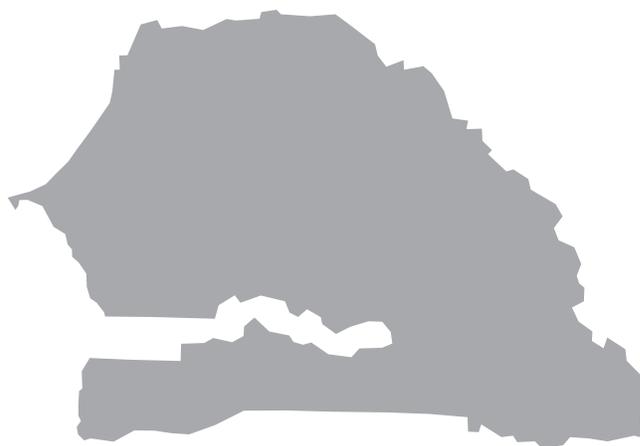


In 2018, Senegal made a moderate advancement in efforts to eliminate the worst forms of child labor. The government launched a second phase of *Retrait de la Rue*, a program to remove children engaged in forced begging in the Dakar area, with some success. The government also revised a 2005 anti-trafficking in persons law with an aim to widen its use by prosecutors. The government published additional information related to labor law enforcement. However, children in Senegal engage in the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. Children also perform dangerous tasks in gold mining. Criminal and labor law enforcement agencies lack adequate resources to carry out their work, and an overlap of mandated activities among the coordinating bodies creates confusion and obstructs adequate collaboration and enforcement. Furthermore, the types of hazardous work prohibited for children do not include domestic work and street work, areas where there is evidence of child involvement.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Senegal engage in the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. Children also perform dangerous tasks in gold mining. (1-7) Table 1 provides key indicators on children's work and education in Senegal. Data on some of these indicators are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	22.3 (4,255,365)
Attending School (%)	5 to 14	53.0
Combining Work and School (%)	7 to 14	13.9
Primary Completion Rate (%)		60.2

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (1)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 2015. (8)

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	Herding cattle (2,9)
	Fishing, activities unknown (2,9)
	Farming, including the production of cotton, rice, peanuts, and mangoes (2-4)
Industry	Washing ore, crushing rocks, using mercury, and carrying heavy loads† while mining gold, iron, and salt, and quarrying rock (2,4-7,10-12)
	Welding and auto repair (2,4,13)
Services	Domestic work (2-6,13,14)
	Street work, including vending (2,15,16)
Categorical Worst Forms of Child Labor‡	Forced domestic work, gold mining, fishing, and farming, each sometimes as a result of human trafficking (3,17-20)
	Commercial sexual exploitation, sometimes as a result of human trafficking (7,20,27,29,30)
	Forced begging, sometimes as a result of human trafficking (2,4,6,17-28)
	Forced labor in garbage collection (29)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

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

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Children in Senegal are exploited in domestic servitude and forced labor in gold mines, and are trafficked for commercial sexual exploitation, particularly within the country. (18-20) Forced begging remains a significant problem in Senegal. It is a traditional practice to send boys to Koranic schools called *daaras*, at which students known as *talibés* receive a Koranic education from teachers known as *marabouts*; however, some *daaras* have corrupted the traditional practices, forcing many students to beg. (19,30-34) Corrupt *marabouts* take the *talibés*' earnings and beat those who fail to meet the daily quota. (22,24,30,32,33) According to a recent report by UNODC, this practice enriches *marabouts*, bringing in over \$10 million annually in Dakar alone. (35,36) *Talibés* at such institutions often live in overcrowded, unsanitary conditions, receive inadequate food and medical care, and are vulnerable to physical and sexual abuse. (22,23,29,30,33,37) Children from rural areas in Senegal and neighboring countries are particularly vulnerable to this practice, and are sometimes victims of human trafficking. (22,30,31,33,34,38) In 2018, a study by the NGO Global Solidarity Initiative determined that of the roughly 189,000 *talibé* children in the Dakar region, approximately 28,000 are involved in forced begging activities. (28,34)

A variety of barriers to education exists that force some students to quit school, including school-related fees, a lack of birth registration documents, and a lack of both teachers and rural schools. Some girls reportedly quit school due to sexual harassment, including by teachers. (13,17,39,40)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

Senegal has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
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 Senegal's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of military recruitment by non-state armed groups.

