

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Senegal became a member of ILO-IPEC in 1997.³⁸⁷⁴ In the next year, the government launched the implementation of the national plan to eliminate child labor with assistance from ILO-IPEC.³⁸⁷⁵ The program works to strengthen national capacity, raise awareness, and improve national formal and non-formal education opportunities, social and legal protection for children, and working and living conditions.³⁸⁷⁶ Through ILO-IPEC, the government will begin implementation of a Time-Bound Program in 2004 that will focus on child begging, employment of girls in domestic service, and dangerous work in farming and fishing.³⁸⁷⁷

In 2002, the Government of Senegal, in cooperation with the Government of Italy and UNICEF, launched a 4-year program to support efforts to withdraw children in Senegal from the worst forms of child labor, including child begging, child domestic work, and the sexual exploitation of children.³⁸⁷⁸ The government also cooperates with UNICEF to build government and civil society capacity to protect children in need of special protection.³⁸⁷⁹ In July 2001, the Government of Senegal joined other countries in francophone West Africa in Ouagadougou to launch an inter-parliamentary committee to study child trafficking.³⁸⁸⁰ The government is also participating in a pilot program to create a migration statistics unit for West Africa, and cooperated in a regional survey that recorded prostitution and trafficking cases from 1998 to 2001.³⁸⁸¹

In 2000-2001, the Government of Senegal began implementing a 10-Year Education and Training Program, and adopted a national plan of action on Education for All.³⁸⁸² These initiatives aim to achieve universal enrollment in primary education by 2010;³⁸⁸³ leverage non-government resources to help expand access to education; reform

³⁸⁷⁴ ILO-IPEC, *All About IPEC: Programme Countries*, [online] August 13, 2001 [cited June 30, 2003]; available from http://www.ilo.org/public/english/standards/ipecc/about/countries/t_country.htm.

³⁸⁷⁵ U.S. Department of State, *Country Reports on Human Rights Practices- 2002: Senegal*, Washington, D.C., March 31, 2003, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18223.htm>. See also U.S. Embassy- Dakar, *unclassified telegram no. 3552*, August 2000. In 1994, the government adopted a National Plan of Action to Improve the Conditions of Child Workers. See ECPAT International, *Mission Report on West Africa*, Bangkok, August-October 2000, 5. The National Plan of Action targets four groups of children: young female domestic workers, apprentices, independent workers, and rural working children. See U.S. Embassy- Dakar, *unclassified telegram no. 3552*.

³⁸⁷⁶ ILO-IPEC, *Francophone Africa: New IPEC Initiatives Make Significant Inroads*, [online] [cited August 14, 2003]; available from <http://www.ilo.org/public/english/standards/ipecc/about/factsheet/facts14.htm>.

³⁸⁷⁷ U.S. Embassy- Dakar, *unclassified telegram no. 2131*, August 2003. See also ILO-IPEC, *Support for the implementation of the Senegal Time-Bound Programme*, project document, Geneva, September 2003.

³⁸⁷⁸ ILO-IPEC, *Senegal Time-Bound*, project document, 24.

³⁸⁷⁹ The program includes capacity building for government and nongovernment stakeholders, the creation of counseling centers for children, the establishment of a monitoring system to track conditions of working children, and awareness raising for families and the public about working children. See ECPAT International, *Mission Report on West Africa*, 5.

³⁸⁸⁰ "West African Countries Set Up a Body to Stem Child Trafficking," *Agence France Presse*, July 31, 2001.

³⁸⁸¹ U.S. Department of State, *Trafficking in Persons Report- 2003: Senegal*, Washington, D.C., June 11, 2003; available from <http://www.state.gov/g/tip/rls/tiprpt/2003/21277.htm>.

³⁸⁸² Government of Senegal, *Synthèse et Réalisations du Gouvernement—Ministère de l'Éducation Avril 2000 - Décembre 2001*, [online] [cited August 14, 2003]; available from <http://www.primature.sn/ministeres/meduc/bilan02.html>. See also Government of Senegal, *Senegal: Enhanced Structural Adjustment Facility Economic and Financial Policy Framework Paper: 1999-2001*, prepared in consultation with the International Monetary Fund and World Bank, Dakar, June 4, 1999, Section VI.A [cited August 14, 2003]; available from <http://www.imf.org/external/np/pfp/1999/senegal/index.htm>. See also UNESCO, *Education for All 2000 Assessment: Country Reports- Senegal*, prepared by Ministry of National Education, pursuant to UN General Assembly Resolution 52/84, 2000, [cited August 14, 2003]; available from <http://www2.unesco.org/wef/countryreports/senegal/contents.html>.

