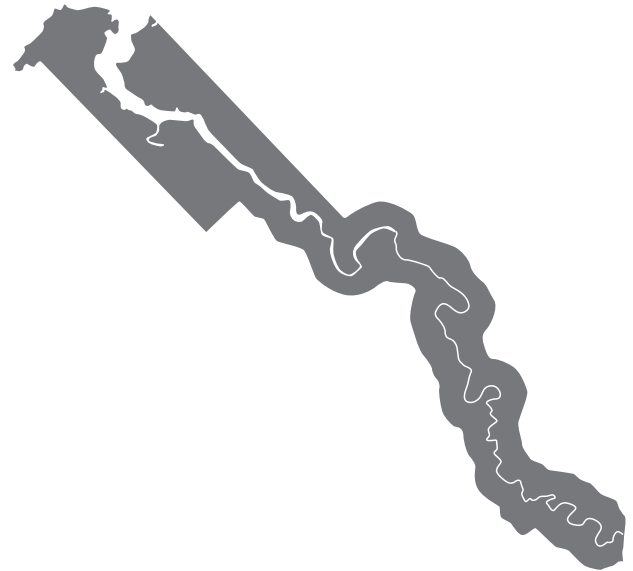


The Gambia

The Government of The Gambia has made efforts to combat the worst forms of child labor through its existing legal framework and by incorporating the issue into its Poverty Reduction Strategy. Children continue to be engaged, however, in the worst forms of child labor in street work, domestic service, commercial sexual exploitation, and agriculture. Enforcement actions are limited and programs are not sufficient to reach children in all vulnerable sectors.

Statistics on Working Children and School Attendance

Children	Age	Percent
Working	5-14 yrs.	36.4%
Attending School	5-14 yrs.	65.7%
Combining Work and School	7-14 yrs.	29.6%



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in The Gambia are exploited in the worst forms of child labor,¹⁸⁹⁰ many of them in street vending, domestic service, commercial sexual exploitation and agriculture.¹⁸⁹¹ Working girls engage in street vending, selling food items such as sweets, water, and fruits for their parents.¹⁸⁹² Working boys are found hauling items, sweeping, and collecting taxi or bus fares.¹⁸⁹³ Children working on the streets are exposed to a variety of risks, which may include severe weather, accidents caused by proximity to vehicles, and vulnerability to criminal elements. Domestic and agricultural work may expose children to unsafe and unhealthy conditions as well. Child domestic servants may be required to work long hours and be vulnerable to physical and sexual exploitation by their employer. Agricultural labor may involve using potentially dangerous machinery and tools, carrying heavy loads, and applying harmful pesticides.

Children in The Gambia have been known to sell drugs for their parents, especially cannabis.¹⁸⁹⁴

The practice of sending boys to Koranic teachers to receive education is a tradition in The Gambia.¹⁸⁹⁵ This may include a vocational or apprenticeship component. While some of these boys, known locally as *almudos*, receive lessons, many are forced to beg by their teachers for money and food.¹⁸⁹⁶

The commercial sexual exploitation of children, including prostitution and child sex tourism, continues to be a serious problem in The Gambia.¹⁸⁹⁷

Within The Gambia, children are trafficked for domestic service and commercial sexual exploitation, including in the tourism industry.¹⁸⁹⁸ Boys from Senegal are trafficked to The Gambia for forced begging, and Gambian boys are trafficked to Senegal for this purpose as well.¹⁸⁹⁹ Gambian girls are trafficked to Senegal for domestic service.¹⁹⁰⁰

Laws and Regulations on the Worst Forms of Child Labor

The Labor Law of 2007 prohibits children, defined as persons under 18 from engaging in agricultural, industrial, or non-industrial work, but permits light

work at age 16.¹⁹⁰¹ The Gambian Children's Act specifically prohibits the economic exploitation of children under 18, barring them from night work, hazardous work, and work that interferes with a child's education.¹⁹⁰² It defines hazardous labor and protects children from working in specific industries such as seafaring, mining, and quarrying. It also forbids children from carrying heavy loads; working in manufacturing industries where chemicals are produced or in places where machines are used; as well as in bars, hotels, and places of entertainment where a child may be exposed to immoral behavior.¹⁹⁰³ Additionally, the Children's Act applies to both, the formal and informal sectors.¹⁹⁰⁴

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	No
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	18
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	12
	Free Public Education	Yes

Forced or compulsory labor, including by children, is prohibited by law.¹⁹⁰⁵ The trafficking of children is specifically prohibited under multiple Gambian laws.¹⁹⁰⁶ Under the Children's Act, which typically takes precedence over other legislation, child trafficking offenses are punishable by life imprisonment.¹⁹⁰⁷ The Tourism Offenses Act of 2003 prohibits child prostitution, trafficking, and pornography.¹⁹⁰⁸ The Children's Act and Trafficking in Persons Act prohibit promoting child prostitution and procuring a child for sexual exploitation in The Gambia.¹⁹⁰⁹ Additionally, the Children's Act prohibits

the procurement, use, or offering of a child for the production or trafficking of drugs.¹⁹¹⁰

Children are required to attend school until age 12. Children ages 12 to 17 may be particularly vulnerable to the worst forms of child labor because they are old enough to be out of school but are not eligible to legally work.

