In 2022, Somalia is receiving an assessment of minimal advancement. The Somali police force participated in trainings conducted by the United Nations Office on Drugs and Crime with the goal of increasing anti-trafficking efforts. Somaliland, which has self-declared independence from Somalia but is not recognized by any country, also criminalized human trafficking for the purposes of commercial sexual exploitation. However, despite new initiatives to address child labor, Somalia is receiving an assessment of minimal advancement because it continued to implement practices that delay advancement to eliminate child labor. During the reporting period, there is evidence that federal and state security forces continued to recruit and use children in armed conflict, in violation of national law. In other cases, government security forces detained children for suspected association with



armed groups, in some cases subjecting them to lengthy interrogations and coerced confessions. In addition, the government did not conduct worksite inspections in 2022. Children in Somalia are subjected to the worst forms of child labor, including in armed conflict. Children also perform dangerous tasks in street work. Somali laws do not criminally prohibit child labor trafficking, commercial sexual exploitation, or the recruitment of children by non-state armed groups. Furthermore, the government did not provide complete information on its criminal law enforcement efforts to address the worst forms of child labor for inclusion in this report.

## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Table I provides key indicators on children's work and education in Somalia. Data on some of these indicators are not available from the sources used in this report. (I)

Table 1. Statistics on Children's Work and Education

| Children                      | Age     | Related Entity            | Percent            |
|-------------------------------|---------|---------------------------|--------------------|
| Working (%)                   | 5 to 14 | Somalia (North East Zone) | 9.5 (Unavailable)  |
|                               | 5 to 14 | Somalia (Somaliland)      | 13.2 (Unavailable) |
| Attending School (%)          | 5 to 14 | Somalia (North East Zone) | 38.3               |
|                               | 5 to 14 | Somalia (Somaliland)      | 44.2               |
| Combining Work and School (%) | 7 to 14 | Somalia (North East Zone) | 4.7                |
|                               | 7 to 14 | Somalia (Somaliland)      | 6.6                |
| Primary Completion Rate (%)   |         | ·                         | Unavailable        |

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2023. (2)

Source for all other data: International Labor Organization's analysis from Multiple Indicator Cluster Survey 4 (MICS 4), 2011. (3)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

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

| Sector/Industry  | Activity  |
|--|---|
| Agriculture Farming, including planting, weeding, harvesting, and cleaning and packing crops (1,4-8) |   |
|  | Herding livestock, including goats, sheep, and camels (1,4,5,7,8)           |
|  | Fishing, including cleaning fish (1,4,7,8)                                  |
| Industry   | Construction, including crushing stones, mining, and excavating (1,4,7-10)  |
| Services   | Working as maids or domestic staff in hotels and private residences (4-6,8) |
|  | Domestic work (7,8)   |

### MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

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

| Sector/Industry                     | Activity  |
|-------------------------------------|---|
| Services                            | Street work, including shining shoes, washing cars, driving minibuses, vending, and transporting and selling $khat$ (a legal, amphetamine-like stimulant) (1,7,8,10)                      |
|                                     | Voluntarily recruited children used in hostilities by state armed groups (4,11)   |
| Categorical Worst<br>Forms of Child | Recruitment of children by state and non-state armed groups for use in armed conflict and supporting roles, including as cooks, porters, and informants, or to operate checkpoints (7,11) |
| Labor‡                              | Forced labor in domestic work, agriculture, herding livestock, breaking rocks, selling or transporting <i>khat</i> , begging, and construction work (7,8,11)                              |
|                                     | Use in illicit activities, including trafficking drugs, sometimes as a result of human trafficking (1,7,11)   |
|                                     | Commercial sexual exploitation as a result of human trafficking (7,8,11)  |

<sup>‡</sup> Child labor understood as the worst forms of child labor per se under Article 3(a)–(c) of ILO C. 182.

The Federal Government of Somalia (FGS) maintains limited territorial control outside populated areas. Al-Shabaab, a non-state armed group, occupies rural areas in south-central Somalia. (11) In 2022, as in previous years, Somalia recorded one of the world's highest numbers of child abductions by non-state actors. (12) State and non-state armed groups recruited at least 1,094 children during the reporting period. (12) Al-Shabaab, which forcibly recruited children as young as age 8 into its ranks, committed a majority of these violations in the first half of the reporting period, recruiting 902 children. (12) Al-Shabaab fighters infiltrate madrassas and mosques, using deception or coercion tactics to forcibly recruit victims, including children, into sexual slavery and combat and support roles. (11) Al-Shabaab also continued the practice of forcing communities to turn over male children to serve as child soldiers, imposing a financial penalty on families who refused to cooperate. (5,11-13) Moreover, Somalia's numerous clan militias reportedly recruited children for use in armed conflict. (4,11,12) Children from minority clan households are uniquely vulnerable to forced recruitment by military groups, including at school. (14) Research indicates that conflicting interpretations regarding the definition of children and the age of adulthood likely contribute to problems of child recruitment by armed forces and delays in legal and policy interventions to address the problem. (15)

