

# Senegal

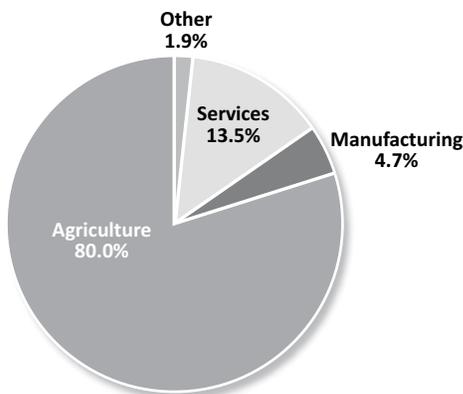
*In 2011, Senegal made a minimal advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the Government implemented a national task force to combat trafficking in persons and continued efforts to target street children, particularly those engaged in forced begging. However, Senegal's laws do not fully protect children from child labor. In particular, laws contain exceptions allowing children to work in underground mines and quarries. Although both the Ministry of Labor and the police force have units dedicated to enforcing laws related to child labor and child protection, these enforcement agencies lack adequate resources and jurisdiction to effectively carry out their work. In addition, redundancy among government agencies and interagency bodies tasked with combating child labor results in confusion about each body's scope of responsibility and also impedes effective coordination and implementation of the efforts. Children in Senegal continue to engage in the worst forms of child labor, including in dangerous activities in agriculture.*



### Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	15.6 (457,784)
Attending School	5-14 yrs.	50.3
Combining Work and School	7-14 yrs.	7.1
Primary Completion Rate		59.2

### Working Children by Sector, Ages 5-14



**Sources:**

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

**All other data:** Understanding Children's Work Project's analysis of statistics from HHS Survey, 2007.(2)

### Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Senegal are engaged in the worst forms of child labor, primarily in dangerous activities in agriculture.(3) Children working in agriculture may use dangerous tools, carry heavy loads and apply pesticides.(3-6) Limited evidence suggests that children in rural areas also work in forestry and cattle herding, which may expose them to disease or injury.(3,4, 6)

Children also work in the fishing sector.(4-6) In Senegal, fishing sometimes involves the use of explosives to kill large quantities of fish.(7) Children in fishing are also susceptible to other risks such as drowning.(8)

Children are also engaged in domestic service.(4-6, 9-11) Children employed as domestics may work long hours and are isolated in private homes where they are susceptible to physical and sexual exploitation.(10) Many child domestics are victims of human trafficking. Girls as young as age 10 are brought from abroad and from rural areas in Senegal to work as domestics in the country's urban centers.(4, 9, 12, 13) Similarly, children are trafficked domestically and internationally for work in prostitution and sex tourism.(5, 9, 12-14) Limited evidence suggests that both girls and boys are involved in commercial sexual exploitation, sometimes with the involvement of adult pimps.(13)

In Senegal, it is traditional practice to send boys to Koranic teachers called *marabouts* to receive education, which may include vocational training and apprenticeship. Some *marabouts* force their students, called *talibés*, to beg on the streets for money and food and to surrender their earnings.(6, 9, 12, 15-17) *Marabouts* typically set a daily quota that *talibés* must meet or otherwise face beatings.(6, 12, 15, 16)

Some *talibés* who fail to meet quotas are forced to spend the night on the street.(16) Tens of thousands of *talibés*, mostly under age 12, are estimated to be in situations of forced begging. On the streets, they work long hours and are vulnerable to car accidents, disease and severe weather, including scorching heat.(16) These boys often live in overcrowded, unsanitary conditions; receive inadequate food and medical care; and are vulnerable to sexual exploitation.(16) According to various stakeholders, including the ILO Committee of Experts, the problem of forced begging appears to be increasing in Senegal.(14, 18)

*Talibés* are typically trafficked to major cities from rural areas within Senegal and from neighboring countries.(4, 6, 9, 16, 19) Senegalese children are also trafficked to The Gambia and to Mauritania where religious teachers force them to beg.(20) Although evidence is limited, there is reason to believe some *talibés* are used to harvest cashews, mangoes and oranges.(6) These children typically work long hours. In the Casamance Region, *talibés* working in the fields are exposed to land mines left from a 29-year conflict in the region.(6, 21) Though evidence is limited, *talibés* in Thies reportedly collect garbage from homes, sometimes carrying very heavy loads.(22)

