Rights Watch interview with the director of a local humanitarian organization and shelter for vulnerable children, Dakar, November 6, 2009.

[49] Human Rights Watch interview with Mamadou Ndiaye, January 21, 2010. The director of a human rights organization in Senegal made similar observations. Human Rights Watch interview with Alioune Tine, president of Rencontre africaine pour la defense des droits de lhomme (RADDHO), Dakar, November 5, 2009.

[50] Human Rights Watch interview with 12-year-old talib, Saint-Louis, December 1, 2009.

[51] Human Rights Watch interview with a government official, Mbour, December 19, 2009.

[52] Human Rights Watch interview with a government official, Kolda, January 8, 2010.

[53] Human Rights Watch interview with Issa Kouyate, president of Maison de la Gare, a national humanitarian organization that works with talibs, Saint-Louis, December 3, 2009. Maison de la Gare is currently performing a census in Saint-Louis to determine how many talibs are forced to beg and how many are not. From their substantial work at present, the organizations president said that those who are forced to beg clearly outnumber those who do not. Ibid.

[54] Human Rights Watch interview with Isabelle de Guillebon, Dakar, November 10, 2009.

[55] Of the 139 current talibs interviewed by Human Rights Watch, the average and median ages were 10 years old, with a range from five to 19 years. Former talibs who had run away from the daara were separated out from these statistics, as many have spent months or years in shelters or have returned to their city or country of origin. Indeed, the average and median ages of the 29 former talibs interviewed were 12 years old, with a range from seven to 18 years. See also UNICEF, the ILO, and the World Bank, *Enfants mendiants dans la rgion de Dakar*, p. 36 (finding that around half of begging talibs in the region of Dakar were under 10 years old).

[56] These figures come from the 73 in-depth interviews by Human Rights Watch with current and former talibs. A number of the talibs interviewed began their Quranic studies in their village of originfor a period ranging from several months to several yearsbefore the decision was made to send them away from home. Given this reports focus on the conditions and abuses against talibs in residential daaras in Senegals cities, the age here reflects the moment at which they began under the care of a marabout in a city daara. In another study, performed by a large research institute, researchers similarly found that boys from Kolda regionperhaps the region in Senegal from which the largest number of talibs hailare sent to other parts of the country, particularly to study the Quran, at an average age of 7.1 years. Draft version of a study on Kolda region, seen by Human Rights Watch (publication pending).

[57] Prior to being interviewed, the talibs had spent an average of 3.4 years in their daaras, though this period ranged from only one month to as many as 12 years.

[58] A 2007 study with a larger sample size found that, in the region of Dakar, 58 percent of begging talibs were from Senegal, 30 percent were from Guinea-Bissau, and 10 percent were from Guinea. UNICEF, the ILO, and the World Bank, *Enfants mendiants dans la rgion de Dakar*, pp. 37-38.

[59] Of those from Senegal, the largest numbers were from the regions of Kolda, Kaolack, and Diourbel. See also UNICEF, the ILO, and the World Bank, *Enfants mendiants dans la rgion de Dakar*, p. 37 (finding that 15 percent of begging talibs in Dakar were from Kolda region, 11 percent were from Kaolack region, 7 percent were from This region, 7 percent were from Ziguinchor region, and 5 percent were from Diourbel region).

[60] See also UNICEF, the ILO, and the World Bank, *Enfants mendiants dans la rgion de Dakar*, p. 39 (finding that 69 percent of begging talibs in Dakar were Peuhl, approximately 25 percent were Wolof, and 5 percent were Serer).

[61] Of those from Senegal, the largest numbers were from the regions of Saint-Louis (particularly from the Fouta Toro area), Matam, and Kolda.

[62] Of those from Senegal, the largest numbers were from Kaolack, This, and Louga.

[63] A humanitarian worker at a shelter for runaway talibs in Mbour confirmed from his experience that the majority of talibs in Mbour come from the regions of Kaolack and This in Senegal, followed by the Gambia and Guinea-Bissau. He said he encountered far more Wolof talibs in Mbour than Peuhls. Human Rights Watch interview with Ablaye Sall, social worker at Vivre Ensemble, Mbour, December 14, 2009.

[64] Human Rights Watch interview with 13-year-old former talib in Saint-Louis, Saint-Louis, December 1, 2009.

[65] Human Rights Watch interview with eight-year-old former talib in This, Mbour, December 14, 2009.

[66] Human Rights Watch interview with the director of a local humanitarian organization and shelter for vulnerable children, Dakar, November 6, 2009. A number of other interviewees made similar statements. Human Rights Watch interviews with Mamadou Ndiaye, January 21, 2010 (see background above); with Amadou Tidiane Talla, president of ONG Gounass, Kolda, January 8, 2010; and with Aliou Seydi, marabout, Kolda, January 7, 2010.

[67] Human Rights Watch interview with 10-year-old talib, Saint-Louis, November 30, 2009.

[68] The minimum was three hours (only for meals) and the maximum was 10 hours on a typical day, 16 hours on Thursday and Friday. Although it is difficult to fully separate the two forms of begging, since they often occur simultaneously, talibs said that they spend an average of just over five hours a day begging for money, with the rest focused on meals. In their study, UNICEF, the ILO, and the World Bank found that talib children spend an average of six hours a day begging. It is unclear whether the study included begging for food, or simply for money, in its statistics. UNICEF, the ILO, and the World Bank, *Enfants mendiants dans la rgion de Dakar*, p. 41.

[69] Some marabouts provide a *pause*, or break, on Sundays, but this is in a small minority of daaras.

[70] Some talibs when interviewed first said that there was no fixed sum, but when asked what happens if they brought nothing, they said that they were beaten. Human Rights Watch then asked these talibs what happened if they returned progressively greater sums (for example between 300 and 400 CFA), to which talibs responded that they would not be beaten. Human Rights Watch considers such circumstances to constitute a quota, or fixed sum. Only when a child said that there was absolutely no punishment for failing to bring money was there deemed to be no quota. Of the 175 talibs interviewed, only two said that their marabout did not force them to beg at all, and only three talibs who were forced to beg were determined to have no quota.

[71] The minimum was 0 CFA with a maximum of 1,000 CFA during the week and 1,500 CFA on Friday.

[72] United Nations, Millennium Development Goals Indicators: Senegal, http://unstats.un.org/unsd/mdg/Data.aspx (accessed February 4, 2010) (based on a 2005 government survey).

[73] UN Data, Senegal, http://data.un.org/CountryProfile.aspx?crName=Senegal (accessed February 26, 2010).

[74] Human Rights Watch interview with eight-year-old former talib in Mbour, Mbour, December 14, 2009. Other talibs similarly described their marabouts selling rice that they returned. For example, Human Rights Watch interviews with 12-year-old talib, Saint-Louis, December 1, 2009 (marabout sells rice to community members); with 13-year-old talib, Saint-Louis, December 1, 2009 (marabout sells rice at his boutique); and with nine-year-old talib, This, January 24, 2010 (marabout bags and then sells rice).

[75]UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, adopted September 7, 1956, 226 U.N.T.S. 3, entered into force April 30, 1957, acceded to by SenegalJuly 19, 1979, art. 1(d).

[76] Human Rights Watch interview with a marabout, Gudiawaye, November 19, 2009.

[77] Human Rights Watch interview with the father of a former talib, Kolda region, January 7, 2010.

[78] UNICEF, the ILO, and the World Bank, *Enfants mendiants dans la rgion de Dakar*, pp. 22, 27-28.

[79] Human Rights Watch interviews with a government official, Mbour, December 19, 2009; with Isabelle de Guillebon, director of Samusocial Senegal, Dakar, November 10, 2009; and with Alioune Tine, president of RADDHO, Dakar, November 5, 2009.

[80] Human Rights Watch interview with 13-year-old former talib in Dakar, Dakar, November 10, 2009.

[81] Human Rights Watch interviews with 10-year-old former talib in Dakar, Gab, Guinea-Bissau, January 12, 2010 (friend in daara killed by car accident); and with 13-year-old former talib in Dakar, Bafat, Guinea-Bissau, January 11, 2010 (friend in daara killed by car accident).

[82] Human Rights Watch interview with Mamadou Salio Sidibe, head of the traditional chiefs in Bafat region, Bafat, Guinea-Bissau, January 11, 2010.

[83] Human Rights Watch interview with nine-year-old talib, This, January 24, 2010.

[84] Human Rights Watch interview with 13-year-old former talib in Rufisque, Rufisque, January 26, 2010.

