

Senegal

Incidence and Nature of Child Labor

UNICEF estimated that 40.4 percent of children ages 5 to 14 years were working in Senegal in 2000.³⁵⁵¹ Children are found working in activities that the Government of Senegal has identified as the worst forms of child labor. These activities include: child begging; forced child labor; prostitution; drug trafficking and illegal activities; recycling of waste and garbage; and slaughtering of animals. The government has also identified “extremely hard labor,” including carrying heavy loads, gold mining, and work underwater; and “very dangerous work,” including work with toxic chemicals, as the country’s worst forms of child labor.³⁵⁵² Children can be found working on rural family farms, and in fishing, gold and salt mining, stone quarries, and small businesses. Accurate statistics are unavailable, but many Koranic students are involved in organized and exploitive street begging.³⁵⁵³ Children are also reported to be working in domestic service, public transportation, and dumpsites.³⁵⁵⁴

Senegal is a source and transit country for child trafficking to Europe for sexual exploitation.³⁵⁵⁵ Senegal is also a destination country for children trafficked from surrounding countries.³⁵⁵⁶ Most trafficking victims are young males forced into exploitive begging for Koranic teachers.³⁵⁵⁷ These boys, known as *talibés*, spend the majority of the day begging for their Koranic teachers and are vulnerable to sexual and other exploitation.³⁵⁵⁸ Domestically, some Koranic teachers bring children from rural areas to Senegal’s major

³⁵⁵¹ Government of Senegal, *Multiple Indicator Cluster Survey 2, 2000*; available from http://www.ucw-project.org/cgi-bin/ucw/Survey/Main.sql?come=Tab_Country_Res.sql&ID_SURVEY=218. For more information on the definition of working children, please see the section in the front of the report entitled Statistical Definitions of Working Children.

³⁵⁵² ILO, *NATLEX National Labour Law Database*, [cited March 18, 2004], Arrêté no. 003749/MFPTEOP/DTSS du 6 juin 2003, Arrêté no. 51/MFPTEOP/DTSS du 6 juin 2003, Arrêté no. 50/MFPTEOP/DTSS du 6 juin 2003; available from http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_country=SEN&p_classification=04&p_origin=COUNTRY. See also U.S. Embassy- Dakar, *unclassified telegram no. 2131*, August 2003.

³⁵⁵³ U.S. Department of State, *Country Reports on Human Rights Practices- 2003: Senegal*, Washington, D.C., February 25, 2004, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27748.htm>. See also 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 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.

³⁵⁵⁴ ILO-IPEC, *Support for the implementation of the Senegal Time-Bound Programme*, project document, Geneva, September 2003, v.

³⁵⁵⁵ U.S. Department of State, *Country Reports- 2003: Senegal*, Section 6f. See also U.S. Department of State, *Trafficking in Persons Report- 2004: Senegal*, Washington, D.C., June 14, 2004; available from <http://www.state.gov/g/tip/rls/tiprpt/2004/33189.htm>.

³⁵⁵⁶ U.S. Department of State, *Country Reports- 2003: Senegal*, Section 6f. See also ECPAT International, *Senegal*, in ECPAT International, [database online] n.d. [cited May 11, 2004]; available from http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/countries.asp?arrCountryID=152&CountryProfile=facts,affiliation,humanrights&CSEC=Overview,Prostitution,Pronography,trafficking&Implement=Coordination_cooperation,Prevention,Protection,Recovery,ChildParticipation&Nationalplans=National_plans_of_action&orgWorkCSEC=orgWorkCSEC&DisplayBy=optDisplayCountry.

³⁵⁵⁷ U.S. Embassy- Dakar official, email communication to USDOL official, May 31, 2005.

³⁵⁵⁸ ECPAT International, *Senegal*.

cities, holding them under conditions of involuntary servitude.³⁵⁵⁹ Children from Guinea and Guinea-Bissau can also be found begging in Senegal's streets as part of this exploitive practice.³⁵⁶⁰

There are reports of Gambian girls working in the Senegalese sex industry.³⁵⁶¹ Senegalese girls are reported to work in Gambia in conditions of sexual exploitation, and some who go for domestic service become vulnerable to commercial sexual exploitation.³⁵⁶²

Articles 21 and 22 of the Constitution adopted in January 2001 guarantee access to education for all children.³⁵⁶³ A new law passed in 2004 made education compulsory and free up to the age of 16. Due to limited resources and low demand for secular education in areas where Islamic education is more prevalent, however, the law is not fully enforced.³⁵⁶⁴ In 2001, the gross primary enrollment rate was 75.3 percent (79.0 percent for boys and 71.5 percent for girls) and the net primary enrollment rate was 57.9 percent (61.2 percent for boys and 54.5 percent for girls).³⁵⁶⁵ Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. Recent primary school attendance statistics are not available for Senegal. As of 2000, 67.5 percent of children who started primary school were likely to reach grade 5.³⁵⁶⁶

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.³⁵⁶⁷ The minimum age for employment, including apprenticeships, is 15 years,³⁵⁶⁸ although children 12 years and older may perform light work within a family setting.³⁵⁶⁹ Children are prohibited from working at night and on Sundays and holidays, and cannot work more than 8 hours a day.³⁵⁷⁰ Activities considered to be the worst forms of child labor or

³⁵⁵⁹ U.S. Department of State, *Country Reports- 2003: Senegal*, Section 6d.