Other children engage in street work independently. They typically vend goods, shine shoes and wash cars.(4, 14, 23) Children working on the streets are vulnerable to severe weather, traffic accidents and crime.(24)

Children in Senegal work in dangerous conditions in gold mines. Though the extent of the problem is unknown, children also work in salt mines and rock quarries.(4, 6, 9, 11, 25-29) They are exposed to unsafe and unhealthy working conditions such as carrying heavy loads, sifting through dirt using mercury to attract precious metals and working without protective gear.(6, 7, 26, 28, 29) Children also perform dangerous work in construction, automobile repair, metal and wood work as well as at dumpsites.(6, 20, 30)

## Laws and Regulations on the Worst Forms of Child Labor

The Labor Code sets the minimum age for employment, including apprenticeships, at 15.(31) However, section L.145 of the Labor Code grants the Minister of Labor authority to waive the minimum age based on local needs.(32) *Arrêté ministériel n° 3750* and *3751* prohibit children from working in hazardous conditions and identify circumstances in which children under age 18 cannot work or can only work under certain conditions.(33, 34) An exception within these laws allows boys under age 16 to work in underground mines and quarries if they are doing “light work,” such

as sorting and loading ore, handling and hauling trucks within specified weight limits and handling ventilation equipment.(4, 17, 32, 34, 35) However, limiting children to “light work” does not protect them against the common dangers associated with underground mining, including noise-induced hearing loss, heat stroke, rock falls, fires, explosions, equipment accidents, entrapment, electrocution and radon exposure; therefore, this exception is inconsistent with the international standards set forth by ILO Convention 138.(36) *Arrêté ministériel n° 3749* prohibits activities considered to be worst forms of child labor and includes, among others, forced labor, slavery, prostitution, begging for a third party, drug trafficking, scavenging garbage, slaughtering animals, work with dangerous products and work that imperils the health, safety or morality of children.(37)

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	17
	Free Public Education	Yes

The Constitution bans forced labor.(4) Senegalese law also defines slavery as a crime against humanity.(5) The minimum age for compulsory military recruitment is 20, while the minimum age for voluntary recruitment is 18.(4, 38)

The Penal Code prohibits the procurement of a person into prostitution or acting as an intermediary for prostitution. If the crime involves a minor younger than age 13, sentences are more severe.(39) The Penal Code also prohibits using, procuring or offering a child for pornography.(35) Law nNo.° 2005-06 prohibits all forms of trafficking and provides stringent penalties.(40) Law °No. 2005-02 proscribes begging and establishes penalties for those who enable, coerce or force others to beg for their profit.(5) Research did not find laws that fully protect children from being involved in illicit activities.

The Constitution mandates state provision of free education.(41, 42) Law No. 2004-2037 requires children to attend school until the age of 17.(4)

## Institutional Mechanisms for Coordination and Enforcement

The Government of Senegal has established several bodies tasked with coordinating efforts to combat worst forms of child labor. The Interagency Committee Against Child Labor, chaired by the Ministry of Labor (MOL), is responsible for coordinating initiatives to address child labor.(4, 18) The committee comprises employers' organizations, 20 ministries, religious leaders, international agencies and governors from various regions.(43) Though a new coordinator was appointed in October 2011, the committee was reported to be nonfunctional during the reporting period.(18, 44) Despite limited technical support from the ILO, the committee does not receive program funding from the Government.(18)

The Ministry of Family (MOF) coordinates another national committee against child labor.(4) In 2010, the Government formed a third body with child labor in its purview, the National Task Force Against the Mistreatment of Persons, in Particular Women and Children (NTAMP), which came into existence formally in February 2011. The Task Force is charged with reporting on human trafficking in Senegal and with coordinating efforts to combat the problem.(9) During the reporting period, NTAMP was largely inactive and received only a minimal budget of \$20,000.(18) Redundancy between these three bodies creates confusion and hinders effective collaboration and implementation of efforts.(5, 16)

The MOL is responsible for enforcing child labor laws through the Labor Inspections Office and the use of social security inspectors.(4, 22) Labor inspectors monitor and enforce minimum age and all other labor laws in the formal sector, which includes state-owned corporations, private enterprises and cooperatives.(20, 22) If an incident of child labor is found during an inspection, the inspector informs the business owner that the child should be removed from work. If the child is not removed within the specified timeframe, the case is turned over to a local tribunal for adjudication.(22) As this process does not penalize violators on their first offense, it may not deter employers from exploiting children in the workplace.