[85] Convention on the Rights of the Child (CRC), adopted November 20, 1989, G.A. Res. 44/25, annex, 44 U.N. GAOR Supp. (No. 49) at 167, U.N. Doc. A/44/49 (1989), entered into force September 2, 1990, ratified by Senegal July 31, 1990, art. 19 (right to physical and mental security) and art. 6 (right to life).

[86] Ibid., art. 19 (requirement of state to take all measures to protect the right to physical and mental security) and art. 18 (requirement of parents and guardians to take the best interests of the child into concern).

[87] Human Rights Watch interview with Ibrahim Ciss, marabout, Mbour, December 19, 2009.

[88] Human Rights Watch interview with Amadou Tidiane Talla, Kolda, January 8, 2010. Islamic scholars in Senegal and Guinea-Bissau told Human Rights Watch that when studies are taken seriously, a child of average intelligence should master the Quran in three to four years. Human Rights Watch interviews with Helena Assana Said, president of the National Community of Islamic Youth (*Comunidade Nacional da Juventude Islmica*, CNJI), Bissau, January 14, 2010; with Mohamad Aliou Ba, village marabout, Geuro Yiro Alpha, Kolda region, January 7, 2010; and with Hameth Sall, daara inspector in the Ministry of Education and department head at the Islamic Institute, Dakar, February 8, 2010. Yet Human Rights Watch spoke with tens of talibs who, despite having studied in daaras for up to eight years, had, when tested, yet to master even half of it. Others who work closely with the talibs expressed similar frustration over the lack of even Quranic studies in many urban daaras. Human Rights Watch interviews with Issa Kouyate, president of Maison de la Gare, Saint-Louis, December 3, 2009; with Alioune Tine, president of RADDHO, Dakar, November 5, 2009; with Mohamed Niass, marabout, Gudiawaye, November 21, 2009; and with Aliou Seydi, marabout, Kolda, January 7, 2010.

[89] UN Committee on the Rights of the Child, General Comment No. 1, The Aims of Education, 2, U.N. Doc. CRC/GC/2001/1 (2001).

[90] Cairo Declaration on Human Rights in Islam, U.N. GAOR, World Conf. on Hum. Rts., 4th Sess., U.N. Doc. A/CONF.157/PC/62/Add.18 (1993), August 5, 1990, agenda item 5, art. 7(b).

[91] Cairo Declaration, art. 9(b).

[92] Human Rights Watch interview with 11-year-old former talib in Dakar, Dakar, December 10, 2009.

[93] The assistant Quranic teacher is one who often is both still a talib working to master the Quran or Sharia and a Quranic teacher to the youngest students. In interviews, child talibs referred to them alternatively as a grand talib or as a little Quranic teacher.

[94] Human Rights Watch interview with 13-year-old former talib in Saint-Louis, Dakar, November 25, 2009.

[95] Local translators and local humanitarian organization personnel suggested in early meetings that talibs interviewed in groups would be less likely to respond affirmatively to questions about corporal punishment, for fear that one of their companions would tell the marabout, resulting in even more severe punishment. Indeed, 88 percent of current talibs interviewed individually told Human Rights

Watch that they were beaten for failing to meet the quota, compared to only 64 percent of those interviewed in groups. Similarly, 86 percent of current talibs interviewed in centers, which offered complete privacy and security, described being beaten, compared to only 71 percent of those interviewed on the street.

[96] Human Rights Watch interview with 12-year-old talib, Saint-Louis, December 1, 2009. A former talib provided a similar testimony. Human Rights Watch interview with 13-year-old former talib in Dakar, Dakar, November 12, 2009 (The marabout would raise the electric cable and before beating me he would say, Are you going to bring the rest of the money? If I said yes, then he might not beat me. If I hesitated, he would always hit me. When he did not beat me the first time, I had to find the rest of the sum the next day, or I would be beaten.).

[97] The one former talib who said the beatings occurred without the marabouts knowledge told Human Rights Watch that the marabout lived over 20 kilometers from the daara, in a suburb of Dakar, and therefore did not come to the daara daily. The former talib believed that it was the grand talibs, not the marabout, who required the quota and beat them for not bringing it. However, after he and other young talibs told the marabout what the grand talibs were doing, the grand talibs brutally beat them once the marabout leftand continued to demand the quota. The young talibs decided not to bring it up with the marabout again. Human Rights Watch interview with 18-year-old former talib in Dakar, Dakar, December 15, 2009.

[98] The child who said he was beaten every day told Human Rights Watch that he refused to beg, resulting in daily beatings from the marabout. Human Rights Watch interview with seven-year-old talib, Saint-Louis, November 30, 2009.

[99] Human Rights Watch interviews with nine-year-old talib, Saint-Louis, December 1, 2009; and with 15-year-old former talib, Gab, Guinea-Bissau, January 12, 2010 (stripped down to underwear and held spread-eagle, with a separate talib holding each hand and foot while the marabout would beat them).

[100] Human Rights Watch interview with 11-year-old talib, Saint-Louis, December 1, 2009.

[101] Human Rights Watch interviews with 13-year-old former talib in Saint Louis, Saint-Louis, December 1, 2009 (bound with rope while beaten); with eight-year-old former talib in Mbour, Mbour, December 14, 2009 (chained around the ankles); and with 15-year-old former talib in Dakar, Gab, Guinea-Bissau, January 12, 2010 (held down by other talibs).

[102] Human Rights Watch interview with 13-year-old former talib in Rufisque, Rufisque, January 26, 2010.

[103] Human Rights Watch interview with 14-year-old talib, Saint-Louis, December 3, 2009.

[104] Human Rights Watch interviews with 18-year-old former talib in Dakar, Dakar, December 15, 2009; with 12-year-old talib, Saint-Louis, December 1, 2009; and with a group of talibs, Gudiawaye, December 12, 2009.

[105] Human Rights Watch interviews with 13-year-old former talib in Saint-Louis, Saint-Louis, December 1, 2009; with eight-year-old former talib in Mbour, Mbour, December 14, 2009; with 13-year-old former talib in Dakar, Dakar, January 26, 2010; and with 18-year-old former talib in Saint-Louis, Dakar, December 10, 2009. In the week after Tabaski, for example, marabouts were absent from five of the 11 daaras visited by Human Rights Watch.

[106] Human Rights Watch interviews with eight-year-old former talib in Mbour, Dakar, November 8, 2009; with 13-year-old former talib in Saint-Louis, Saint-Louis, December 1, 2009 (including sexual violence); and with eight-year-old former talib in Mbour, Mbour, December 14, 2009.

[107] Human Rights Watch interviews with 14-year-old talib, Saint-Louis, December 1, 2009; and with nine-year-old talib, This, December 9, 2009.

[108]Human Rights Watch interview with 13-year-old former talib in Kaolack, Dakar, December 15, 2009.

[109] Human Rights Watch interview with a government official, Senegal, January 2010.

[110] Human Rights Watch interview with a government official, Mbour, December 19, 2009.

[111] CRC, art. 19.

[112] UN Committee on the Rights of the Child, General Comment No. 8, The Right of the Child to Protection from Corporal Punishment and Other Cruel or Degrading Forms of Punishment (arts. 19; 28, para. 2; and 37, inter alia), UN Doc. CRC/C/GC/8 (2006).

[113] Penal Code of Senegal, art. 298.

[114] UN Committee against Torture, General Comment No. 2, Implementation of Article 2 by States Parties, UN Doc. CAT/C/GC/2 (2008), para. 18.

[115] Human Rights Watch interviews with 19-year-old talib, Gudiawaye, November 23, 2009 (fellow talib fell ill in 2007 and died several days later); and with uncle of talib who fell sick in Dakar and died, Bafat, Guinea-Bissau, January 11, 2010.

[116] Fortunately, with pressure from the Ministry of Justices AEMO and Maison de la Gare, a local humanitarian organization, the marabout moved the children from the abandoned truck. One child interviewed from the daara said that they had lived in the truck for the previous five years. Human Rights Watch interview with 14-year-old talib, Saint-Louis, December 1, 2009. This was confirmed by the president of Maison de la Gare. Human Rights Watch interview with Issa Kouyate, Saint-Louis, December 3, 2009.

[117] Mbour : leffondrement dun btiment tue un talib et blesse quatre autres, Agence de Presse Sngalaise, December 14, 2009, http://www.seneweb.com/news/article/27444.php (accessed March 27, 2010).