The reporting period saw continued allegations of grave violations against children linked to federal and state government security forces, including recruitment and use, killing and maiming, and sexual violence. (12) Perpetrators included federal armed forces and security services, and regional forces and police in Galmudug, Jubaland, and Puntland. (12,16) In 2022, the UN verified the recruitment and use of children by the Somali Federal Defense and Police Forces (36 children recruited), National Intelligence and Security Agency (1 child recruited), Jubaland police and security forces (6 children recruited), Galmudug police and armed forces (9 children recruited), Puntland police and armed forces (44 children recruited), and clan militia (65 children recruited). (12) Child recruitment is in violation of Somalia's General Order No. I, which prohibits military personnel from recruiting and employing child soldiers. (17) In 2022, the IDP population grew due to both severe drought conditions and ongoing conflict. (18) IDPs, including children, remain acutely vulnerable to sex trafficking and forced labor. Non-state armed groups have been reported to recruit children in IDP communities. (18)

Somalia lacks a countrywide birth registration system, further complicating efforts to identify victims of child labor. Access to education further deteriorated during the year amidst recurrent climate shocks, including widespread famine, and protracted violence. (19,20) State and non-state forces occupied and damaged schools, further limiting access to educational facilities. (12) The limited number of public schools outside of Mogadishu and high fees charged by private schools also undercut enrollment rates. (7,14) Girls faced additional obstacles, including lower prioritization of girls' education and insufficient female teachers, which negatively affected girls' attendance and learning. (7,21) Pastoralist communities, which account for approximately 25 percent of Somalia's population, faced additional impediments to education, as their nomadic existence makes static schools impractical. Children and youth among these groups are considered at high risk of exploitation or recruitment into armed groups such as al-Shabaab. (5,14) For many IDP children, nearby schools do not exist; even where donors build temporary learning spaces, IDP children typically experienced disrupted education due to constant movement and unpredictable evictions from their camp homes. (9)

### II. LEGAL FRAMEWORK FOR CHILD LABOR

Somalia has ratified some key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

|         | Convention   | Ratification |
|---------|--|--------------|
| ETTOEN. | ILO C. 138, Minimum Age  |              |
| A TOTAL | ILO C. 182, Worst Forms of Child Labor   | ✓            |
|         | UN CRC   | ✓            |
|         | UN CRC Optional Protocol on Armed Conflict   |              |
|         | UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography |              |
|         | Palermo Protocol on Trafficking in Persons   |              |

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Somalia's legal framework to adequately protect children from the worst forms of child labor, including prohibiting the recruitment and use of children by non-state armed groups.

Table 4. Laws and Regulations on Child Labor

| Table 1: Laws and Regulations   |                                     |     |   |
|---|-------------------------------------|-----|---|
| Standard  | Meets<br>International<br>Standards | Age | Legislation   |
| Minimum Age for Work  | Yes                                 | 15  | Article 93 of the Labor Code; Article 38(1) of the Private Sector Employees Law (22,23)   |
| Minimum Age for Hazardous Work  | Yes                                 | 18  | Article 90 of the Labor Code; Article 38(2) of the Private Sector Employees Law; Article 29 of the Provisional Constitution (22-24) |
| Identification of Hazardous Occupations or Activities Prohibited for Children | No                                  |     | Articles 90 and 94 of the Labor Code; Articles 10 and 38(4) of the Private Sector Employees Law (22,23)                             |
| Prohibition of Forced Labor   | Yes                                 |     | Articles 455 and 464 of the Penal Code (25)   |
| Prohibition of Child Trafficking  | No                                  |     |   |
| Prohibition of Commercial Sexual Exploitation of Children                     | No                                  |     | Articles 403, 404, 407, and 408 of the Penal Code (25)  |
| Prohibition of Using Children in Illicit<br>Activities                        | No                                  |     |   |
| Minimum Age for Voluntary State Military<br>Recruitment                       | Yes                                 | 18  | General Order No. I (17)  |
| Prohibition of Compulsory Recruitment of Children by (State) Military         | Yes                                 |     | General Order No. I (17)  |
| Prohibition of Military Recruitment by Non-state Armed Groups                 | No                                  |     | Article 29 of the Provisional Constitution (24)   |
| Compulsory Education Age  | No                                  | 14‡ | Articles 13 and 15 of the General Education Law (26)  |
| Free Public Education   | Yes                                 |     | Article 14 of the General Education Law (26)  |