³⁸⁸³ Government of Senegal, *Senegal: Enhanced Structural Adjustment Facility*. Due to a delay in beginning implementation of the plan, the end year was updated from 2008 to 2010. See U.S. Department of State official, electronic communication regarding Constitution of Senegal to USDOL official, August 18, 2003.

non-formal education opportunities; improve the management of education; and reconcile education management with the decentralization process.³⁸⁸⁴ It also seeks to increase the enrollment rates of girls and to improve the quality of teaching, among other goals.³⁸⁸⁵ The World Bank has launched the Quality Education for All Project for Senegal, which supports the implementation of the government's Education and Training Program and covers the first three years of the ten-year program.³⁸⁸⁶ USAID,³⁸⁸⁷ UNICEF,³⁸⁸⁸ and other international donors have also continued to support programs to improve access to basic education, particularly for girls. With funding from USDA and collaboration and support from the Government of Senegal and WFP, Counterpart International launched a school feeding program in September 2002.³⁸⁸⁹ The government also has programs underway to assist children in Koranic schools.³⁸⁹⁰

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 26.5 percent of children ages 10 to 14 years in Senegal were working.³⁸⁹¹ Children can be found working on rural family farms, and in fishing, gold and salt mining, stone quarries, and small businesses, and many Koranic students are involved in organized street begging.³⁸⁹² Children are also reported to be working in domestic service, public transportation, and dumpsites, and subject to sexual exploitation.³⁸⁹³ Senegal is a source and transit country for women and girls trafficked to Europe, South Africa and the Middle East for sexual exploitation.³⁸⁹⁴ Children are also trafficked to Senegal from surrounding countries, and some Koranic teachers in Senegal's urban centers bring children from rural areas of Senegal, holding them under conditions of involuntary servitude.³⁸⁹⁵

Articles 21 and 22 of the Constitution adopted in January 2001 guarantee access to education for all children.³⁸⁹⁶ Education is compulsory up to the age of 12, but this is not enforced due to a shortage of schools.³⁸⁹⁷ However,

³⁸⁸⁴ Government of Senegal, *Senegal: Enhanced Structural Adjustment Facility*, Section VI. A. See also UNESCO, *EFA 2000 Assessment- Senegal*.

³⁸⁸⁵ Government of Senegal, *Senegal: Enhanced Structural Adjustment Facility*. See also UNESCO, *EFA 2000 Assessment- Senegal*.

³⁸⁸⁶ World Bank, *Quality Education for All Project*, November 5, [cited November 5, 2003]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P047319>. See also World Bank, *Country Status Report, Prepared for the January 2003 Meeting: Senegal*, Washington, D.C., January, 2003; available from <http://www.worldbank.org/afr/SenegalCG2003/SPA%20-%20English.pdf>.

³⁸⁸⁷ USAID launched a girls' education project as part of its Education for Development and Democracy Initiative in fiscal year 1999, which is scheduled to end in fiscal year 2005. See USAID, *Senegal: Activity Data Sheet 685-008*, [cited September 13, 2002]; available from <http://www.usaid.gov/country/afr/sn/685-008.html>.

³⁸⁸⁸ UNICEF, *Girls' Education in Senegal*, [cited September 13, 2002]; available from http://www.unicef.org/programme/girlseducation/action/ed_profiles/Senegalfinal.PDF.

³⁸⁸⁹ U.S. Department of Agriculture Foreign Agricultural Service, *The Global Food for Education Pilot Program, Senegal: Counterpart International, Inc.*, FASonline, [report online] February, 2003 [cited June 18, 2003]; available from <http://www.fas.usda.gov/excredits/gfe/congress2003/africa.htm#Senegal:%20Counterpart%20International,%20Inc>.

³⁸⁹⁰ U.S. Department of State, *Trafficking in Persons Report- 2003: Senegal*.

³⁸⁹¹ World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003.

³⁸⁹² U.S. Department of State, *Country Reports- 2002: Senegal*, Section 6d. See also Djiga Thiao et. al., *Etude des Pires Formes de Travail des Enfants dans le Secteur de la Peche Artisanale Maritime Senegalaise: Rapport final*, Dakar, December, 2002. See also Serigne Mor Mbaye et. al., *Le Travail des Enfants dans l'Orpaillage, les Carrières et l'Exploitation du Sel*, Dakar, March, 2003.