[118] Human Rights Watch interviews with 12-year-old talib, Saint-Louis, December 1, 2009 (stating that there was no door to the talibs room in the daara, which meant it was extremely cold during the winter, with no cover for the talibs); with 14-year-old talib, Saint-Louis, December 1, 2009 (stating that he, and many of the other talibs, had to sleep outside in the cold without cover); with eight-year-old former talib in Mbour, Mbour, December 14, 2009 (stating that they slept directly on brick, with no mats and limited cover, and had little protection from the cold); and with 11-year-old former talib in Dakar, Dakar, November 8, 2009 (stating that without cover or adequate clothing, the cold season was miserable).

[119] Human Rights Watch interview with nine-year-old talib, Saint-Louis, November 30, 2009.

[120] The marrainage programs, in which talibs are paired with a mother in the community, are particularly noteworthy as a return to the traditional practice of collection rather than begging. Marraines provide meals for the talibs at set times, reducing malnutrition and getting the talib off the street from begging for food. They also frequently assist with cleaning clothes and provide a place for the talib to wash himself. Many talibs also said that their marraines helped provide money when they fell sick and sometimes bought them clothes. Perhaps just as importantly, many marraines provide a strong emotional connection for talibs who are far from their families and often in an abusive situation. One marraine, who had helped the same talib for five years, said how the talib comes over each evening to watch television with her family while eating dinner, describing her relationship with him as like another son. Another marraine, who leads the womens community organization that established the marrainage program in one city, said that for young talibs particularly, marraines routinely check the childs back for severe beatings, and, in some cases, report the problem to the police. Human Rights Watch interviews with a marraine, Gudiawaye, November 23, 2009; and with a marraine, Mbour, December 14, 2009.

[121] See also UNICEF, the ILO, and the World Bank, *Enfants mendiants dans la rgion de Dakar*, p. 42 (finding that only 29 percent of begging children in the region of Dakar had cover for the cold season).

[122] Human Rights Watch interview with 12-year-old former talib in Mbao (a Dakar suburb), Mbour, December 21, 2009. Other talibs described similar overcrowing problems. For example, Human Rights Watch interviews with 11-year-old talib, Saint-Louis, December 1, 2009 (saying that his daara with 30 talibs had only one room, so many sleep outside); with 12-year-old talib, Saint-Louis, December 1, 2009 (stating that his daara with around 40 talibs had only two very small rooms, so the majority sleep outside); and with 11-year-old former talib in Pikine (a Dakar suburb), Dakar, November 12, 2009 (relating that his daara with over 30 talibs had only one room, so he and others often chose to sleep outside).

[123] Human Rights Watch interview with 11-year-old talib, Saint-Louis, December 1, 2009.

[124] Human Rights Watch interviews with eight-year-old former talib in Mbour, Dakar, November 8, 2009; and with six-year-old talib, Saint-Louis, November 30, 2009. Indeed, one talib said that the flooding of his daara in Gudiawaye, a Dakar suburb, was so bad during the rainy season that the talibs sleep outside in the rain. Human Rights Watch interview with 18-year-old talib, Gudiawaye, November 23, 2009.

[125] UNICEF, the ILO, and the World Bank, *Enfants mendiants dans la rgion de Dakar*, p. 42.

[126] Human Rights Watch interviews with Abdullai Ba, marabout and imam, Saint-Louis, December 2, 2009 (admitting that many of his children were forced to sleep outside because of the overcrowding and sweltering heat in the rooms); with assistant Quranic teacher, Mbour, December 19, 2009; and with Ibrahima Puye, marabout, Gudiawaye, November 18, 2009.

[127] Human Rights Watch interviews with Amadou Boiro, marabout, Gudiawaye, November 19, 2009; with Demba Balde, marabout, Gudiawaye, November 21, 2009; and with Alu Diallo, marabout, This, December 8, 2009 (though he said that families in the community assisted the daara by occasionally bringing water).

[128] Human Rights Watch interviews with 11-year-old former talib in Dakar, Dakar, November 8, 2009; with six-year-old talib, Saint-Louis, November 30, 2009; and with eight-year-old former talib in Mbour, Dakar, November 8, 2009.

[129] Human Rights Watch interviews with 13-year-old former talib, Rufisque, Rufisque, January 26, 2010; and with nine-year-old talib, This, January 24, 2010.

[130] Human Rights Watch interviews with 14-year-old talib, Saint-Louis, December 1, 2009; with 11-year-old talib, Saint-Louis, December 1, 2009; and with five-year-old talib, This, December 9, 2009.

[131] Human Rights Watch interviews with 14-year-old talib, Saint-Louis, December 3, 2009 (washes clothes at lunchtime at the marraines house); with a marraine, Mbour, December 14, 2009 (started group of marraines, each of whom has at least one talib, who offer assistance including cleaning of clothes); and with nine-year-old talib, This, December 9, 2009 (provided soap and water by aid organization).

[132] Human Rights Watch interviews with 10-year-old talib in Saint-Louis, November 30, 2009; with 13-year-old former talib in Saint-Louis, Saint-Louis, December 1, 2009; and with 13-year-old former talib in Dakar, Bafat, Guinea-Bissau, January 11, 2010.

[133] Human Rights Watch interview with 13-year-old former talib in Touba, Dakar, November 25, 2009. Another talib related a similar story: My mom gave me new clothing one time when I was home two shirts and a pair of pants. The marabout never let me wear them at the daara. He took them from me and gave them to his son. He had one son; he was a little younger than me. Human Rights Watch interview with nine-year-old former talib in Mbour, Mbour, December 14, 2009.

[134] Human Rights Watch interview with eight-year-old former talib in Mbour, Dakar, November 8, 2009.

[135] Human Rights Watch interview with Abdullai Diop, head of Samusocial Senegals medical team, Dakar, February 22, 2010.

[136] CRC, art. 27; African Charter on the Rights and Welfare of the Child (ACRWC), OAU Doc. CAB/LEG/24.9/49 (1990), entered

into force November 29, 1999, art. 20.

[137] Penal Code of Senegal, art. 298.

[138] UNICEF, the ILO, and the World Bank, *Enfants mendiants dans la rgion de Dakar*, pp. 42-43 (finding that in the region of Dakar a majority of begging children are undernourished, with only just over half normally consuming vegetables and only around one-fifth normally consuming fruits or meat, insufficient for their development needs).

[139] Human Rights Watch interviews with 13-year-old talib, Saint-Louis, December 1, 2009 (On Tabaski we had to beg for meat, not for money. The marabout had two sheep. He and his family ate, and everyone in the community came to prostrate themselves before him, receiving meat, but he did not give us anything.); with nine-year-old talib, Saint-Louis, November 30, 2009 (marabout had a sheep but talibs had to beg for food); with six-year-old talib, Saint-Louis, November 30, 2009 (same); and with five-year-old talib, Saint-Louis, December 1, 2009 (same).

[140] Human Rights Watch interview with nine-year-old talib, Saint-Louis, November 30, 2009.

[141] Human Rights Watch interview with seven-year-old talib, Saint-Louis, November 30, 2009.

[142] Human Rights Watch interview with eight-year-old former talib in This, Mbour, December 14, 2009.

[143] Human Rights Watch interview with 12-year-old former talib in Dakar, Dakar, November 8, 2009.

[144] Human Rights Watch interview with 14-year-old talib, Saint-Louis, December 3, 2009. In several interviews, however, children with marraines noted that food provision was still sometimes unreliable or insufficient. Human Rights Watch interviews with eight-year-old former talib in Mbour, Mbour, December 14, 2009 (I had a marraine, but some days I came and she said that all had been eaten); and with seven-year-old talib, This, December 8, 2009 (I have a marraine, but I am still often hungry. Sometimes she does not have anything, other times it is not enough.).

[145] Human Rights Watch interviews with a marraine, Gudiawaye, November 23, 2009; with a marraine, Saint-Louis, December 1, 2009; and with a marraine, Mbour, December 14, 2009.

[146] Human Rights Watch interview with a marraine, Mbour, December 14, 2009.

[147] CRC, arts. 24 and 27; ACRWC, art. 14.

[148] Penal Code of Senegal, art. 298.

[149] Human Rights Watch interview with Abdullai Diop, Dakar, February 22, 2010.

[150] Of those who said that they had not been sick, all but one had been in the daara for less than six months.

[151] A 2007 study documented similar diseases among begging children. UNICEF, the ILO, and the World Bank, *Enfants mendiants dans la rgion de Dakar*, p. 4 (noting fever, fatigue, abdominal pain, diarrhea, skin diseases, and malaria as the most common).

[152] Human Rights Watch interview with Amadou Boiro, marabout, Gudiawaye, November 19, 2009.