<sup>‡</sup> Age calculated based on available information (26)

Although the Provisional Constitution of 2012 does not provide a minimum age for employment, the 1972 Labor Code establishes age 15 as the minimum age for work. (22) Moreover, although the Labor Code establishes age 12 as the minimum age for light work and describes the conditions under which it may be undertaken, it neither determines the activities in which light work may be permitted nor prescribes the number of hours per week for light work. (22) In addition, the gap between the end of compulsory education and the minimum age for work leaves children aged 14 vulnerable to child labor because they are not required to attend school but may not legally work. (26,27) Furthermore, while the 1972 Labor Code enables the publication of a hazardous works list, the government has not determined by regulation the types of hazardous work prohibited for children. (5,22)

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Officials in the Somaliland region, which has self-declared independence from the FGS, have criminalized human trafficking for the purposes of commercial sexual exploitation; its president signed the new trafficking in persons law in June 2022. (9,28,29) However, the FGS lacks legislation prohibiting human trafficking, including of children, or the use of children in illicit activities. Laws prohibiting the commercial sexual exploitation of children also are not sufficient because the use, procuring, and offering of a child for prostitution, pornography, and pornographic performances are not criminally prohibited. (22) Furthermore, it appears that under Article 405 of the Criminal Code, children involved in prostitution are not protected from criminal charges. The Penal Code requires extensive updating, an effort that the international community has attempted to support without success. (22) Many fines in the Criminal Code equal less than \$1, which does not serve as an effective deterrent. (9,25)

## III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of enforcement agencies that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

| Organization/Agency                             | Role & Activities   |
|---|---|
| Somali Police Force (SPF)                       | Investigates and enforces laws related to the worst forms of child labor. (7) The Counter-Trafficking and Organized Crime Unit has six officers. Recognizes victims of human trafficking based on behavioral indicators and suspicious documents through the SPF's Airport Police Task Force. (30) Operates units dedicated to investigating cases of human trafficking for prosecution through the SPF Criminal Investigation Division. (31,32) In July 2022, Somali police forces received trainings from the UNODC related to countering trafficking in persons. (31)  |
| Ministry of Labor and<br>Social Affairs (MOLSA) | Investigates and enforces laws related to the worst forms of child labor. (7) MOLSA's mandate allows for inspections based on requests sent by other authorities such as the police, and inspectors are authorized to issue fines indirectly upon approval of a senior advisor in the ministry. (7) MOLSA's regional office in Banadir employs 35 labor inspectors. (7,31) MOLSA also maintains an Office for the Senior Advisor on Child Labor under its Department of Legal and Labor Relations. The senior advisor, who oversees a staff of six, is charged with drafting and implementing a national action plan to address the worst forms of child labor in Somalia. (8,33,34) MOLSA also coordinates informally with other government ministries on child labor-related issues, including SPF, the National Intelligence and Security Agency, and the Immigration and Naturalization Directorate. (7,31) |
| Ministry of Defense                             | Operates separately from civilian law enforcement bodies and leads efforts to eliminate the use of child recruitment and abduction by al-Shabaab. (5) Through the Child Protection Unit, screens Somali National Army units for child soldiers. (7) Raises awareness of child soldier issues and works with international partners and donors to implement standard operating procedures on protecting children associated with armed conflict. (7) Works in concert with SPF, which is responsible for investigating and enforcing laws against the worst forms of child labor. (9)  |

## **Labor Law Enforcement**

In 2022, labor law enforcement agencies in Somalia took actions to address child labor (Table 6). However, the absence of worksite inspections conducted at the national level in Somalia may have impeded the enforcement of child labor laws.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

| Overview of Labor Law Enforcement                                 | 2021     | 2022        |
|---|----------|-------------|
| Labor Inspectorate Funding  | \$0 (4)  | \$0 (7)     |
| Number of Labor Inspectors  | 35 (4)   | 35 (7)      |
| Mechanism to Assess Civil Penalties                               | Yes (22) | Yes (22)    |
| Training for Labor Inspectors Provided                            | No (35)  | Unknown (7) |
| Number of Labor Inspections Conducted at Worksite                 | 0 (35)   | 0 (7)       |
| Number of Child Labor Violations Found                            | N/A (35) | N/A (7)     |
| Number of Child Labor Violations for Which Penalties Were Imposed | N/A (35) | N/A (7)     |
| Number of Child Labor Penalties Imposed that Were Collected       | N/A (35) | N/A (7)     |