³⁸⁹³ ILO-IPEC, *Senegal Time-Bound, project document*, v.

³⁸⁹⁴ U.S. Department of State, *Trafficking in Persons Report- 2003: Senegal*.

³⁸⁹⁵ Ibid. See also Philip Roskamp, U.S. Department of State official, electronic communication to USDOL official, February 23, 2004.

³⁸⁹⁶ *Constitution*, (January 7, 2001); available from <http://www.primature.sn/textes/constitution.pdf>.

³⁸⁹⁷ U.S. Department of State, *Country Reports- 2002: Senegal*, Section 5.

the government has increased the number of classrooms and encouraged children, particularly girls, to attend school.³⁸⁹⁸ In 2000, the gross primary enrollment rate was 74.8 percent (79.3 percent for boys and 70.3 percent for girls) and the net primary enrollment rate was 63.1 percent (66.3 percent for boys and 59.9 percent for girls).³⁸⁹⁹ Primary school attendance rates are unavailable for Senegal. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.³⁹⁰⁰ In 1999, 72.3 percent of children enrolled in primary school reached grade 5.³⁹⁰¹

Child Labor Laws and Enforcement

The Constitution, by reference to the Convention on the Rights of the Child, protects children from economic exploitation and from involvement in hazardous work.³⁹⁰² The minimum age for employment is 15 years.³⁹⁰³ The Ministry of Labor has responsibility for the enforcement of child labor laws and monitors and enforces the restrictions in the formal sector.³⁹⁰⁴

In June 2003, the Minister of Labor issued four regulations on child labor that set the minimum age and working hours and conditions based on ILO conventions, identified the worst forms of child labor, defined hazardous work that is forbidden to children and young people, and listed companies and handicrafts where child labor is forbidden. In March 2003, the Ministry of Fisheries passed a regulation that prohibits children under 16 on fishing vessels.³⁹⁰⁵

Prostitution of children is illegal in Senegal, as specified by Article 327 of the Criminal Code.³⁹⁰⁶ Article 319, Section 5 of the Criminal Code, makes any offense against the decency of a child punishable by imprisonment for 2 to 5 years, and in certain cases (Articles 320–321) punishable by up to 10 years in prison. Procuring a minor for prostitution is punishable by imprisonment for 2 to 5 years and a fine of 300,000 (USD 526.36) to 4,000,000 (USD 7,018.14) (Articles 323–324).³⁹⁰⁷ Forced and compulsory labor, including by children, is prohibited by law.³⁹⁰⁸ There is no specific anti-trafficking legislation, but the law prohibits the sale of persons, abduction and hostage-taking.³⁹⁰⁹

The Government of Senegal ratified ILO Convention 138 on December 15, 1999 and Convention 182 on June 1, 2000.³⁹¹⁰

³⁸⁹⁸ Ibid.

³⁸⁹⁹ World Bank, *World Development Indicators 2003*.

³⁹⁰⁰ For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

³⁹⁰¹ World Bank, *World Development Indicators 2003*.

³⁹⁰² U.S. Department of State, *Country Reports- 2002: Senegal*, Section 6d. See also U.S. Department of State official, electronic communication regarding Constitution of Senegal, August 18, 2003. See also *Constitution*.

³⁹⁰³ ILO-IPEC, *Senegal Time-Bound, project document*, 17.

³⁹⁰⁴ U.S. Department of State, *Country Reports- 2002: Senegal*, Section 6d.

³⁹⁰⁵ U.S. Embassy- Dakar, *unclassified telegram no. 2131*.

³⁹⁰⁶ *Criminal Code of Senegal*, in Interpol, *Legislation of Interpol Member States on Sexual Offenses against Children: Senegal*, [database online] [cited June 19, 2003]; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaSenegal.asp>.

³⁹⁰⁷ Government of Senegal, *Criminal Code, Section V: Offenses Against Public Morals*, as cited in The Protection Project Legal Library, [database online]; available from <http://209.190.246.239/protectionproject/statutesPDF/Senegal.pdf>. For currency conversion see FXConverter, [online] [cited July 1, 2003]; available from <http://www.oanda.com/convert/classic>.

³⁹⁰⁸ U.S. Department of State, *Country Reports- 2002: Senegal*, Section 6c.

³⁹⁰⁹ Ibid., Section 6f.

³⁹¹⁰ ILO, *Ratifications by Country*, ILOLEX, [database online] [cited June 18, 2003]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.