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article L. 145 of the Labor Code; Article 6 of the Decree Establishing the Scale of Penalties for Violations of the Labor Code and Associated Rules for Application(41,42)
Minimum Age for Hazardous Work	Yes	18	Article 1 of the Ministerial Order No. 3749 Determining and Prohibiting the Worst Forms of Child Labor; Article 1 of the Ministerial Order No. 3750 Determining the Types of Hazardous Work Prohibited for Children and Youth; Article 1 of the Ministerial Order No. 3751 Determining the Categories of Business and Work Prohibited to Children and Youth (43-45)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 2 of the Ministerial Order No. 3749 Determining and Prohibiting the Worst Forms of Child Labor; Ministerial Order No. 3750 Determining the Types of Hazardous Work Prohibited to Children and Youth; Article 2 of the Ministerial Order No. 3751 Determining the Categories of Business and Work Prohibited to Children and Youth (43-45)

**Table 4. Laws and Regulations on Child Labor (Cont.)**

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Article L. 4 of the Labor Code; Article 2 of the Ministerial Order No. 3749 Determining and Prohibiting the Worst Forms of Child Labor; Article 1 of the Law Concerning the Fight Against Trafficking in Persons and Similar Practices and the Protection of Victims (41,45,46)
Prohibition of Child Trafficking	Yes		Article 1 of the Law Concerning the Fight Against Trafficking in Persons and Similar Practices and the Protection of Victims (46)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 2 of the Ministerial Order No. 3749 Determining and Prohibiting the Worst Forms of Child Labor; Articles 323 and 324 of the Penal Code(45,47)
Prohibition of Using Children in Illicit Activities	Yes		Article 2 of the Ministerial Order No. 3749 Determining and Prohibiting the Worst Forms of Child Labor (45)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 19 of Law No. 2008-28 (48)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 3 of Law No. 2004-37(49)
Free Public Education	Yes		Article 3 of Law No. 2004-37; Articles 21 and 22 of the Constitution (49,50)

\* No conscription (2)

During the reporting period, the government finalized and made public a draft of the revamped Child Code as part of the draft law comment period. (51,52) The government also drafted a revised law on human trafficking, aiming to widen the law's use by prosecutors because it has seldom been applied in the past. (51,53) Related to this revision project, the government also announced plans to draft a separate migrant smuggling law in a similar sense to encourage use of these laws by prosecutors. (51)

While the 2005 anti-trafficking law criminalized forced begging, provisions in the penal code that allowed seeking of alms under certain conditions may have hampered law enforcement officials' ability to distinguish between traditional alms seeking and exploitation through forced begging. (5,34,45,54-56) Government officials, UNODC, UNICEF, and local NGOs have stated that penalties for child labor violations may not be severe enough to deter employers from exploiting children, particularly because the penalties are rarely enforced. (57) Furthermore, the types of hazardous work prohibited for children do not include domestic work or street work, areas in which there is evidence of potential harm to child workers. (2,43-45) The light work provisions are also not specific enough to prevent children from involvement in child labor because they do not limit the number of hours per week for light work, determine the activities in which light work may be permitted, or specify the conditions in which light work may be undertaken. (41,42) Because the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (34,41,42,49)

### 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 the Ministry of Labor, Social Dialogue, Professional Organizations, and Institutional Relations (MOL) that may hinder adequate enforcement of their child labor laws.