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

| Overview of Labor Law Enforcement  | 2021     | 2022        |
|--|----------|-------------|
| Routine Inspections Conducted  | No (35)  | Unknown (7) |
| Routine Inspections Targeted   | No (35)  | Unknown (7) |
| Unannounced Inspections Permitted  | Yes (22) | Yes (22)    |
| Unannounced Inspections Conducted  | No (35)  | Unknown (7) |
| Complaint Mechanism Exists   | Yes (4)  | Yes (7)     |
| Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services | No (4)   | No (7)      |

Research indicates that the Government of Somalia does not have an adequate number of labor inspectors to carry out their mandated duties. (7,36,37) The labor inspectorate does not have any dedicated funding and research was not able to confirm if labor inspections were conducted in 2022. (7)

## **Criminal Law Enforcement**

In 2022, criminal law enforcement agencies in Somalia took actions to address child labor (Table 7). However, gaps exist within the operations of enforcement agencies that may hinder adequate criminal law enforcement, including insufficient financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

| Overview of Criminal Law Enforcement  | 2021         | 2022        |
|---|--------------|-------------|
| Training for Criminal Investigators Provided  | Yes (38)     | Unknown (7) |
| Number of Investigations  | Unknown (38) | Unknown (7) |
| Number of Prosecutions Initiated  | Unknown (38) | 0 (7)       |
| Number of Convictions   | Unknown (38) | 0 (7)       |
| Imposed Penalties for Violations Related to the Worst Forms of Child Labor            | No (4)       | No (7)      |
| Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services | Yes (9,39)   | Yes (7,39)  |

Somalia is a federal republic comprising five semi-autonomous Federal Member States (FMS), the selfdeclared breakaway region of Somaliland, and the FGS, which is based in Mogadishu. (40) The FMS command separate police forces and some FMS have separate military forces, which are not under the FGS chain of command. (41,42) Puntland enforcement agencies include the Puntland Ministry of Justice, which prosecutes human trafficking cases and security forces that investigate and enforce human trafficking laws within Puntland. Somaliland police, meanwhile, investigate human trafficking crimes within the Somaliland region. (7) Moreover, the Somaliland Attorney General's Office prosecutes human trafficking cases in the Somaliland region. (7) Federal and regional governments did not provide information on their criminal law enforcement efforts for inclusion in this report. However, research indicates that Galmudug, Jubaland, and Puntland forces recruited children during the reporting period. (31) In addition, although a general command order barring the recruitment and use of children by the Somali National Army remained in effect during the reporting period, government security forces also recruited and used children in 2022, highlighting gaps in enforcement and uneven command and control of some units. (43) There is no evidence that the FGS or member states prosecuted offenders during the reporting period. (44,45) Moreover, the Juvenile Justice Law of Puntland defines a child as anyone age 14 and under; consequently, the government detained and issued prison sentences, including life imprisonment, to children between the ages of 15 and 18 for their association with armed groups. (13) In addition, the Child Protection Unit does not refer cases relating to child soldiers to the civilian justice system; however, it would theoretically prosecute violations in the military justice system. (5) Detained children have sometimes been interrogated without legal representation and coerced into signing or recording confessions. (13,24,44)

The government, working with UNICEF and other NGOs, has established a limited mechanism for case management, family tracing and reunification, and the provision of social services in response to trafficking in persons and other related worst forms of child labor. (30,39) Despite this effort, Somalia lacks a standardized system to effectively respond to child labor cases. (38)

MINIMAL ADVANCEMENT - EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

## IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The FGS has established a key mechanism to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including a lack of a coordination mechanism to address all worst forms of child labor.

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

| Coordinating Body  | Role & Activities  |
|--|--|
| Inter-ministerial Committee on Children and Armed Conflict (ICCAC) | Implements the 2012 Action Plan to Eliminate Recruitment and Use of Child Soldiers, the Action Plan to End the Killing and Maiming of Children in Contravention of International Law, the 2019 roadmap to end and prevent grave violations against children. (46,47) Co-chaired by the Child Protection Unit and UNICEF, includes other Ministry of Defense officials, representatives of the Ministry of Women and other relevant ministries, and UN officials. (46,47) In 2022, the UN Country Task Forces on Monitoring and Reporting (CTFMR) met with ICCAC to establish a joint process to monitor the implementation of the 2019 roadmap. Participants included federal counterparts, the Director Generals and Child Protection Focal Points from the Federal Ministry of Women and Human Rights Development and the Ministries of Defense, Justice, and Internal Security. (46,47) The federal government agreed to lead accountability mechanisms for grave violations identified by the CTFMR. (46,47) |

Although Somalia has a coordinating mechanism to address child soldier issues, it does not have coordinating mechanisms to address other forms of child labor, including forced labor in domestic work, agriculture, and herding livestock.