[153] In addition to the approximately 30 percent of daaras in which marabouts did provide assistance, talibs in around 10 percent of daaras said that marraines or humanitarian organizations provided healthcare.

[154] Human Rights Watch interview with 13-year-old former talib in Dakar, Dakar, November 12, 2009. An eight-year-old former talib similarly told Human Rights Watch: When I was sick, I never saw anyone. The marabout did not help me, and I had no money. I would just suffer. Malaria was the worst. Human Rights Watch interview with eight-year-old former talib in This, Mbour, December 14, 2009.

[155] Human Rights Watch group interview with talibs ages five, seven, nine, 10, and 11, Dakar, January 28, 2010.

[156] Human Rights Watch interview with 13-year-old former talib in Ziguinchor and Dakar, Bafat, Guinea-Bissau, January 11, 2010.

[157] Human Rights Watch interview with 13-year-old former talib in Dakar, Dakar, January 26, 2010.

[158] Human Rights Watch interview with nine-year-old talib, Saint-Louis, November 30, 2009. Multiple other interviewees described similar situations. For example, Human Rights Watch interviews with six-year-old talib, Saint-Louis, November 30, 2009; and with 12-year-old former talib in Gudiawaye, Bafat region, Guinea-Bissau, January 11, 2010.

[159] Human Rights Watch interviews with 13-year-old talib, Saint-Louis, December 1, 2009 (I am often sick with headaches and stomach problems, but the marabout only helps us if it becomes very serious, for bad injuries or if you are very, very sick. He does not help at all for stomach aches or headaches.); with 12-year-old talib, Saint-Louis, December 1, 2009; and with 18-year-old former talib in Saint-Louis and Kaolack, Dakar, December 10, 2009.

[160] Human Rights Watch interview with 10-year-old talib, Saint-Louis, November 30, 2009.

[161]See CRC, arts. 24 and 27; ACRWC, art. 14; International Covenant on Economic, Social and Cultural Rights (ICESCR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 49, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3, entered into force January 3, 1976, ratified by Senegal February 13, 1978, art. 12.

[162] Penal Code of Senegal, art. 298.

[163] ICESCR, art. 10.

[164] Homosexuality is criminalized and brutally suppressed in Senegal. See Penal Code of Senegal, art. 319; Sadibou Marone, Senegal: 9 Men Jailed for Homosexual Acts, Associated Press, January 8, 2009; Senegal jails gays for eight years, Agence France-Presse, January 7, 2009; Senegal: Tougher jail terms signal rise of homophobia, Agence France-Presse, January 16, 2009.

[165] Human Rights Watch interviews with Mohamed Chrif Diop, talib program director at Tostan, Dakar, November 6, 2009; with Isabelle de Guillebon, director of Samusocial Senegal, Dakar, November 10, 2009; and with Moussa Sow, president of Avenir de lEnfant, Dakar, December 17, 2009.

[166] Questions about sexual abuse could only be asked in individual interviews conducted in private, secure centers. In addition, to avoid re-traumatizing a young child and to avoid concerns that young children often respond to cues of interviews and offer responses even when not true, Human Rights Watch did not pose any question regarding sexual abuse to children under the age of 10. These two qualifications meant that only 39 children were asked about sexual abuse.

[167] Human Rights Watch interviews with 13-year-old former talib in Dakar, Dakar, January 26, 2010 (repeated inappropriate touching); and with 11-year-old former talib in Kaolack and Mbour, Dakar, November 25, 2009 (victim of male rape).

[168] Human Rights Watch interview with 13-year-old former talib in Dakar, Dakar, January 26, 2010.

[169] Human Rights Watch interview with 13-year-old former talib in Saint-Louis, Saint-Louis, December 1, 2009.

[170] Human Rights Watch interviews with 10-year-old former talib in Kaolack and Mbour, Dakar, November 25, 2009 (marabout had left the oldest talib in charge of the daara while returning to his village); with 13-year-old former talib in Dakar, Dakar, January 26, 2010 (marabout lived in separate house); and with 13-year-old former talib in Saint-Louis, Saint-Louis, December 1, 2009 (marabout had left oldest in charge of daara while returning to his village).

[171] Human Rights Watch interview with a social worker at local humanitarian organization, Mbour, December 14, 2009.

[172] Human Rights Watch interviews with a social worker at Samusocial Senegal, Dakar, February 10, 2010; with a social worker at shelter for vulnerable children, Dakar, November 5, 2009; with a social worker at Avenir de lEnfant, Rufisque, January 26, 2010; and with Issa Kouyate, president of Maison de la Gare, Saint-Louis, December 3, 2009.

[173] Human Rights Watch interviews with a social worker at Samusocial Senegal, February 10, 2010; with a social worker at shelter for vulnerable children, November 12, 2009; and with a social worker at Avenir de lEnfant, January 26, 2010.

[174] Human Rights Watch interview with a social worker at Samusocial Senegal, February 10, 2010.

[175] CRC, arts. 19 and 34.

[176] Human Rights Watch interviews with three directors of local humanitarian organizations, Senegal and Guinea-Bissau, January 2010 (one even paused for an extended period and then said, But that would involve homosexuality?).

[177] Draft version of study on Kolda region performed by a large research institute, seen by Human Rights Watch (publication pending) (finding that 57 percent of households in Kolda region, one of the poorest and most isolated regions of Senegal, had at least one mobile phone).

[178] Human Rights Watch interviews with 10-year-old talib, Gudiawaye, November 23, 2009 (sees parents each Tabaski); with 12-year-old former talib in Dakar, Mbour, December 21, 2009 (saw parents for Tabaski once); and with 13-year-old former talib in Pikine, Pikine, January 26, 2010 (parents visited him once in three years).

[179] Human Rights Watch interviews with 12-year-old former talib in Dakar, Dakar, November 8, 2009 (spoke on phone once in two years); with nine-year-old talib, Saint-Louis, November 30, 2009 (spoke to parents a couple times in four years); and with 14-year-old talib, Saint-Louis, December 3, 2009 (speaks to parents more regularly because an older brother in the daara has a mobile phone). See also UNICEF, the ILO, and the World Bank, *Enfants mendiants dans la rgion de Dakar*, pp. 40-41 (noting that child talibs ages two to eight were most often those with no contact with their families, and that contact was most often limited to phone).

[180] Human Rights Watch interview with 11-year-old talib, Gudiawaye, November 23, 2009.

[181] Human Rights Watch interview with the father of a former talib, Fouta Toro area, December 2, 2009.

[182] Human Rights Watch interviews with the father of a former talib, Gab, Guinea-Bissau, January 12, 2010 (marabout never informed him the first time that his child ran away); and with the father of a former talib, Gab, Guinea-Bissau, January 12, 2010 (marabout did not inform him for one month, despite phone conversations, that his child had run away).

[183] Human Rights Watch interview with the father of a former talib, Kolda region, January 7, 2010.

[184]African [Banjul] Charter on Human and Peoples Rights, adopted June 27, 1981, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), entered into force October 21, 1986, ratified by Senegal August 1982, art. 29.

[185] Mamadou Ndiaye, *LEnseignement arabo-islamique au Sngal*, 1982, p. 258.

[186] Human Rights Watch interviews with 14-year-old talib, Saint-Louis, December 3, 2009 (from 5 to 7 p.m. each day); with eight-year-old former talib in Mbour, Dakar, November 8, 2009 (an hour before dinner); and with 18-year-old talib, Gudiawaye, November 23, 2009 (from 6 to 7 p.m.).

[187] Human Rights Watch interviews with Ibrahima Puye, marabout, Gudiawaye, November 18, 2009 (has introduced football and wrestling in a daara assisted by the humanitarian organization ENDA Tiers Monde); with Mohamed Nass, marabout and imam, Gudiawaye, November 21, 2009 (hosts a football tournament on the Day of the African Child at his modern daara with assistance from the humanitarian organization Intermonde); and with Malick Sy, marabout, Mbour, December 18, 2009 (provides for recreation every day at 5 p.m. in his daara associated with the humanitarian organization Keur Talib).

[188] Human Rights Watch interview with 11-year-old former talib in Mbour, Dakar, November 8, 2009.

[189] Human Rights Watch interview with 11-year-old former talib in Dakar, Dakar, November 8, 2009.

[190] Human Rights Watch interview with 13-year-old former talib in Dakar, Dakar, November 12, 2009. A number of other talibs told similar stories. For example, Human Rights Watch interview with seven-year-old former talib in Dakar, Dakar, November 12, 2009 (beaten for playing with anyone from outside the daara); with 13-year-old former talib in Touba, Dakar, November 25, 2009 (beaten for playing); and with 12-year-old former talib in Dakar, Dakar, November 8, 2009 (beaten for playing).