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**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Social Dialogue, Professional Organizations, and Institutional Relations (MOL)	Enforces child labor laws through the Directorate General of Labor and Social Security and by using social security inspectors. (40,57)
Ministry of Justice (MOJ)	Enforces all laws through judicial role, including those on child trafficking, forced child begging, and forced labor, and prosecutes violations. (4) Trains police and judiciary on laws related to human trafficking and forced begging. (22) Through its Department of Correctional Education and Social Protection, helps develop draft texts in the field of social protection and juvenile delinquency; strengthens the capacity of stakeholders to care for children; and shares responsibility with the Ministry of Women, Family, and Children (MWFC) to provide services to vulnerable children. (25,58-60)
Ministry of the Interior and Public Security	Oversees all law enforcement agencies, including the local and national police officials who investigate cases of human trafficking and forced child begging, and arrests perpetrators of the worst forms of child labor. (4, 18,61,62) Houses the Children's Unit, located in Dakar, which employs three officers who specialize in child protection, victim identification, and reinsertion. (18,25,61) Through its Children's Unit, receives assistance from the Vice Squad in child protection cases. (63) Through its Air and Border Police ( <i>Police de l'air et des frontieres</i> ), focuses on migrant smuggling and transnational crimes. (64)
Ministry of Women, Family, and Children (MWFC)	Contributes to the creation and implementation of child protection policies, and provides services to victims of exploitative child labor. (65) Operates the Ginddi Center for vulnerable children and a toll-free child protection hotline through which the public can report child labor abuses. (20,25,29,34)

In 2018, the government created a new police division—Air and Border Police (*Police de l'air et des frontieres*)—to focus on migrant smuggling and transnational crimes. (64)

### Labor Law Enforcement

In 2018, labor law enforcement agencies in Senegal took actions to combat child labor (Table 6). However, gaps exist within the operations of the MOL that may hinder adequate labor law enforcement, including the lack of a formal and reciprocal referral mechanism between labor law enforcement, criminal law enforcement agencies, and social services.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$143,020 (13)	\$183,685 (66)
Number of Labor Inspectors	99 (13)	55 (66)
Inspectorate Authorized to Assess Penalties	Yes (13)	Yes (66)
Initial Training for New Labor Inspectors	Yes (13)	Yes (66)
Training on New Laws Related to Child Labor	N/A (13)	N/A (66)
Refresher Courses Provided	No (13)	Yes (66)
Number of Labor Inspections Conducted	Unknown (13)	Unknown (66)
Number Conducted at Worksite	Unknown (13)	Unknown (66)
Number of Child Labor Violations Found	Unknown (13)	0 (66)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (13)	0 (66)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (13)	0 (66)
Routine Inspections Conducted	Unknown (13)	Yes (66)
Routine Inspections Targeted	Unknown (13)	Yes (66)
Unannounced Inspections Permitted	Yes (13)	Yes (66)
Unannounced Inspections Conducted	Yes (13)	Yes (66)
Complaint Mechanism Exists	No (13)	No (66)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (13)	No (66)

The second phase of the *Retrait* campaign removed begging children from the streets in Dakar and referred them for care to the government-run shelter known as the Ginddi Center. As of early 2018, USAID and UNODC are working in tandem with the four Dakar Municipalities of Gueule Tapée-Fass-Colobane, Diamaguene, Medina, Pikine Nord, and Sicap Mbao to support local daaras. (34,64-67) The number of labor inspectors is insufficient for the size of Senegal's workforce, which includes over 6 million workers. According to the ILO's technical

advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Senegal would employ about 174 labor inspectors. (68,69) The MOL acknowledged that the current number of labor inspectors is insufficient; it also noted that a high turnover rate and limited funding level have further hindered the labor inspectorate's capacity to enforce child labor laws. (2,4)