Based on the most recent data available, approximately 147 MOL employees are charged with carrying out labor inspections.(22) The MOL's Child Labor Unit is responsible for maintaining a database of child labor violations and for monitoring and evaluating child labor activities. However, the Unit's work is carried out through part-time contributions of MOL staff, whose primary responsibilities are to other

units.(43, 44) No child labor violations were reported as a result of inspections during the reporting period.(4)

The Ministry of Justice and the Senegalese police lead enforcement efforts involving child trafficking, begging, commercial sexual exploitation and the use of children for illicit activities.(4, 20) However, with few exceptions, Koranic schools (*daaras*) are not subject to government regulation or inspection.(16) The Ministry of Education intends to create a *daara* inspection unit, increase monitoring and integrate religious schools into the national education system.(45)

The Children's Unit of the Senegalese police force specializes in child protection. However, the Unit's territorial jurisdiction is limited to Dakar and the office employs only two agents.(4, 5) Though other police stations in Senegal are expected to report cases involving children to the Unit, research found no evidence that this occurs regularly.(5) There is also a police vice squad responsible for combating sex tourism, including sex tourism related to children. The vice squad patrols tourist areas, including beaches, hotels, bars, nightclubs and massage parlors.(5) Local police and *gendarmes* are responsible for intervening in cases where children face physical abuse in forced labor situations.(4)

During the reporting period, two *marabouts* were arrested for severely beating the students they had forced to beg on the street. They were charged with child abuse. No charges related to child trafficking or child labor have been brought against the men.(18) Otherwise, there were no investigations, prosecutions or convictions involving child labor during the reporting period.(18)

## Government Policies on the Worst Forms of Child Labor

In December 2011, the MOF's Office of Child Protection released a National Strategy for the Protection of Children. This policy would create a national body to coordinate child protection efforts from a social policy, rather than a justice or law enforcement, perspective. As of the end of the reporting period, the Strategy was awaiting full government approval.(18)

The Government of Senegal has adopted the National Action Plan to Combat Trafficking (in persons). The Plan's goals include enhancing the legal framework, effectively implementing laws, providing effective protection and care for victims, and strengthening social and education initiatives for vulnerable children.(5, 9, 13, 14)

The Government has integrated child labor issues into several relevant development policies. These policies include the United Nations Development Assistance Framework

(2007-2011); the Ten-Year Education and Training Program (2000-2015), which aims to provide quality, universal primary education to all children by 2015; the Poverty Reduction Strategy Paper (2006-2010), which promotes better conditions for *talibés* and focuses on social protection and risk management for vulnerable groups, including children; and the National Social Protection Strategy (2005-2015), which classifies children as a specific vulnerable group and includes provisions for their protection against harmful practices, exploitation and violence.(4, 46-50)

### Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

The MOF continues to run the Project to Fight Against the Mistreatment of and the Worst Forms of Child Labor, led by the MOF's Office of Protection of the Rights of Children.(18) The Project aims to enhance government capacity to design and implement local initiatives to address child trafficking and other worst forms of child labor, particularly forced begging, forced labor of girls and commercial sexual exploitation.(4, 5) At the local level, technical monitoring committees, composed of public and private stakeholders, oversee the implementation of the project. As a result of the program, some departmental governments have developed individual action plans to address child labor.(5) During the reporting period, the MOF's Department of Child Protection provided training to approximately 120 government officials on the 2005 anti-trafficking legislation.(9)

The Project includes various initiatives to specifically combat forced begging among *talibés*. During the reporting period, the Project published a book that cited arguments grounded in Islam against the mistreatment of children and child begging. The book was distributed to 4,600 individuals, including religious and government leaders.(11, 18) The Government of Senegal also conducted trainings throughout the country to educate parents and communities about the dangers involved in sending children to *daaras* in which they may be forced to beg.(18) The MOF worked to enhance the capacity of Local Community Committees, training them to identify children in forced begging and refer them to the appropriate services.(18)

The Government continues efforts to build and promote "modern *daaras*," where students receive Koranic instruction as well as courses in reading, writing and mathematics.(18) Approximately 60,000 students now attend these government-supported *daaras*.(11) The Government also participates in the USAID-funded Basic Education Program to improve the quality of and access to education. A key objective of the program is to ensure *talibés* receive basic education.(51) However, given the rising number of *talibés* in forced begging,

current government programs are not extensive enough to effectively combat the problem.(16, 18)