[191] Human Rights Watch interview with 12-year-old former talib in Dakar, Dakar, November 8, 2009.

[192] CRC, art. 31.

[193] For example, Human Rights Watch interviews with 13-year-old former talib in Dakar, Dakar, November 12, 2009 (stating that his daara went from 15 talibs to three, before he ran away); with 15-year-old former talib in Dakar, Gab, Guinea-Bissau, January 12, 2010 (stating that at least 15 talibs had run away before him); and with 13-year-old former talib in Dakar and Ziguinchor, Bafat, Guinea-Bissau, January 11, 2010 (stating that four talibs had run away before him, in addition to his group of four).

[194] Human Rights Watch group interview with talibs ages five, seven, nine, 10, and 11, Dakar, January 28, 2010.

[195] Human Rights Watch interview with eight-year-old former talib in Mbour, Dakar, November 8, 2009.

[196] Human Rights Watch interviews with Malam Baio, director of SOS Talib Children, Bafat, Guinea-Bissau, January 10, 2010 (noting also that of the 334, 212 came from daaras in Dakar, 103 came from daaras in Casamance (particularly Ziguinchor), and 19 came from daaras in other regions of Senegal); with Miss Joanita, president of AMIC-Gab, Gab, Guinea-Bissau, January 12, 2010 (records on hand were incomplete, but 62 former talibs were returned between January and June of 2007); and with Laudolino Carlos Medina, executive secretary of AMIC, Bissau, Guinea-Bissau, January 14, 2010.

[197] International Organization for Migration, Statistics on Assisted Trafficking Victims since 2006, unpublished document on file with Human Rights Watch.

[198] In 2007-2008, SOS Crianas Talibs encountered 32 former talibs who had returned with no assistance all the way to Guinea-Bissau. Human Rights Watch interview with Malam Baio, January 10, 2010.

[199] Human Rights Watch interview with Moussa Sow, president of Avenir de lEnfant, December 17, 2009.

[200] Human Rights Watch interviews with Isabelle de Guillebon, director of Samusocial Senegal, November 10, 2009; and with a social worker at Samusocial Senegal, March 1, 2010.

[201] Human Rights Watch interview with 14-year-old former talib in Dakar, Gab, Guinea-Bissau, January 12, 2010. A number of other talibs similarly expressed that the worst beatings were for attempts to run away. For example, Human Rights Watch interview with 13-year-old former talib in Kaolack, Dakar, December 15, 2009 (The worst beatings were if you tried to flee and then were captured); and with eight-year-old former talib in Mbour, Mbour, December 14, 2009 (The marabout beat us badly all the time. [But] the worst beating I had was after I ran away and was found.).

[202] Human Rights Watch interview with 18-year-old former talib in Saint-Louis, Dakar, December 10, 2009.

[203] Human Rights Watch interview with 11-year-old former talib in Dakar, Gab region, Guinea-Bissau, January 13, 2010.

[204] Human Rights Watch interview with 12-year-old former talib in Dakar, Bafat region, Guinea-Bissau, January 11, 2010. Another talib described his group coming across a Senegalese man while begging in the morning who told them that he would take the talibs to a center that afternoon if they wanted to run awayan offer they accepted. Human Rights Watch interview with 13-year-old former talib in Dakar, Bafat, Guinea-Bissau, January 11, 2010.

[205] Human Rights Watch interview with 13-year-old former talib in Kaolack, Dakar, December 15, 2009. Several other former talibs described similar efforts to escape their daara. For example, Human Rights Watch interviews with 14-year-old former talib in Lobodou, Saint-Louis, December 1, 2009 (walked over 10 kilometers before finding a car to take him to Saint-Louis); and with 10-year-old former talib in Mbour, Dakar, November 25, 2009 (started walking from Mbour to Dakar before jumping secretly on the back of a garbage truck traveling to Dakar).

[206] Human Rights Watch interview with 18-year-old former talib in Saint-Louis, Dakar, December 10, 2009.

[207] Human Rights Watch interviews with 13-year-old former talib who had lived on the street for eight months, Dakar, December 15, 2009; with 18-year-old former talib who had lived on the street for six months, Dakar, December 15, 2009; and with 18-year-old former talib in Saint-Louis who had lived on and off the streets in Dakar for six years, December 10, 2009. A leader of a street group with numerous former talibs and a social worker with a humanitarian organization that assists street children described similar numbers. Human Rights Watch interviews with 27-year-old leader of one street group, Dakar, December 16, 2009; and with a social worker at Samusocial Senegal, Dakar, March 1, 2010.

[208] Human Rights Watch interview with 27-year-old leader of one street group consisting largely of former talibs, Dakar, December 16, 2009.

[209] A daily fix of guinze costs around 200 or 300 CFA ($0.43-$0.65). See Sexually active street children increasingly vulnerable to HIV, *IRINnews*, October 31, 2006, http://www.irinnews.org/Report.aspx?ReportId=62639 (accessed February 1, 2010).

[210] Human Rights Watch interviews with 27-year-old leader of one street group consisting largely of former talibs, Dakar, December 16, 2009; with 13-year-old former talib who had lived on the street for eight months, Dakar, December 15, 2009; and with 18-year-old former talib in Saint-Louis who has lived on and off the streets for six years, Dakar, December 10, 2009.

[211] This is not to suggest that all street children in Senegal are former talibs. However, the large number of children who run away from abusive daaras each year significantly contributes to the number of children living on the streets.

[212] Human Rights Watch interview with 18-year-old former talib in Saint-Louis, Dakar, December 10, 2009.

[213] Human Rights Watch interview with Aliou Seck, marabout, Saint-Louis, November 30, 2009. Numerous other marabouts made similar statements. For example, Human Rights Watch interviews with Mohamed Niass, Gudiawaye, November 21, 2009; with Demba Balde, Gudiawaye, November 21, 2009; and with Abdullai Ba, Saint-Louis, December 2, 2009.

[214] Human Rights Watch interview with Masso Balde, marabout, Saint-Louis, December 1, 2009. Numerous other marabouts made similar statements. For example, Human Rights Watch interviews with Abdullai Ba, Saint-Louis, December 1, 2009 (Begging is to show the children what it is like to have nothing, to show them that they must work hard, to show them the way of righteousness. They are obliged to survive like this to know pain, in order to be truly blessed later.); with Alu Diallo, This, December 8, 2009; and with Celein Douda Faye, Gudiawaye, November 23, 2009.

[215] For example, Human Rights Watch interviews with 12-year-old talib, Saint-Louis, December 1, 2009 (also stating that marabouts children went to French school); with 13-year-old former talib in Saint-Louis, Saint-Louis, December 1, 2009 (also stating that marabouts son went to a private modern daara for which the marabout paid fees); with 12-year-old former talib in Dakar, Mbour, December 21, 2009; with 13-year-old former talib in Dakar, Bafat, Guinea-Bissau, January 11, 2010; and with 14-year-old talib, Saint-Louis, December 1, 2009 (marabouts children do beg, but also attend a French school specifically for marabouts children). This is in contrast to the tradition of daaras, according to one religious historian, in which even the sons of marabouts and village chiefs were part of the ascetic practices. Human Rights Watch interview with Mamadou Ndiaye, director of the Education Department at the Islamic Institute in Dakar and professor in the Arabic Department at University Cheikh Anta Diop (UCAD), Dakar, January 21, 2010.

[216]Ndiaye, *LEnseignement arabo-islamique au Sngal*, p. 24.

[217] Human Rights Watch interview with Aliou Seydi, marabout, Kolda, January 6, 2010.

[218] Human Rights Watch interview with Mohamad Aliou Ba, marabout, Guero Yiro Alpha, Kolda region, January 7, 2010.

[219] Human Rights Watch interview with Mohamadou Sali Ba, marabout, Saint-Louis, November 30, 2009.

[220] United Nations, Millennium Development Goals Indicators: Senegal, http://unstats.un.org/unsd/mdg/Data.aspx (accessed February 4, 2010) (based on a 2005 government survey).