### V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including the lack of scope of existing policies to address all worst forms of child labor.

Table 9. Key Policies Related to Child Labor

| Policy                              | Description & Activities  |
|-------------------------------------|---|
| National Employment<br>Policy       | Provides the Somali National Tripartite Consultative Committee with a roadmap for improving labor conditions, including stipulations related to child labor. Designed with ILO support under a Joint UN Project on Youth Employment in Somalia that was adopted in February 2019. (5,48) In 2022, the Federal Government of Somalia (FGS) and federal member states in collaboration with the ILO continued preliminary work to conduct an assessment of child labor in Somalia, which will form the basis of a forthcoming National Action Plan to Address the Worst Forms of Child Labor. (8,32) The plan calls for the deployment of a national child labor prevalence survey and numerous stakeholder meetings, including with line ministries from Somalia's federal member states. (8)  |
| UN Child Soldier Action<br>Plans    | Establish a strategy for identifying and removing children from the Somali National Army through education and monitoring of military camps. (9) In 2012, FGS committed to two UN action plans to end grave violations against children, including the Action Plan to Eliminate Recruitment and Use of Child Soldiers and the Action Plan to End the Killing and Maiming of Children in Contravention of International Law. In October 2019, the government committed to a UN Roadmap to expedite the implementation of the two action plans. (49) The adoption of the 2019 Roadmap to Prevent the Recruitment and Use of Children in Armed Conflict was designed to address grave violations, including recruitment and use. (50) Federal governments, including Southwest and Galmudug, made efforts to implement both the 2012 action plan and the 2019 roadmap in 2022. Somalia's Ministry of Defense, for example, collaborated with other security forces, including the Somali Federal Darwish Police and SPF, on child protection-related issues. (44,45) |
| Somalia Social Protection<br>Policy | Develops and strengthens components of a national social protection system, including safety net programs. Provisions include a guaranteed income floor for vulnerable households and families with children under age five. (51,52) The tiered policy is designed to protect the poorest strata of society from sinking into destitution, prevent the moderately poor from sliding into extreme poverty, and promote the livelihoods of at-risk populations. (5) The policy focuses, in part, on mitigating the vulnerability of IDPs and other populations to gender-based violence and human trafficking. (4,30) A Shock Responsive Safety Net for Human Capital Project was created to implement the Somalia Social Protection Policy. (53) The project provides cash transfers to targeted poor and vulnerable households. As of October 2022, across 880 villages 200,000 households benefited from the project in 21 districts. (53,54)  |

Although the government has some policies that address child soldiers, research found no evidence of any policies to address child labor in agriculture, industry, street work, commercial sexual exploitation, or domestic work.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2022, the government funded and participated in programs that include the goal of eliminating child labor (Table 10). However, gaps exist in these social programs, including the inadequacy of programs to address the full scope of the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

| Program   | Description & Activities  |
|---|---|
| ACT to Protect<br>Children Affected by<br>Armed Conflict† | FGS awareness-raising initiative launched under the auspices of a global UN advocacy campaign highlighting children in armed conflict. (55) Child Protection Units disseminate radio and print media content regarding the prevention of child recruitment and conscription in armed conflict. Research was unable to determine whether activities were undertaken to implement the program during the reporting period. (7,31)   |
| Donor-Funded<br>Programs                                  | UNICEF partnerships with the FGS Ministry of Defense to address issues related to the recruitment and use of child soldiers in Somalia. (39) Includes the Defectors Reintegration Program that rehabilitates and reintegrates former combatants, emphasizing the specific needs of former child soldiers, including demobilized female combatants and their dependents. (39) Six different centers provide accommodations, medical care, psychological counseling, education, and vocational training to former combatants. (39) In 2022, UNICEF also partnered with the Ministry of Education to ensure that 107,811 children (including 50,095 girls) remained enrolled in 355 primary schools at risk of closure in drought-affected regions. (56) |

For information about USDOL's projects to address child labor around the world, visit https://www.dol.gov/agencies/ilab/ilab-project-page-search † Program is partially funded by the FGS. (57)