Finally, children under age 18 may not be recruited into the Armed Forces.¹⁹¹¹

Institutional Mechanisms for Coordination and Enforcement

The Department of Labor, the Department of Social Welfare, and The Gambia Tourism Authority are responsible for enforcing laws related to the worst forms of child labor and maintain regular contact with each other through joint committees or task forces.¹⁹¹² The Department of Justice is the lead agency for coordinating anti-trafficking efforts; it serves as the Executive Secretariat for the Anti-Trafficking National Task Force and continues to employ one dedicated officer for trafficking.¹⁹¹³

The Department of Labor relies on tips or allegations to investigate possible child labor violations. The Department employs four labor inspectors to conduct all workplace inspections including child labor allegations.¹⁹¹⁴ In 2009 these inspectors performed 45 inspections involving alleged cases of child labor in factories, supermarkets, and hotels in urban areas.¹⁹¹⁵ No children were removed or assisted as a result of the inspections.¹⁹¹⁶

Child labor violations that occur in the tourism resort areas, typically sexual exploitation, are addressed to the Department of Social Welfare or The Gambia Tourism Authority. Both agencies then immediately notify the Tourism Security Unit, which agency patrols such areas.¹⁹¹⁷

The Gambia was 1 of 24 countries to adopt the Multilateral Cooperative Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.¹⁹¹⁸ As part of the regional Multilateral Cooperation

Agreement to Combat Trafficking in Persons, the Government of The Gambia agreed to investigate and prosecute trafficking offenders; to rehabilitate and reintegrate trafficking victims; and to assist fellow signatory countries to implement these measures under the Agreement.¹⁹¹⁹

A number of government agencies help to enforce trafficking laws. Reporting from USDOS indicates the Tourism Security Unit (TSU) and the Child Protection Unit within the Gambian military are taking on an increasingly prominent role in the enforcement and prevention of trafficking.¹⁹²⁰ All law enforcement agencies in The Gambia have units dedicated to either anti-trafficking or child protection.¹⁹²¹ At border crossings, Government officials check to ensure that minor children are traveling with their parents or with their parents' consent to prevent trafficking.¹⁹²²

According to USDOS, TSU patrols of the Tourism Development Area have been effective in combating child sex tourism and commercial sexual exploitation. However data on the number of children referred to the Department of Social Welfare are unavailable. TSU continues to enforce a ban on unaccompanied children under 18 in the tourist resort areas—turning these children away or placing them in the custody of the Department of Social Welfare—and hotel staff in such areas refuse to allow children onto hotel premises.¹⁹²³

Research indicates that during the reporting period only one criminal enforcement action was undertaken in The Gambia, which was related to pornography and sexual exploitation.¹⁹²⁴

Government Policies on the Worst Forms of Child Labor

The Government's Poverty Reduction Strategy Paper identifies child labor as a problem and calls for addressing it by increasing school enrollment, expanding girls' education, and improving vocational training.¹⁹²⁵ The Gambia's National Education Policy

(2004-2015) seeks to implement these goals as part of its Poverty Reduction Strategy.¹⁹²⁶

The Gambia Tourism Authority (GTA) responded to the problem of child sex tourism by working with UNICEF and the NGO Child Protection Alliance (CPA), to develop a Code of Conduct for the Protection of Children in Tourist Areas, which outlines penalties for abusing children.¹⁹²⁷ CPA conducted training for teachers on commercial sexual exploitation and child rights, and training for staff and security personnel of small- and medium-scale businesses on how stakeholders can prevent child sex tourism.¹⁹²⁸ TSU is collaborating with GTA to compile a database of persons suspected of being and/or may have been convicted as traffickers and/or pedophiles.¹⁹²⁹ Further, the Government finalized a national action plan to combat trafficking in December 2008.¹⁹³⁰

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

In the past the Government of The Gambia has made efforts to increase school enrollment, expand girls' education, and improve vocational training. To do so, the Government fully funded some of the initiatives and provided counterpart funding for donor-supported projects.¹⁹³¹ The question of whether these initiatives had an impact on child labor does not appear to have been addressed.