[221] See 2007 Statistics from the Ministry of Economy and Finances, Republic of Senegal, cited in Codou Bop, Senegal: Homophobia and Islamic Political Manipulation, *Sexuality Policy Watch Working Papers*, no. 4, March 2008, p. 3, http://www.sxpolitics.org/wp-content/uploads/2009/03/texto-codou-_revny.pdf (accessed March 27, 2010); Republic of Senegal, *Evaluation quantitative du DSRP-I* (2003-2005), July 2007, http://siteresources.worldbank.org/INTSENEGAL/Resources/Doc5_Rapport_eval_quant_DSRP1.pdf (accessed February 4, 2010).

[222] See Anti-Slavery International, *Begging for Change: Research findings and recommendations on forced child begging in Albania/Greece, India and Senegal*, 2009, p. 11.

[223] The information in this table is based on interviews with talibs at daaras in each of these four cities. The figure for the weekly demanded total is calculated by multiplying the daily quota per talib by the number of talibs in the daara and the number of days per week that they begged. The figure for the marabouts annual income is calculated by multiplying the weekly total, including sums of money and the value of rice and sugar, by 52. Human Rights Watch interviews with 10-year-old talib, This, January 24, 2010; with 11-year-old talib, Saint-Louis, December 1, 2009; with 14-year-old talib, Saint-Louis, December 1, 2009; with 15-year-old former talib in Dakar, Gab, Guinea-Bissau, January 12, 2010; and with 12-year-old talib in Gudiawaye, November 23, 2009.

[224] Human Rights Watch interview with 15-year-old former talib in Dakar, Gab, Guinea-Bissau, January 12, 2010.

[225] Human Rights Watch interviews with 18-year-old former talib in Dakar, Dakar, December 15, 2009 (stating that the marabout more often lived at a home in a Dakar suburb, rarely coming into the daara, though he also had a home near the daara); and with 10-year-old talib, Saint-Louis, November 30, 2009 (stating that marabout had a home for his family back in Fouta Toro, where he often visited, in addition to his residence at the daara).

[226] Human Rights Watch interview with a group of talibs, Gudiawaye, December 12 and 20, 2009.

[227] Human Rights Watch interview with a director of a local humanitarian organization, Gudiawaye, December 12, 2009. The director said that the marabout is very powerful and that the state was afraid to bring any action against him as a result.

[228] The first meeting was confirmed the day before the arranged time, and the second meeting was confirmed that morning. When the marabout was called at the arranged time for the first meeting, he said that he had guests at his house in Mbao and would be unable to

make it. When the marabout was called at the arranged time for the second meeting, he did not answer and turned off his phone, so that subsequent attempts went straight to voicemail.

[229] Human Rights Watch interview with Aliou Seydi, marabout, Kolda, January 6, 2010. A marabout in Gudiawaye similarly described: These marabouts build huge buildings in Kolda and Guinea-Bissau with the money. They are part of a group that does not honor the real Quran. Human Rights Watch interview with a marabout, Gudiawaye, November 19, 2009.

[230] Human Rights Watch interview with Kolda resident and community leader, Kolda, January 5, 2010.

[231] Human Rights Watch interview with Mohamed Niass, marabout, Gudiawaye, November 21, 2009. A number of other marabouts expressed similar anger. For example, Human Rights Watch interviews with Mohamadou Sali Ba, marabout, Saint-Louis, November 30, 2009; with Oustas Pape Faye, marabout, Gudiawaye, November 19, 2009; and with Selene Toure, marabout, Gudiawaye, November 21, 2009.

[232] Human Rights Watch interview with Ibrahima Puye, marabout, Gudiawaye, November 18, 2009.

[233] One marabout blamed the government, who he said tasked people who do not know anything about the daaras with inspection, leading the government to not do anything. He suggested that if someone like himself was taskedif there was a delegated marabout from each neighborhood responsible for overseeing the daaras in that neighborhoodit would be easy to identify and to shut down the bad daaras. The exploitation could end easily. Human Rights Watch interview with a marabout, Gudiawaye, November 21, 2009.

[234] See Abdoul Aziz Seck, Serigne Abdoul Aziz Sy Junior Invite les Talibs Refuser dEtre Exploits, *Le Populaire*, January 27, 2010.

[235] Human Rights Watch interview with a director of large humanitarian organization, Dakar, November 11, 2009.

[236] Human Rights Watch interview with Alhadji Alonso Faty, Bissau, Guinea-Bissau, January 15, 2010.

[237] Human Rights Watch interview with Helena Assana Said, Bissau, Guinea-Bissau, January 14, 2010. Said also said that these imams have publicly stated that parents should send their children to Portuguese schools, in addition to learning the Quran.

[238] Human Rights Watch interview with El Hadj Thierno Kolabro Ba, Bafat, Guinea-Bissau, January 11, 2010.

[239] Human Rights Watch interview with Helena Assana Said, January 14, 2010.

[240] Human Rights Watch interview with Mame Gaye, president of PARRER, Dakar, November 25, 2009.

[241] The Support Unit for Child Protection (*La Cellule dappui la protection de lenfance*, CAPE) signed the agreement on behalf of the state. See Babacar Dieng, Convention de partenariat entre Cape et Parrer - 23 millions de francs de lEtat pour aider les enfants de la rue, *Le Soleil*, January 19, 2010.

[242] For a discussion of a number of seminars and workshopsand government-organized working groupsbetween 1976 and 1982, for example, see Ndiaye, *LEnseignement arabo-islamique au Sngal*, pp. 217-229, 310-317.

[243] Human Rights Watch interview with Hameth Sall, daara inspector in the Ministry of Education and department head at the Islamic Institute, Dakar, February 8, 2010; Pape Coly Ngom, Daaras modernes Le ministre cre une inspection, *Le Soleil*, December 22, 2009.

[244] Human Rights Watch interview with Hameth Sall, February 8, 2010.

[245] See Iba Der Thiam, Reconnaissance des coles coraniques par le gouvernement, *Le Soleil*, February 4, 2010.

[246] At that time the Ministre de lducation Nationale (Ministry of National Education).

[247] Ndiaye, *LEnseignement arabo-islamique au Sngal*, pp. 314-316.

[248] Human Rights Watch interview with a high-level official in the Ministry of Family, December 15, 2009. The program director of PARRER similarly told Human Rights Watch that regulation was not possible at present because it was necessary to experiment first with methods of assistance, curriculum, and other issues. Human Rights Watch interview with Cheikh Amadou Bamba Diaw, Dakar, November 25, 2009.

[249] Law no. 2005-06 of May 10, 2005, relating to the fight against the trafficking of persons and similar practices and the protection of victims (Loi n2005-06 du 10 mai 2005 relatif la lutte contre la traite des personnes et pratiques assimiles et la protection des victimes), art. 3.

[250] Human Rights Watch interview with an official in the Ministry of Family, Dakar, December 15, 2009.

[251] Human Rights Watch interview Aida Mbodj, former minister of the Family and current vice-president of the National Assembly, Dakar, February 11, 2010.

[252] See US State Department, Bureau of Democracy, Human Rights, and Labor, Country Reports on Human Rights Practices - 2005: Senegal, March 8, 2006 (citing two such arrests according to statistics provided by the government of Senegal); US State Department, Bureau of Democracy, Human Rights, and Labor, Country Reports on Human Rights Practices - 2006: Senegal, March 6, 2007 (citing three arrests); and US State Department, Trafficking in Persons Report 2009, June 16, 2009 (citing two arrests for 2008).

[253] Human Rights Watch interviews with an official in the Ministry of Justice, Kolda, January 6, 2010; and with an official in the Ministry of Justice, Mbour, December 18, 2009. A humanitarian worker in Mbour indicated that there had been such an arrest following

a particularly gruesome beating by one marabout in 2008. Human Rights Watch interview with a social worker for a local humanitarian organization, Mbour, December 14, 2009. See also Pape Mbar Faye, Maltraitance Mbour : Un matre coranique dfr pour avoir tortur son talib, *WalFadjri*, June 11, 2008, http://www.seneweb.com/news/article/16853.php (accessed February 5, 2010).

[254] See Soro Diop, Affaire de la bastonnade du talib M. B : Garde vue prolonge pour le matre coranique, *Le Quotidien*, July 9, 2008; Birane Diaw, Svices corporels sur un talib de 8 ans : 3 ans ferme requis pour le matre coranique, *Le Quotidien*, October 23, 2008; Birane Diaw, Jugement des svices sur un talib Kaolack : Le matre coranique cope de 3 ans ferme, *Le Quotidien*, November 13, 2008.

[255] See Samba Oumar Fall, Pour avoir tortur mort un lve, Bassirou Dian cope la perptuit, *Le Soleil*, January 28, 2008, http://www.seneweb.com/news/article/14457.php (accessed February 5, 2010).