The Government of Senegal currently participates in several multimillion dollar projects to eliminate the worst forms of child labor, including a 4-year, \$5.2 million regional Spanish-funded project and a 3-year and a \$1.79 million UN-funded project to ameliorate the conditions of at-risk children in Senegal.(52) The regional project focuses on the development and implementation of national action plans to combat the worst forms of child labor.(52) In addition, the project seeks to enhance sustainable action from national government institutions, private sector actors, and civil society organizations. The UN-funded project, which will run through 2012, is working to enhance awareness, monitoring and prevention of the worst forms of child labor in Thies.(53)

The Government also continues to participate in a 3-year, \$7.9 million regional project funded by USDOL. The project is designed to strengthen ECOWAS's Child Policy and Strategic Plan of Action and to develop programs focusing on child trafficking as it pertains to the Strategic Plan.(54) In December 2010, the Government began participating in a second USDOL-funded regional project. The \$5 million, 3-year project is meant to expand and extend the work of the initial project.(55)

The Ginddi Center is the only fully government-run shelter in Senegal that serves abused and vulnerable children, including runaway *talibés*, street children and child trafficking victims.(6, 11) The Center provides shelter, food, education, vocational training, family mediation, and medical and psychological care.(4-6, 9, 16) It also operates a toll-free child protection hotline through which the public can report violations of children's rights, including instances of child labor abuses.(5, 9) The Government of Senegal also oversees the country's NGO-run children shelters, contributing technical assistance and staff. However, these shelters are often filled to capacity and the total number of facilities is insufficient in relation to the number of children on the streets.(16, 18)

During the reporting period, the Government responded to a conflict-driven increase in the number of internally displaced persons (IDPs) by supplying food to and enrolling children of IDPs in schools in Ziguinchor.(6) The Government estimated that there are 10,000 IDPs in the Casamance Region, while other estimates place the number of IDPs as high as 40,000.(6)

Despite the efforts discussed above, existing programs do not target commercial sexual exploitation, domestic service or hazardous work in agriculture, mining and forestry.

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Although education is free and the Senegal Basic Education Project (2009-2013) allocates grants to NGOs committed to reducing the dropout rate, some families are prevented from sending their children to school because they cannot afford

to pay for books, uniforms or other supplies.<sup>(56)</sup> In addition, some girls reportedly left school after being sexually harassed by school staff and as a result of early pregnancy.<sup>(6)</sup>

## Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Senegal:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Amend the Labor Code so that the only exceptions to the minimum age for employment are consistent with international standards, specifically those set out by ILO Convention 138.	2011
	Amend the law to prohibit all children under age 18 from engaging in any work in underground mines and quarries.	2009, 2010, 2011
	Ensure laws fully protect children from all illicit activities.	2011
Coordination and Enforcement	Ensure the effectiveness of coordinating mechanisms on child labor by: <ul style="list-style-type: none"> <li>Facilitating regular meetings of responsible bodies to actively work towards achieving mandates.</li> <li>Eliminating redundancy and defining distinct scopes of responsibility.</li> <li>Providing adequate funding and resources to relevant bodies.</li> </ul>	2010, 2011
	Penalize labor law violators on their first offense to create a stronger disincentive to illegally employ children.	2010, 2011
	Assess the sufficiency of resources provided to authorities tasked with enforcing child labor laws, particularly the Child Labor Unit of the MOL.	2010, 2011
	Act swiftly to create and adequately equip a <i>daara</i> inspection unit to increase monitoring and remediation of forced begging practices in Koranic schools.	2010, 2011
	Expand the jurisdiction and capacity of the Children's Unit of the Senegalese police force or implement systems to connect local police forces and the unit to better track and combat child labor.	2010, 2011
	Approve and implement the National Strategy for the Protection of Children.	2011
	Develop new and expand existing programs to combat the worst forms of child labor, by: <ul style="list-style-type: none"> <li>Opening more shelters and service centers for abused and vulnerable children, including <i>talibés</i>, street children and child trafficking victims.</li> <li>Establishing more extensive programming to address the most pressing worst forms of child labor, including forced begging, commercial sexual exploitation, domestic service and hazardous work in agriculture, mining and forestry.</li> </ul>	2010, 2011
Assist families to ensure all children may attend school.	2010, 2011	
Expand programs to address the special needs of girls.	2011	

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