In collaboration with UNICEF and the Christian Children's Fund, the Government co-funds and operates a drop-in center that provides medical care and other basic services to street children and *almudos*. Once *almudos* have registered in the drop-in center program, they are no longer allowed to continue begging on the streets for their teachers.¹⁹³² The Government also continues to run a 24-hour shelter for child trafficking victims.¹⁹³³ However Government-supported programs do not reach all vulnerable street children and trafficking victims or target children working in rural areas.

Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Gambia:

IN THE AREA OF LAWS AND REGULATIONS:

- Raise the age for compulsory education for children.

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Develop more effective and integrated monitoring mechanisms.
- Conduct random inspections in addition to complaint-based inspections to improve enforcement of child labor laws.
- Ensure children found in child labor conditions are withdrawn and provided with appropriate social services.

IN THE AREA OF PROGRAMS:

- Assess the impact that existing programs may have on addressing the worst forms of child labor.
- Expand programs to prevent child trafficking and exploitive child labor on the streets, and develop programs to assist children in rural areas and in domestic service.

¹⁸⁹⁰ Data provided in the chart at the beginning of this country report are based on UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity, School Attendance, and Combined Working and Studying Rates*, 2005-2010. Data provided are from 2005-2006. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics and information on children's work in general are reported in this section, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children, and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.

¹⁸⁹¹ Frances Foord, Cherno Jallow, Katie Paine, and Aliou Sarr, *Situational Analysis of Orphans and Other Vulnerable Children in the Gambia*, previously online, UNICEF and the Government of The Gambia, Banjul, August 2004, 54; available from www.csd.gm/Social%20Research/OVC%20Situational%20Analysis%20Final%20Report%5B1%5D.doc [hard copy on file]. See also Gambia Department of State for Education official, Interview with USDOL contractor, September 4, 2006, 32. See also U.S. Department of State, "The Gambia," in *Country Reports on Human Rights Practices- 2009*, Washington, DC, March 11, 2010; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/af/135955.htm>.

¹⁸⁹² Christian Children's Fund- The Gambia, *Child Protection Baseline Assessment for Children Living and Working in the Streets of Banjul*, January 3, 2006, 13. See

also Gambia Department of State for Education official, Interview, September 4, 2006, 33.

¹⁸⁹³ Christian Children's Fund- The Gambia, *Child Protection Baseline Assessment*, 13.

¹⁸⁹⁴ Gambia Department of State for Education official, Interview, September 4, 2006, 32.

¹⁸⁹⁵ Peter Easton, Mark Peach, Ibrahima Lalya Bah, ElHadj Bella Doumboula, and Mohammed Lamine Barry, *Research Studies Series no. 8*, International Working Group on Nonformal Education of the Association for the Development of Education in Africa, May 1997; available from <http://www.adeanet.org/wgnfe/publications/abel/abel2.html> [hard copy on file]. See also Peter Easton, "Education and Koranic Literacy in West Africa," *IK Notes*, no. 11 (August 1999); available from <http://www.worldbank.org/afr/ik/iknt11.pdf>. See also Christian Children's Fund- The Gambia, *Child Protection Baseline Assessment*, 3, 13, and 15. See also U.S. Embassy- Banjul, *reporting*, March 5, 2009, paras 2C, 2E, 5D.

¹⁸⁹⁶ U.S. Embassy- Banjul, *reporting*, March 5, 2009, paras 2C, 2E, 5D. See also Christian Children's Fund- The Gambia, *Child Protection Baseline Assessment*, 3, 13, 15. See also IOM, *Traditional Practices Being Abused to Exploit Children in West Africa*, Warns IOM, [online] 2006 [cited March 2, 2010]; available from <http://www.iom.int/jahia/Jahia/newsArticleAF/cache/offonce?entryId=12007>.

¹⁸⁹⁷ U.S. Department of State, "Country Reports- 2009: The Gambia." See also Integrated Regional Information Networks, "Gambia: Sex Tourists Exploiting Children", IRINnews.org, [online], October 30, 2008 [cited March 2, 2010]; available from <http://www.irinnews.org/PrintReport>.

aspx?ReportId=81205. See also ECPAT, *Global Monitoring Report on the Status of Action against Commercial Sexual Exploitation of Children: The Gambia*, 2007, 11; available from http://www.ecpat.net/eng/A4A_2005/PDF/AF/Global_Monitoring_Report-GAMBIA.pdf [hard copy on file].

¹⁸⁹⁸ U.S. Department of State, “The Gambia (Tier 2),” in *Trafficking in Persons Report- 2010*, Washington, DC, June 14, 2010; available from <http://www.state.gov/g/tip/rls/tiprpt/2010/142760.htm>.

¹⁸⁹⁹ U.S. Department of State, “The Gambia (Tier 2 Watch List),” in *Trafficking in Persons Report- 2008*, Washington, DC, June 4, 2008; available from <http://www.state.gov/documents/organization/105656.pdf>.