[256] Human Rights Watch interview with an official in the Ministry of Family, Dakar, December 2009. An official in the Ministry of Justice made similar statements. Human Rights Watch interview, Dakar, January 2010 (The whole problem of the talibs exists because of the non-application of the law, the law against begging. The Senegalese government does not apply the law, because the country is dominated by the power of the marabouts (*force maraboutique*).).

[257] Human Rights Watch interview Aida Mbodj, former minister of the Family and current vice-president of the National Assembly, Dakar, February 11, 2010.

[258] Senegal Aid Workers Express Concern About Abuse of Child Beggars, Voice of America, March 10, 2008.

[259] Rukmini Callimachi, Child beggars father fights abusive teacher, Associated Press, August 17, 2008.

[260] Human Rights Watch interview with a high-level official in the Ministry of Justice, Dakar, December 22, 2009.

[261] Law no. 2004-37 of December 15, 2004, modifying and completing the National Education Orientation Law no. 91-22 of February 16, 1991 (Loi n 2004-37 du 15 Dcembre 2004 modifiant et compltant la loi dorientation de lEducation nationale n91-22 du 16 Fvrier 1991).

[262] Human Rights Watch interview with Hameth Sall, February 8, 2010.

[263] Ibid.

[264] Human Rights Watch interviews with directors of international and local humanitarian organizations, Dakar, December 2009 and January 2010.

[265] Human Rights Watch interview with Emanuel Fernandes, focal person of the National Committee on the Trade of Persons and official in the Institute of Women and Children (InstitutodaMulhereCriana, IMC), Bissau, Guinea-Bissau, January 13, 2010 (stating that prior to 2008 and the creation of the Committee, there were only two humanitarian organizations that worked and raised awareness on this issue).

[266] Human Rights Watch interview with August Monte, commissioner of the civil police force for the region of Bafat, Bafat, Guinea-Bissau, January 11, 2010. The Gab regional police commissioner told Human Rights Watch that, from his experience, it is more often a designated intermediary, generally a former or older talib, who is tasked with moving the children across the border. He stated, He is recruited, this former talib, and then he sensitizes the village about the virtues of the marabout, about the possible educationthen he recruits the children. Less often, the marabout comes to recruit for himself, looking to exploit children in the same way that he was likely exploited. Human Rights Watch interview with Ibrahima Mane, regional commissioner of the civil police force, Gab, Guinea-Bissau, January 13, 2010.

[267] Human Rights Watch interviews with August Monte, January 11, 2010; and with Malam Baio, director of SOS Talib Children, Bafat, Guinea-Bissau, January 10, 2010.

[268] Human Rights Watch interview with August Monte, January 11, 2010.

[269] Human Rights Watch interview with Ibrahima Mane, January 13, 2010.

[270] Human Rights Watch interview with 11-year-old talib, Saint-Louis, December 1, 2009.

[271] Human Rights Watch interview with a high-level police official, Guinea-Bissau, January 2010.

[272] Human Rights Watch interview with Laudolino Carlos Medina, executive secretary of AMIC, Bissau, Guinea-Bissau, January 14, 2010.

[273] Human Rights Watch interview with August Monte, January 11, 2010.

[274] Human Rights Watch interviews with Emanuel Fernandes, January 13, 2010; and with UNICEF child protection officer, Bissau, Guinea-Bissau, January 15, 2010.

[275] Human Rights Watch interview with Emanuel Fernandes, January 13, 2010.

[276] Ibid.; and Human Rights Watch interview with Laudolino Carlos Medina, January 14, 2010.

[277] Human Rights Watch interview with Emanuel Fernandes, January 13, 2010.

[278] Human Rights Watch interviews with Laudolino Carlos Medina, January 14, 2010; and with Malam Baio, January 10, 2010.

[279] Human Rights Watch interview with Emanuel Fernandes, January 13, 2010.

[280] Human Rights Watch interviews with Laudolino Carlos Medina; with UNICEF child protection officer, Bissau, Guinea-Bissau, January 15, 2010; and with Helena Assana Said, president of CNJI, Bissau, Guinea-Bissau, January 14, 2010 (noting also that the CNJI had identified the daaras where it happened, tried to sensitize marabouts to at least reduce begging hours, and were starting a marrainage program where talibs would sleep with a host family, in addition to receiving food and other assistance).

[281] Human Rights Watch interviews with eight-year-old talib, Gab, Guinea-Bissau, January 12, 2010; and with nine-year-old talib, Gab, Guinea-Bissau, January 13, 2010.

[282] The government of Guinea-Bissau, marred by instability and constant changes in personnel in state institutions, has spent the last decade stagnated in its efforts to harmonize domestic laws with international treaty obligations. UNICEF, which has been working with the government, expressed optimism that real progress would be made this year, including on legislation against forced begging. Human Rights Watch interview with UNICEF child protection officer, Bissau, Guinea-Bissau, January 15, 2010. However, directors of two humanitarian organizations in Guinea-Bissau that work with the talibs expressed less optimism, given the lack of progress over the last decade to reform Guinea-Bissaus laws and the hesitance of the government to interfere with religious leaders. Human Rights Watch interviews with directors of local humanitarian organizations, Bissau, Guinea-Bissau, January 2010.

[283] Human Rights Watch interviews with Emanuel Fernandes, January 13, 2010; with official in the Ministry of Interior, Bafat, Guinea-Bissau, January 11, 2010; and with regional official, Bafat, Guinea-Bissau, January 11, 2010.

[284] Human Rights Watch group interviews with talibs ages nine, nine, 12, 16, and 19, Bafat region, Guinea-Bissau, January 10, 2010; with talibs ages eight, 12, and 15, Bafat region, Guinea-Bissau, January 10, 2010; and Human Rights Watch interview with the father of a former talib, Bafat, Guinea-Bissau, January 10, 2010.

[285] Human Rights Watch interviews with UNICEF child protection officer, January 15, 2010; with an international humanitarian organization official working closely with the government on education policy, Bissau, Guinea-Bissau, January 15, 2010; with Helena Assana Said, January 14, 2010; and with Laudolino Carlos Medina, January 14, 2010.

[286] Human Rights Watch group interviews with talibs ages nine, nine, 12, 16, and 19, Bafat region, Guinea-Bissau, January 10, 2010; with talibs ages eight, 12, and 15, Bafat region, Guinea-Bissau, January 10, 2010.

[287] In Guinea-Bissau, a daara is a school where children primarily and in some cases only learn the Quran, whereas a Bissau-Guinean madrasa involves Quranic studies, Arabic, and often Portuguese and other state school subjects.

[288] Draft version of study on Kolda region performed by a large research institute, seen by Human Rights Watch (publication pending) (finding also that the average household size in Kolda was 10.5 people).

[289] Human Rights Watch interview with the father of three talibs, Kolda region, January 7, 2010. Another father of two talibs said that whether his male children stayed at home and went to state school or were sent to live in a daara depended, in part, on the success of the harvest when the child came of school age. Human Rights Watch interview with the father of two talibs in Saint-Louis, Fouta Toro area, December 2, 2009.

[290] Human Rights Watch interview with Amadou Tidiana Talla, president of ONG Gounass, Kolda, January 8, 2010.

[291] Human Rights Watch interview with the father of two talibs in Saint-Louis, Fouta Toro area, December 2, 2009.

[292] Human Rights Watch interview with the mother of one talib in Saint-Louis, Fouta Toro area, December 2, 2009.

[293] CRC, art. 27.

[294] Human Rights Watch interview with a village chief and father who sent a child to a Dakar daara, Guero Yiro Boucar, Kolda region, January 7, 2010. Other parents made similar statements. Human Rights Watch interviews with the mother of former talib, Bafat, Guinea-Bissau, January 11, 2010 (telling Human Rights Watch that her youngest son, age three, would not be going to Senegal to learn the Quran after the experience of her older son, who was returned after running away from his marabouts physical abuse); and with the father of a former talib, Gab, Guinea-Bissau, January 12, 2010 (It was only when the child returned here that we learned the full truth about the difficulties in Senegal).

[295] Human Rights Watch interview with Malam Baio, January 10, 2010.

[296] Human Rights Watch interviews with the father of one talib in Saint-Louis, Fouta Toro area, December 2, 2009; with the father of one talib in Saint-Louis, Fouta Toro area, December 2, 2009; and with the mother of one current talib and one former talib in Dakar, Gab, Guinea-Bissau, January 13, 2010.

[297] Draft version of study on Kolda region performed by a large research institute, seen by Human Rights Watch (publication pending) (reporting also that 30 percent of parents believed that the child would be in equal living conditions and 31 percent believed that the child would be in better living conditions).