³⁵⁶⁰ *Ibid.*, Section 6f. See also ECPAT International, *Senegal*.

³⁵⁶¹ ECPAT International, *Senegal*.

³⁵⁶² *Ibid.*

³⁵⁶³ *Constitution*, (January 7, 2001); available from <http://www.primature.sn/textes/constitution.pdf>.

³⁵⁶⁴ U.S. Department of State, *Country Reports- 2003: Senegal*, Section 5. See also U.S. Embassy- Dakar official, email communication to USDOL official, May 26, 2004. See also USAID official, email communication U.S. Embassy- Dakar official, May 12, 2004. See also U.S. Embassy- Dakar official, email communication, May 31, 2005.

³⁵⁶⁵ World Bank, *World Development Indicators 2004* [CD-ROM], Washington, D.C., 2004.

³⁵⁶⁶ *Ibid.*

³⁵⁶⁷ U.S. Department of State, *Country Reports- 2003: Senegal*, Section 6d. See also U.S. Department of State official, electronic communication regarding Constitution of Senegal to USDOL official, August 18, 2003. See also *Constitution*.

³⁵⁶⁸ *Code du Travail*, Loi No. 97-17, (December 1, 1997), Article L. 145; available from <http://www.gouv.sn/textes/TRAVAIL.cfm>.

³⁵⁶⁹ ILO, NATLEX, Arrêté no. 003748/MFPTEOP/DTSS du 6 juin 2003 relatif au travail des enfants.

³⁵⁷⁰ *Ibid.*

that endanger the health, security, or morality of children are also prohibited by law.³⁵⁷¹ In addition, children under 16 are prohibited from working on fishing vessels.³⁵⁷²

According to the U.S. Department of State, the Ministry of Labor closely monitors and enforces minimum age laws in the formal sector, including in state-owned corporations, large private enterprises, and cooperatives.³⁵⁷³

Prostitution is illegal for youths under the age of 21, as specified by Article 327 of the Penal Code.³⁵⁷⁴ Procuring a minor for the purpose of prostitution is punishable by imprisonment for 2 to 5 years and a fine of 300,000 to 4,000,000 CFA francs (USD 542.28 to USD 7,230.35).³⁵⁷⁵ The Labor Code prohibits forced and compulsory labor.³⁵⁷⁶ At the end of 2004 there was no specific anti-trafficking legislation, but the law prohibited the sale of persons, abduction, and hostage-taking.³⁵⁷⁷

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

The Government of Senegal is participating in a USD 2 million USDOL-funded Timebound Program focused on child labor in agriculture, fishing, begging, and domestic service.³⁵⁷⁸ The Family Ministry, in cooperation with the Government of Italy and UNICEF, has a similar program to withdraw children from the worst forms of child labor, including begging, domestic work, and sexual exploitation.³⁵⁷⁹ As part of this program, in 2004, the government sensitized over 5,000 youths to the dangers of underage prostitution.³⁵⁸⁰ UNICEF also works

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	12/15/1999	✓
Ratified Convention 182	6/1/2000	✓
ILO-IPEC Member		✓
National Plan for Children		
National Child Labor Action Plan		✓
Sector Action Plan (Commercial Sexual Exploitation)		✓

³⁵⁷¹ Ibid., Arrêté no. 003749/MFPTEOP/DTSS du 6 juin 2003, Arrêté no. 51/MFPTEOP/DTSS du 6 juin 2003, Arrêté no. 50/MFPTEOP/DTSS du 6 juin 2003. See also U.S. Embassy- Dakar, *unclassified telegram no. 2131*.

³⁵⁷² U.S. Embassy- Dakar, *unclassified telegram no. 2131*.

³⁵⁷³ U.S. Department of State, *Country Reports- 2003: Senegal*, Section 6d. Labor and Social Security inspectors can require a medical exam to ensure that work does not exceed a child's capabilities. See *Code du Travail*, Articles L. 141, L. 46.

³⁵⁷⁴ *Criminal Code of Senegal*, in Interpol, *Legislation of Interpol Member States on Sexual Offenses against Children: Senegal*, [database online] [cited March 25, 2004]; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaSenegal.asp>.

³⁵⁷⁵ Government of Senegal, *Criminal Code, Section V: Offenses Against Public Morals*, as cited in The Protection Project Legal Library, [database online], Articles 323, 24; available from <http://209.190.246.239/protectionproject/statutesPDF/Senegal.pdf>. For currency conversion see FXConverter, [online] [cited May 11, 2004]; available from <http://www.oanda.com/convert/classic>.