¹⁹⁰⁰ Ibid.

¹⁹⁰¹ Government of the Gambia, *Labour Act*, 5/2007, (October 17, 2007), article 45.

¹⁹⁰² Government of the Gambia, *Children’s Act*, (July 21, 2005), articles 41-44. See also Government of the Gambia, *Constitution*, (1997), article 29(2); available from <http://confinder.richmond.edu>. See also Government of the Gambia, *Labour Act*, article 46.

¹⁹⁰³ U.S. Embassy- Banjul, *reporting*, November 30, 2007, section 1A.

¹⁹⁰⁴ Government of the Gambia, *Children’s Act*, Articles 48 and 49.

¹⁹⁰⁵ Government of the Gambia, *Constitution*, para 20. See also Government of the Gambia, *Children’s Act*, articles 39-40.

¹⁹⁰⁶ Government of the Gambia, *Children’s Act*, articles 26 and 39. See also Government of the Gambia, *Trafficking in Persons Act*, (October 5, 2007), article 28. See also U.S. Embassy- Banjul, *reporting*, February 19, 2009, para 2.

¹⁹⁰⁷ Government of the Gambia, *Children’s Act*, article 39(2). See also Government of the Gambia, *Trafficking in Persons Act*, article 56. See also ECPAT, *Report on the Status of Action*, 22. See also U.S. Embassy- Banjul, *reporting*, March 5, 2009.

¹⁹⁰⁸ U.S. Embassy-Banjul, *reporting*, February 19, 2009, section 2a.

¹⁹⁰⁹ Government of the Gambia, *Children’s Act*, articles 26-38. See also U.S. Embassy- Banjul, *reporting*, February 19, 2009, para 2. See also ECPAT, *Report on the Status of Action*, 21. See also ILO NATLEX National Labor Law Database, *Tourism Offences Act*, accessed March 2, 2010; available from http://www.ilo.org/dyn/natlex/natlex_browse.home.

¹⁹¹⁰ Government of the Gambia, *Children’s Act*, article 31.

¹⁹¹¹ Ibid., article 59(1). See also Coalition to Stop the Use of Child Soldiers, “Gambia,” in *Child Soldiers Global Report 2008*, London, 2008; available from <http://www.child-soldiers.org/library/global-reports>.

¹⁹¹² U.S. Embassy- Banjul, *reporting*, February 2, 2010, section 2C.

¹⁹¹³ U.S. Embassy- Banjul, *reporting*, March 5, 2009, paras 3B and 3D. See also U.S. Department of State, “Country Reports- 2009: The Gambia.”

¹⁹¹⁴ U.S. Embassy- Banjul, *reporting*, February 2, 2010.

¹⁹¹⁵ Ibid., section 2C.

¹⁹¹⁶ Ibid.

¹⁹¹⁷ Ibid. See also U.S. Department of State, “The Gambia (Tier 2).”

¹⁹¹⁸ Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Washington, DC, September 1, 2006, 2.

¹⁹¹⁹ ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006, 5-7.

¹⁹²⁰ U.S. Embassy- Banjul, *reporting*, March 5, 2009, para 3B.

¹⁹²¹ Ibid.

¹⁹²² U.S. Department of State, “Trafficking in Persons Report- 2008: The Gambia.”

¹⁹²³ U.S. Embassy- Banjul, *reporting*, March 5, 2009, paras 6E and 6F. See also U.S. Department of State, “The Gambia (Tier 2).”

¹⁹²⁴ U.S. Embassy- Banjul, *reporting*, February 2, 2010, sections 2C and 2D.

¹⁹²⁵ Ibid., section 2E.

¹⁹²⁶ Government of The Gambia, *The Gambia: Poverty Reduction Strategy Paper - Annual Progress Report*, Office of the President, Banjul, 2008, 33; available from <http://www.imf.org/external/pubs/ft/scr/2009/cr0975.pdf>.

¹⁹²⁷ U.S. Department of State, “Trafficking in Persons Report- 2008: The Gambia.” See also Integrated Regional Information Networks, “Sex Tourists Exploiting Children”.

¹⁹²⁸ ECPAT International, *ECPAT Directory: Africa*, January 29, 2009; available from http://www.ecpat.net/EI/Ecpat_directory.asp?id=31&groupID=1.

¹⁹²⁹ U.S. Embassy- Banjul, *reporting*, March 5, 2009, para 2A.

¹⁹³⁰ Ibid., paras 3B and 6D.

¹⁹³¹ U.S. Embassy- Banjul, *reporting*, February 2, 2010.

¹⁹³² Ibid., section 2F.

¹⁹³³ U.S. Embassy- Banjul, *reporting*, March 5, 2009, para 5B.