Anecdotal reports indicates there is a lack of child labor law enforcement in the informal sector, in which most children are employed. This is especially true in the artisanal gold mining sector because most activities take place in the far southeast of the country in the Kédougou region, far from the capital. (20,34,51) Article L. 241 of the Labor Code grants inspectors the authority to assess penalties for all offenses; however, they typically do so only for minor offenses and refer the more serious infractions to the courts for determination of penalties. (4,41,55) Courts may require violations to be resolved through conciliation at the labor inspectorate or refer cases to a tribunal for judgment. (4) The Ginddi Center's child protection hotline was operational during the reporting period and received 921 total calls from April 1, 2018 to March 31, 2019. It is not clear how many cases of child labor were identified because of these calls. (20,34)

### **Criminal Law Enforcement**

In 2018, criminal law enforcement agencies in Senegal took actions to combat child labor (Table 7). However, gaps exist within the authority and operations of the criminal law enforcement agencies that may hinder adequate criminal law enforcement, including the lack of knowledge by law enforcement officials and judges on the application of the Law Concerning the Fight Against Trafficking in Persons.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (13)	Yes (66)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (13)	N/A (66)
Refresher Courses Provided	No (13)	No (66)
Number of Investigations	Unknown (13)	Unknown (66)
Number of Violations Found	Unknown (13)	Unknown (66)
Number of Prosecutions Initiated	Unknown (13)	Unknown (66)
Number of Convictions	Unknown (13)	Unknown (66)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown (34)	Unknown (34)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (13)	No (66)

The courts have had limited success in prosecuting cases related to forced begging due to a lack of coordination and resource constraints, and partly due to a perceived lack of political support, cultural norms, and pressure from influential Koranic teachers who support this practice, particularly in rural areas. (18,20,51,54,55,70-73) Although police stations in Senegal are expected to report cases involving children to the Ministry of the Interior and Public Security's Children's Unit, research found no evidence that this occurs regularly. (63,74)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR**

The government has established mechanisms 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 clarity of institutional mandates.

**Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Committee Against Child Labor	Coordinates initiatives, policies, and partnerships with civil society organizations to address child labor. Chaired by the MOL and includes representatives from three ministries, the police, and elected officials. (18,51,75)
National Task Force Against Trafficking in Persons (CNLTP)	Reports on human trafficking in Senegal, with a focus on women and children; coordinates the implementation of the National Action Plan to Combat Trafficking in Human Beings and other efforts to prevent human trafficking; prosecutes perpetrators; and protects victims. (20,51,58,61) Chaired by the MOJ and employs five staff members. (18,51,58)

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**Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor (Cont.)**

Coordinating Body	Role & Description
Office of the President's Childhood Protection Unit	Coordinates government efforts related to child protection, including through the implementation of the National Strategy on Child Protection. (51,63,64,66,76) Contributes to the creation and implementation of child protection policies, and develops a national system for collecting and disseminating data on vulnerable children. Advocates on behalf of all entities working on issues related to child begging, violence against children, and child labor. (77)

The National Task Force Against Trafficking in Persons remains underfunded and research was unable to determine whether any coordinating bodies were active during the reporting period. Overlap among the activities of the coordinating bodies due to their institutional mandates also creates confusion and obstructs effective collaboration and implementation of efforts. (18-20,51,61,62,75)

## 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 lack of a national policy to address child labor, including its worst forms.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Action Plan to Combat Trafficking in Human Beings† (2018–2020)	Implemented by CNLTP and a continuation of the previously ended action plan, along four axes: prevention, protection and prosecution, capacity building, and research and evaluation. (20,51)
National Strategy on Child Protection	Aims to establish an integrated national social protection system and specifically identifies the issue of child begging through an action plan with a recommended budget of \$18 million. (9,29) Implemented through Child Protection Committees (CDPEs), currently established in 24 prefectures, which refer victims to social services and assist law enforcement with reintegrating child trafficking victims. (9,18,25) In 2018, the government established the 39th CDPE in Bambey. The national strategy plan calls for a total of 46. (51)

† Policy adopted during reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (18)