Although the FGS implemented programs to address child soldiers and child trafficking, research found that existing programs were insufficient to address the scope of other child labor problems, including in street work and forced labor in agriculture.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Table 11. Suggested Government Actions to Eliminate Child Labor

| Area               | Suggested Action  | Year(s) Suggested |
|--------------------|---|-------------------|
| Legal<br>Framework | Ratify the UN CRC Optional Protocol on Armed Conflict.  | 2013 – 2022       |
|                    | Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography.   | 2013 – 2022       |
|                    | Ratify the Palermo Protocol on Trafficking in Persons.  | 2013 – 2022       |
|                    | Clarify whether the pre-1991 Labor Code and Penal Code are still in effect under the Federal Government of Somalia.   | 2009 – 2022       |
|                    | Ensure that the law's light work provisions specify the activities in which light work may be undertaken and limit the number of hours for light work.      | 2009 – 2022       |
|                    | Determine by national law or regulation the types of hazardous work prohibited for children, after consultation with employers' and workers' organizations. | 2009 – 2022       |
|                    | Raise the compulsory education age from 14 to 15 years to be commensurate with the minimum age for work.  | 2009 – 2022       |
|                    | Criminally prohibit using, procuring, and offering a child for prostitution, pornography, and pornographic performances.                                    | 2015 – 2022       |
|                    | Ensure that penalties for the commercial sexual exploitation of children are sufficiently stringent to deter violations.                                    | 2013 – 2022       |
|                    | Ensure that the law protects children involved in commercial sexual exploitation from criminal charges.   | 2011 – 2022       |
|                    | Criminally prohibit child trafficking for the purposes of labor and sexual exploitation in the Federal and Member States.                                   | 2009 – 2022       |

### MINIMAL ADVANCEMENT - EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

## Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

| Area                   | Suggested Action   | Year(s)<br>Suggested |
|------------------------|--|----------------------|
| Legal<br>Framework     | Criminally prohibit the use of children in illicit activities.   | 2009 – 2022          |
|                        | Criminally prohibit the recruitment of children under age 18 by non-state armed groups.  | 2016 – 2022          |
| Enforcement            | Ensure that the labor inspectorate has dedicated funding.  | 2021 – 2022          |
|                        | Ensure that labor inspections are conducted at worksites, including unannounced inspections and in targeted sectors in which child labor most frequently occurs.   | 2021 – 2022          |
|                        | Institutionalize training for labor inspectors, including by training new labor inspectors at the beginning of their employment.   | 2021 – 2022          |
|                        | Increase the number of labor inspectors from 35 to 79 to ensure adequate coverage of the labor force.  | 2020 – 2022          |
|                        | Establish a referral mechanism between the labor inspectorate and social welfare services for children subjected to child labor.   | 2014 – 2022          |
|                        | Publish information on criminal law enforcement efforts.   | 2021 – 2022          |
|                        | Ensure that criminal law enforcement officials receive sufficient training and resources to investigate, prosecute, and convict violators of the worst forms of child labor.   | 2012 – 2022          |
|                        | Cease the recruitment and use of child soldiers by the Somali Police Force, the National Intelligence and Security Agency, and the Somali National Army, as well as Galmudug, Jubaland, and Puntland forces and all allied militia. Investigate, prosecute, and punish, as appropriate, all commanders who recruit and use children.   | 2015 – 2022          |
|                        | Ensure that children associated with armed groups are referred to social services providers while ceasing the practices of detaining them with adults, subjecting them to lengthy interrogations without legal representation, eliciting coerced confessions, and imposing long prison terms.  | 2015 – 2022          |
| Coordination           | Establish a robust coordination mechanism that addresses all forms of child labor, including in forced labor in domestic work, agriculture, and herding livestock.   | 2009 – 2022          |
| Government<br>Policies | Adopt policies to address child labor in agriculture, industry, street work, domestic work, and commercial sexual exploitation.  | 2018 – 2022          |
| Social                 | Adopt a countrywide birth registration system to facilitate the identification of child labor victims.   | 2019 – 2022          |
| Programs               | Conduct a national child labor prevalence survey, including data on the number of children working and attending school.   | 2022                 |
|                        | Enhance efforts to eliminate barriers to education and make education accessible and safe for all children by removing all armed groups from educational facilities, constructing schools outside Mogadishu, removing enrollment fees, and ensuring that girls, IDP children, and nomadic and rural children have access.  | 2013 – 2022          |
|                        | Develop programs to address all forms of child labor, including in street work and forced labor in agriculture. Expand the scope of existing programs to address the use of children in armed conflict, including awareness raising on worst forms of child labor and international standards related to the definition of a child in the context of work and participation in armed conflict. | 2009 – 2022          |
|                        | Publish activities undertaken by the ACT to Protect Children Affected by Armed Conflict program.   | 2022                 |

#### **REFERENCES**

- Federal Government of Somalia. ILOs Reporting on the Worst Forms of Child Labour, Convention 182. November 2019. Source on file.
- 2 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 15, 2023. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. http://data.uis.unesco.org/
- 3 ILO.Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 4 (MICS 4), 2011. Analysis received March 2023. Please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 4 U.S. Embassy- Somalia. Reporting. January 14, 2022.
- 5 U.S. Mission- Somalia. Reporting. January 20, 2020.
- 6 U.S. Mission- Somalia. Reporting. January 25, 2019.
- 7 U.S. Embassy- Mogadishu. Reporting. January 13, 2023.
- 8 ILO.Assessment of the Child Labour Situation in Somalia. April 6, 2021. Source on file.
- 9 U.S. Embassy- Mogadishu. Reporting. January 31, 2021.