[298] Human Rights Watch interview with eight-year-old former talib in Mbour, Dakar, November 8, 2009. Many talibs related similar stories. For example, Human Rights Watch interviews with 13-year-old former talib in Touba, Dakar, November 25, 2009 (beaten by father after he ran away from the daara, forcing him to run away to the streets of Dakar); with 13-year-old former talib in Saint-Louis, Saint-Louis, December 1, 2009 (beaten by father after he ran away from the daara at age nine; knowing that he would be returned to the daara, he ran away from home); and with 18-year-old former talib in Saint-Louis, Dakar, December 10, 2009 (about to be returned to daara after running home at 11 years old, he ran away again, forcing him to live on and off the streets in Kaolack, Mbour, This, and Dakar over the last seven years).

[299] Human Rights Watch interview with 13-year-old former talib in Kaolack, Dakar, December 15, 2009.

[300] Ibid.

[301] Human Rights Watch interview with Mohamed Aliou Ba, village marabout, Guero Yiro Alpha, Kolda region, January 7, 2010. The brother of a marabout who left Kolda for Dakar, as well as a government official in Kolda, described similar influences on marabouts migration. Human Rights Watch interviews with the father of Dakar talib and brother of marabout, Kolda region, January 7, 2010 (The way that the government and NGOs do their work, the money never leaves Dakarso the marabouts go there. That was the perception of my brother who left [his village in Kolda]. If you are going to change things, the money must go to the population directly, it must go to the base.); and with a government official in the Ministry of Social Affairs, Kolda, January 8, 2010 (The marabouts think that if they have a large number of children around them, that the state or NGOs will assist them. They have seen it happen with other marabouts.).

[302] Human Rights Watch interviews with Mohamed Niass, marabout and imam, Gudiawaye, November 21, 2009; and with Seybatou Ciss, marabout, Mbour, December 19, 2009.

[303] Human Rights Watch interviews with Ibrahima Puye, marabout, Gudiawaye, November 18, 2009; with Oustas Pape Faye, marabout, Gudiawaye, November 19, 2009; and with Malick Sy, marabout, Mbour, December 18, 2009. A 2008 internal review of one humanitarian organizations large-scale talib program, shared with Human Rights Watch, likewise found that some marabouts who received their assistance had abandoned the practice of begging, while others had at least reduced hours.

[304] Human Rights Watch group interview with talibs ages five, seven, nine, 10, and 11, Dakar, January 28, 2010.

[305] Human Rights Watch interview with former employees of an international humanitarian organization, Dakar, November 20, 2009.

[306] Internal review of humanitarian organizations talib program, 2008, unpublished document on file with Human Rights Watch. In the same internal review, the organization noted that its assistance may indeed have resulted in an increase in the number of talibs sent to specific daaras, though it believed that the overall increase was likely to have occurred regardless and the organizations actions only impacted the relative distribution of talibs among daaras rather than the whole number. It is clear, however, that when organizations focus on urban daaras, the relative distribution changes in favor of urban daaras over village daarasbringing children to where begging is widespread as opposed to largely nonexistent.

[307] Ibid.

[308] Human Rights Watch interview with a humanitarian official, Senegal, December 9, 2009.

[309] Human Rights Watch interview with UNICEF child protection officer, Dakar, February 24, 2010.

[310] Internal review of humanitarian organizations talib program, 2008, unpublished document on file with Human Rights Watch.

[311] Human Rights Watch interview with Abdullai Diop, head of Samusocial Senegals medical team, Dakar, February 22, 2010.

[312] Human Rights Watch interviews with officials in international and local humanitarian organizations in Senegal and Guinea-Bissau, November 2009 through January 2010.

[313] Human Rights Watch interview with the director of a local humanitarian organization, Dakar, December 2009.

[314] Human Rights Watch interviews with UNICEF child protection officers in Senegal and Guinea-Bissau, December 2009 and January 2010.

[315] Human Rights Watch interview with the director of an international humanitarian organization, Dakar, November 11, 2009.

[316] UN Supplementary Convention on the Abolition of Slavery, acceded to by Senegal July 19, 1979, art. 1(d). Accession has the same legal effect as ratification.

[317] See also Anti-Slavery International, *Begging for Change: Research findings and recommendations on forced child begging in Albania/Greece, India and Senegal*, 2009, p. 3 (finding same legal conclusion).

[318] UN Supplementary Convention on the Abolition of Slavery, art. 1.

[319]International Covenant on Civil and Political Rights (ICCPR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force March 23, 1976, ratified by Senegal, February 13, 1978, art. 8.

[320] African [Banjul] Charter on Human and Peoples Rights, art. 5.

[321] ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Worst Forms of Child Labour Convention), 38 I.L.M. 1207, adopted June 17, 1999, entered into force November 19, 2000, ratified by Senegal June 1, 2000.

[322] See Ministry of Family, *Le Projet de Lutte Contre la Traite et les Pires Formes de Travail des Enfants*, http://www.famille.gouv.sn/index.php?option=com_content&task=view&id=36&Itemid=128 (accessed February 2, 2010); Ministry of Family, *Strategies de Lutte Contre La Mendicit*, http://www.enfantsenegal.org/bienvenue/pdf/Doc_Technique_Lutte_Contre_la_Mendicite.pdf (accessed February 2, 2010).

[323] CEACR, Individual Observation concerning Worst Forms of Child Labour Convention (No. 182), Senegal (ratification: 2000), 2009.

[324]Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention on Transnational Organized Crime (Trafficking Protocol), adopted November 15, 2000, G.A. Res. 55/25, annex II, 55 U.N. GAOR Supp. (No. 49) at 60, U.N. Doc. A/45/49 (Vol.I) (2001), entered into force December 25, 2003, art. 3(c).

[325] Ibid., art. 3(a).

[326] It is oddly inconsistent, however, that the Trafficking Protocol would exempt cases that satisfy the definition under the Supplementary Convention on Slavery, given that it specifically cites to the Supplementary Convention.

[327] Cairo Declaration, art. 7(a).

[328] Ibid., art. 7(b).

[329] Ibid., art. 9(b).

[330] Ibid., art. 11(a).

[331] CRC, art. 6.

[332] Ibid., art. 24.

[333] Ibid., art. 27.

[334] Ibid., art. 28.

[335] Ibid., art. 31.

[336] Ibid., art. 32.

[337] Ibid., art. 34.

[338] Ibid., art. 19.

[339] UN Committee on the Rights of the Child, General Comment No. 8, The Right of the Child to Protection from Corporal Punishment and Other Cruel or Degrading Forms of Punishment (arts. 19; 28, para. 2; and 37, inter alia), UN Doc. CRC/C/GC/8 (2006).

[340] See also UN Committee on the Rights of the Child, Consideration of Reports Submitted by States Parties under Article 44 of the Convention, Concluding Observations, Senegal, CRC/C/SEN/CO/2, October 20, 2006, paras. 39, 60, 61 (noting Senegals insufficient laws and implementation, including related to the talibs).

[341] ACRWC, art. 29.

[342] Ibid., art. 21.

[343] Ibid., art. 20.

[344] CRC, art. 29; UN Committee on the Rights of the Child, General Comment No. 1, The Aims of Education, 2, U.N. Doc. CRC/GC/2001/1 (2001); ACRWC, art. 11; ICESCR, art. 13.

[345] African [Banjul] Charter on Human and Peoples Rights, art. 29.

[346] Law no. 2005-06 of May 10, 2005, relating to the fight against the trafficking of persons and similar practices and the protection of victims, art. 3. In the original French: Quiconque organise la mendicit dautrui en vue den tirer profit embauche, entrane ou dtourne une personne en vue de la livrer la mendicit ou dexercer sur elle une pression pour quelle mendie est puni dun emprisonnement de 2 5 ans et dune amende de 500 000 francs 2 000 000 francs. Il ne sera pas sursis lexcution de la peine lorsque le dlit est commis lgard dun mineur.

[347] Ibid., arts. 1 and 2.

[348] Penal Code of Senegal, art. 298. In the original French: Quiconque aura volontairement fait des blessures ou port des coups un enfant au-dessous de lge de quinze ans accomplis, ou qui laura volontairement priv daliments ou de soins au point de compromettre sa sant ou qui aura commis son encontre toute autre violence ou voie de fait, lexclusion des violences lgres, sera puni dun emprisonnement dun cinq ans et dune amende de 25.000 200.000 francs.

[349] Ibid.