In 2018, research was unable to determine whether any actions were undertaken to renew the National Action Plan on the Prevention and Abolition of Child Labor in Senegal, which expired in 2016.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy of programs to address the full scope of the problem.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Removal of Street Children (Retrait des enfants de la Rue)*	Government program to remove begging children from the streets of Dakar and place them in government-run shelters. (34,64-67) During the reporting period, the government recruited additional social workers to support the return of child beggars to families, strengthening the capacity of the Ginddi Center; and produced a handbook of management procedures for centers that receive and care for vulnerable children. In 2018, more than 1,000 children were provided services, including repatriation to neighboring countries of origin. (51)
Daara Modernization Program†	\$18.5 million government-funded voluntary program implemented by Tostan and <i>La Rencontre Africaine pour la Défense des Droits d'Homme</i> (RADDHO) that aims to regulate, inspect, and fund <i>daaras</i> and eliminate forced begging. (5,73,78) Research was unable to determine activities conducted during reporting period.
Ginddi Center‡	Shelter that serves abused and vulnerable children, including runaway <i>talibés</i> , street children, and child trafficking victims. (25,29,40,51,73) Provides food, education, vocational training, family mediation, medical and psychological care. (18,51,59,62,79) In 2018, the Ginddi Center provided services to 1,559 children, including coordinating repatriation to neighboring countries for some children. (51)
Centers to address child trafficking†	MOJ-run transit houses in Dakar, Pikine, and Saint-Louis that provide monitoring, education, and rehabilitation and reintegration services for victims of child trafficking. (18) Research was unable to determine activities conducted during the reporting period.

† Program is funded by the Government of Senegal.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (2,80-82)

Although the Government of Senegal has implemented programs to address child trafficking and forced begging, research found no evidence that the government has carried out programs to assist children in domestic work, agriculture, or mining. (4,17,29,62)

## 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 Senegal (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that penalties for child labor violations, including the worst forms, are stringent enough to serve as a deterrent.	2014 – 2018
	Ensure that the types of hazardous work prohibited for children are comprehensive.	2016 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2018
	Clarify ambiguity in forced begging provisions in the Penal Code and the Law Concerning the Fight Against Trafficking in Persons to explicitly guarantee that no exceptions can enable a child to be forced to beg.	2017 – 2018
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2017 – 2018
	Establish by law a compulsory education age equal to or higher than the minimum age for work.	2018
Enforcement	Publish information on number of labor inspections conducted, including those at worksites.	2013 – 2018
	Increase the number of labor inspectors to meet the ILO's technical advice, and ensure adequate labor inspectorate funding.	2010 – 2018
	Ensure that labor law enforcement and inspections are carried out in the informal sector.	2014 – 2018
	Establish a mechanism to receive child labor complaints, and track cases of child labor for referral to law enforcement or social services providers.	2014 – 2018
	Ensure that criminal law investigators receive refresher training on laws related to the worst forms of child labor.	2016 – 2018
	Establish a formal and reciprocal referral mechanism between labor law enforcement and criminal law enforcement agencies and social services.	2016 – 2018
	Publish information on the criminal enforcement of child labor laws, including the number of investigations, violations found, prosecutions initiated, convictions, and imposed penalties for violations.	2016 – 2018
Coordination	Ensure that coordinating mechanisms on child labor are active and able to carry out their intended mandates by providing adequate resources, support, and distinct scopes of responsibility.	2010 – 2018
Government Policies	Adopt a national policy to address child labor.	2016 – 2018
Social Programs	Ensure that all children have access to education by eliminating school-related fees, building schools in rural areas, training additional teachers, ensuring that all children have access to birth registration, and ensuring that schools are free from sexual abuse.	2011 – 2018
	Institute programs to address child labor in domestic work, agriculture, and mining, and ensure that adequate funding is available to support existing programs targeting the worst forms of child labor, including forced begging.	2010 – 2018
	Undertake activities to support the Daara Modernization Program, and the Centers to address child trafficking.	2017 – 2018

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