- ILO Committee of Experts. Individual Direct Request concerning Worst Forms of Child Labour Convention (No. 182) Somalia (ratification: 2014) Published: 2018.
  - https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\_COMMENT\_ID:3963529:NO
- U.S. Department of State Trafficking in Persons Report- 2022: Somalia.
   Washington D.C., July, 19, 2022.
   https://www.state.gov/reports/2022-trafficking-in-persons-report/somalia/
  - UN. Secretary-General Annual Report on Children and Armed Conflict. June 5, 2023:A/77/895-S/2023/363.
  - https://documents-dds-ny.un.org/doc/UNDOC/GEN/N23/144/96/PDF/N2314496.pdf?OpenElement
- Human Rights Watch. "It's Like We're Always in a Prison": Abuses Against Boys Accused of National Security Offenses in Somalia. February 2018. https://www.hrw.org/sites/default/files/report\_pdf/somalia0218\_web.pdf
- USAID. Joint Multi-Cluster Needs Assessment. September 2018. https://reliefweb.int/sites/reliefweb.int/files/resources/reach\_som\_initial\_findings\_report\_joint\_multi\_cluster\_needs\_assessment\_2018.pdf
- 15 U.S Embassy- Mogadishu official. E-mail communication to USDOL official. June 16, 2023.

- 16 UN Security Council. Children and Armed Conflict: Report of the Secretary-General. November 13, 2020. https://undocs.org/S/2020/1113
- 17 Federal Government of Somalia. General Order 1. Enacted: July 22, 2011. Source on file.
- 18 UNICEF Somalia Humanitarian Situation Report No. 11. December, 2022. https://www.unicef.org/somalia/media/3296/file/SitRep November 2022.pdf
- 19 Walsh, Declan. Trapped between extremists and extreme weather Somalis brace for famine. The New York Times, November 21, 2022. https://www.nytimes.com/2022/11/21/world/africa/somalia-famine-al-shabab-climate.html
- 20 Button, Hannah. Famine projected in Somalia as widespread areas of Eastern Horn face extreme need. Agrilinks, September 12, 2022. https://agrilinks.org/post/famine-projected-somalia-widespread-areaseastern-horn-face-extreme-need
- 21 ILO. Observation (CEACR) adopted 2020, published 109th ILC session (2021).

  https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100
  :P13100 COMMENT ID:4049494:NO
- 22 Government of Somalia. Law No. 65 to Promulgate the Labour Code. Enacted: October 18, 1972. https://www.ilo.org/dyn/natlex/natlex4.detail?p\_isn=16530
- 23 Republic of Somaliland. Private Sector Employees Law. Enacted: 2004. http://www.somalilandlaw.com/Xeerka\_Shaqaalaha\_Rayidka\_2010Final.pdf
- 24 Federal Republic of Somalia. Provisional Constitution. Enacted: August 1, 2012. http://hrlibrary.umn.edu/research/Somalia-Constitution2012.pdf
- 25 Government of Somalia. Penal Code, Legislative Decree No. 5 of 16. Enacted: December 1962. http://www.somalilandlaw.com/Penal\_Code\_English.pdf
- 26 Federal Government of Somalia. General Education Law. Enacted: July 30, 2017. Source on file.
- 27 U.S. Mission- Somalia. Reporting. February 6, 2018.
- 28 Bhalla, Nita. Somaliland elders approve 'historic' law criminalising rape. Reuters, April 9, 2018. https://www.reuters.com/article/us-somalia-women-rape/somaliland-elders-approve-historic-law-criminalising-rape-idUSKBN1HG2PR
- 29 Republic of Somaliland. Countering Trafficking in Person and Smuggling of Migrants Act. Act No: 101/2021. Source on file.
- 30 U.S. Embassy- Mogadishu. Reporting. February 9, 2021.
- 31 U.S. Embassy- Mogadishu. Reporting. January 21, 2023.
- 32 U.S. Embassy- Mogadishu official. E-mail communication to USDOL official. February 8, 2023.
- 33 U.S. Department of Labor reporting. Meeting Notes USDOL and Director General, MOSLA. September 28, 2020.
- 34 Somali Federal Republic, Ministry of Labor and Social Affairs. Work plan for Child Labor Department. 2020. Source on file.
- 35 Government of Somalia official. E-mail communication to USDOL official. April 5, 2022.
- 36 UN. World Economic Situation and Prospects 2023 Statistical Annex. New York, 2023. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/publication/world-economicsituation-and-prospects-2023/
- 37 ILO. Modelled estimates and projections (ILOEST) on population and labour force. February 7, 2022. Labor force data are modelled on a combination of demographic and economic explanatory variables by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://ilostat.ilo.org/data/
- 38 U.S. Embassy- Mogadishu. Reporting, January 30, 2022.
- 39 UNICEF. Somalia: Humanitarian Situation Report No. 12. December 2020. https://www.unicef.org/media/91641/file/UNICEF Somalia Humanitarian Situation Report No 12 Jan - Dec 2020.pdf