³⁵⁷⁶ *Code du Travail*, Article L. 4.

³⁵⁷⁷ U.S. Department of State, *Country Reports- 2003: Senegal*, Section 6f. Several members of the Senegalese Police and Gendarmerie recently completed a training course on recognizing, investigating, prosecuting, and preventing trafficking. See U.S. Department of State, *Trafficking in Persons Report- 2004: Senegal*.

³⁵⁷⁸ The 3-year program was funded in 2003. See International Child Labor Program U.S. Department of Labor, "Support for the Implementation of the Senegal Time-Bound Program, project summary."

³⁵⁷⁹ The 4-year program was launched in 2002. See ILO-IPEC, *Senegal Time-Bound, project document*, 24.

³⁵⁸⁰ U.S. Embassy- Dakar official, email communication, May 31, 2005.

to increase basic education enrollment, particularly for girls, and operates a school-feeding program in the Casamance region of Senegal.³⁵⁸¹

The government continues to participate in a USAID girls' education project, which is part of its Education for Development and Democracy Initiative,³⁵⁸² and continues to work to achieve its Ten-Year Education and Training Program.³⁵⁸³ This initiative aims to achieve universal enrollment in primary education by 2010.³⁵⁸⁴ The World Bank funds the Quality Education for All Project in Senegal, due to close in December 2004, which supports the implementation of the government's educational policy framework. The project's three components focus on increasing access to education; improving educational quality; and supporting personnel management, decentralized planning, community participation, financial management, and policy, monitoring, and program evaluation.³⁵⁸⁵ The government encourages conventional as well as non-conventional modes of education, including community-based schools and Koranic schools.³⁵⁸⁶ To reduce the incidence of exploitive begging, the Family Ministry has developed a new program to help support Koranic schools whose teachers do not force their students into exploitive begging. This program currently includes 48 Koranic schools.³⁵⁸⁷

In March 2004, the government participated in a workshop in Mali to discuss regional strategies for addressing child trafficking in West Africa.³⁵⁸⁸ In July 2004, Senegal signed a bilateral agreement with Mali to combat child trafficking between the two countries.³⁵⁸⁹ Since 2003, Senegal's Family Ministry has operated the "Ginddi Center" in Dakar to receive and care for street children, including trafficking victims.

³⁵⁸¹ UNICEF, *At a glance: Senegal*, in UNICEF, [online] n.d. [cited March 25, 2004]; available from <http://www.unicef.org/infobycountry/senegal.html>.

³⁵⁸² The project is scheduled to end in fiscal year 2005. See USAID, *Senegal: Activity Data Sheet 685-008*, [previously online] [cited September 13, 2002]; available from <http://www.usaid.gov/country/afr/sn/685-008.html> [hard copy on file].

³⁵⁸³ Implementation of the program began in 2000-2001. See Government of Senegal, *Synthèse et Réalisations du Gouvernement-- Ministère de l'Éducation Avril 2000 - Décembre 2001*, [previously online] [cited August 14, 2003]; available from <http://www.primature.sn/ministeres/meduc/bilan02.html> [hard copy on file]. 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>.

³⁵⁸⁴ 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, August 18, 2003.

³⁵⁸⁵ World Bank, *Quality Education for All Project*, [online] [cited May 12, 2004]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P047319>.

³⁵⁸⁶ UNICEF, *At a glance: Senegal*.

³⁵⁸⁷ U.S. Embassy- Dakar official, email communication, May 31, 2005.

³⁵⁸⁸ IOM, "Mali - Workshop on Child Trafficking in West Africa", IOM, [online], March 23, 2004 [cited May 11, 2004]; available from <http://www.iom.int/en/archive/pbn230304.shtml>.

³⁵⁸⁹ UN Wire, "Mali Signs Agreement With Senegal To Curb Child Trafficking", [online], July 23, 2004 [cited July 23, 2004]; available from http://www.unwire.org/UNWire/20040723/449_26148.asp.

Pursuant to Senegal's 2004 anti-trafficking accord with Mali, trafficked Malian children are kept at the Ginddi Center prior to repatriation.³⁵⁹⁰

Senegal has been named among the first group of countries eligible to apply for aid under the U.S. Millennium Challenge Account.³⁵⁹¹

³⁵⁹⁰ At the Ginddi Center children receive educational, medical, nutritional and other assistance. See U.S. Embassy- Dakar official, email communication, May 31, 2005.

³⁵⁹¹ Eligibility for the Millennium Challenge Account is based on satisfying requirements for good governance, rule of law, and economic reform. Countries selected may submit funding proposals indicating priorities for economic growth. See Elise Labott, "U.S. picks 16 nations eligible for new aid fund", CNN.com, [online], May 10, 2004 [cited May 11, 2004]; available from <http://www.cnn.com/2004/US/05/10/us.millennium.challenge/index.html>.