- Ministry of Planning, Investment and Economic Development Federal Republic of Somalia. Federal Member States (FMS). Copyright 2022. Accessed: April 4, 2023. https://mop.gov.so/federal-member-states/
- 41 UN Security Council. Children and Armed Conflict in Somalia: Report of the Secretary-General. March 4, 2020. https://www.undocs.org/en/S/2020/174
- 42 Horton, Michael. How Somaliland Combats al-Shabaab. Combating Terrorism Center at West Point. November 2019. https://ctc.usma.edu/somaliland-combats-al-shabaab/
- 43 UN Security Council. Working Group on Children and Armed Conflict: Conclusions on children and armed conflict in Somalia. August 11, 2020. http://web.archive.org/web/20220202011531/https://undocs.org/pdf?symbol=en/S/AC.51/2020/6
- 44 UN Security Council. Children and Armed Conflict: Report of the Secretary-General on Children and armed conflict. May 6, 2021. (A/75/873-S/2021/437). https://www.un.org/ga/search/view\_doc.asp?symbol=S/2021/437&Lang=E&Area=UNDOC
- 45 U.S. Department of State official. E-mail correspondence to USDOL official. June 23, 2021.
- 46 UN Reporting. July 6, 2022. Source on file.
- 47 UN Reporting. October 25, 2022. Source on file.
- 48 ILO. National employment policy for Somalia finalized. February 27, 2019. https://www.ilo.org/africa/media-centre/pr/WCMS\_673622/lang--en/index. htm
- 49 United Nations Assistance Mission in Somalia. UN, Somalia recommit to end the recruitment and use of child soldiers. October 30, 2019. https://unsom.unmissions.org/un-somalia-recommit-end-recruitment-and-use-child-soldiers
- 50 UN Security Council. Children and Armed Conflict: Report of the Secretary-General. June 9, 2020. https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/15-June-2020\_ Secretary-General\_Report\_on\_CAAC\_Eng.pdf
- 51 Federal Government of Somalia, Ministry of Labour and Social Affairs. Somalia Social Protection Policy. March 2019. https://reliefweb.int/sites/reliefweb.int/files/resources/MoLSA-Somalia-FINAL-min.pdf
- 52 Monitoring and Evaluation Monitor, and Director of Legal and Labor Relations Department, Somali MOLSA. Skype interview with USDOL officials. May 7, 2020. Source on file.
- 53 Al-Ahmadi, Afrah & Zampaglione, Giuseppe . From Protracted Humanitarian Relief to State-led Social Safety Net System: Somalia Baxnaano Program. World Bank Group, January 2022. https://openknowledge.worldbank.org/bitstream/handle/10986/36864/From-Protracted-Humanitarian-Relief-to-State-led-Social-Safety-Net-System-Somalia-Baxnaano-Program.pdf?sequence=1&isAllowed=y
- 54 The World Bank. Developing a State-led Social Safety Net System to Boost Human Capital and Build Resilience in Somalia: The Baxnaano Program. October 10, 2022.
  - https://www.worldbank.org/en/results/2022/10/10/developing-a-state-led-social-safety-net-system-to-boost-human-capital-and-build-resilience-in-somalia-the-baxnaano-prog
- 55 UN Special Representative of the Secretary-General for Children and Armed Conflict. Act to Protect children affected by conflict. January 27, 2020. https://childrenandarmedconflict.un.org/act-to-protect-children-affectedby-armed-conflict/
- 56 UNICEF. Somali Humanitarian Situation Report No. 12. January 2023. https://www.unicef.org/somalia/media/3416/file/SitRep January-December 2022.pdf
- 57 U.S. Mission- Somalia. Reporting. March 13, 2020.