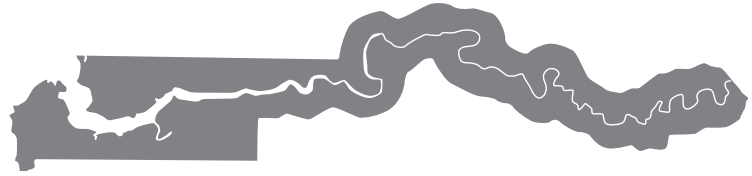


In 2019, The Gambia made a moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting year, the government signed the UN CRC Optional Protocol on Armed Conflict. The Government of the Gambia also signed a Memorandum



of Understanding with the Government of the United Arab Emirates to put in place formal protections for Gambian workers employed in the United Arab Emirates. In addition, the National Agency Against Trafficking in Persons held trainings, some in conjunction with local and international partners, for government officials at border posts, school-aged children, The Gambia Police, travel agencies, airlines, and the Tourism Security Unit, on trafficking in persons issues. However, children in The Gambia engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in forced begging. Gaps in the law remain, including that children may commence an apprenticeship in the informal sector at the age of 12, an age below the compulsory education age of 16. Although the government has adopted various policies addressing human trafficking, research found no evidence of a policy on other worst forms of child labor. In addition, the scope of social programs is insufficient to fully address the extent of the problem, as programs do not reach all children working in agriculture and domestic work, or those vulnerable to human trafficking, commercial sexual exploitation, forced begging, and street work.

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

Children in The Gambia engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in forced begging. (1-5) Table 1 provides key indicators on children's work and education in The Gambia.

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

Children	Age	Percent
Working (% and population)	5 to 14	22.6 (Unavailable)
Attending School (%)	5 to 14	78.2
Combining Work and School (%)	7 to 14	21.7
Primary Completion Rate (%)		69.3

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2020. (6)

Source for all other data: International Labor Organization's analysis of statistics from the Multiple Indicator Cluster Survey 6 (MICS), 2018. (7)

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	Farming, including protecting crops against animals (1,8)
Industry	Working in carpentry, masonry, sewing, plumbing, and in metal welding workshops† (1,3,9) Mining† and quarrying† (3)
Services	Domestic work (1-3) Street work, including begging and vending (1-3,10) Scavenging for scrap metal and jewelry at dump sites (1,11) Working as taxi and bus attendants (1) Working as auto mechanics† (1,3,9)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-4,12-15) Forced begging by Koranic teachers (1-4,8) Forced labor in domestic work and street vending, each sometimes as a result of human trafficking (2,12)

† 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.

# The Gambia

## MODERATE ADVANCEMENT




In The Gambia, children are trafficked internally and subjected to commercial sexual exploitation, forced labor, and domestic work. Girls and boys from other West African countries are allegedly trafficked for commercial sexual exploitation from their countries into The Gambia. (3,4,16,17) Tourists from Canada, Germany, Great Britain, the Netherlands, and Scandinavia also allegedly subject children to commercial sexual exploitation in brothels and motels in tourist areas, as well as in private homes. (4,17-20) In The Gambia, as well as in neighboring countries such as Senegal, it is a common practice to send boys to receive education from Koranic teachers, or *marabouts*, who sometimes force Koranic students, or *almudus*, to beg in the streets for money and food and to conduct street vending. (5,16,19-21)

Article 30 of the Constitution mandates free compulsory education. However, families are sometimes required to buy books and uniforms, contribute to examination fees, and provide direct financial support to the school through a school fund, which families often cannot afford. Absence from school due to unpaid school fees increases children’s vulnerability to child labor. (22,23) In addition, inadequate teaching facilities, low numbers of teachers in rural areas, and limited access to clean water in schools create barriers for children to access education. (3,19,21)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

The Gambia 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	✓

During the reporting period, the government signed the Optional Protocol on the Involvement of Children in Armed Conflict. (24)

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in The Gambia’s legal framework to adequately protect children from the worst forms of child labor, including that children may commence an apprenticeship in the informal sector at the age of 12, which is below the compulsory education age of 16.

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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Article 43 of the Children’s Act (25)
Minimum Age for Hazardous Work	Yes	18	Article 44 of the Children’s Act; Article 46 of the Labour Act (25,26)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 44–45 of the Children’s Act (25)
Prohibition of Forced Labor	Yes		Articles 41 and 47 of the Children’s Act (25)
Prohibition of Child Trafficking	Yes		Articles 30 and 39 of the Children’s Act; Articles 28 and 56 of the Trafficking in Persons Act; Article 13 of the Tourism Offences Act (25,27,28)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 26–27, 29–32, and 34 of the Children’s Act; Articles 7–9 of the Tourism Offenses Act (25,28)
Prohibition of Using Children in Illicit Activities	Yes		Articles 31 and 36–37 of the Children’s Act (25)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 59 of the Children’s Act (25)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 31(c) of the Children’s Act (25)
Compulsory Education Age	Yes	16‡	Article 18 of the Children’s Act (25)
Free Public Education	Yes		Article 30 of the Constitution; Article 18 of the Children’s Act (23,25)

\* No conscription (29)

‡ Age calculated based on available information (23,25,30,31)

In The Gambia, children may commence an apprenticeship in the informal sector at the age of 12, which makes them vulnerable to engaging in child labor and not completing basic education. (25,32)

### 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 authority of the Ministry of Trade, Industry, Regional Integration and Employment’s Department of Labor that may hinder adequate enforcement of their child labor laws.

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

Organization/Agency	Role
Ministry of Trade, Industry, and Regional Integration and Employment	Conducts labor inspections and enforces labor laws pertaining to hazardous child labor through its Department of Labor. (3,22)
Department of Social Welfare (DSW)	Combats forced child labor; coordinates the protection of human trafficking victims, and works closely with social welfare officers in police units. (19,20) Operates a 24-hour hotline to address human trafficking. (12,19) Maintains an electronic database that contains information on cases requiring child protection, including those involving labor and human trafficking violations. (12,19,29) Housed under the Ministry of Health and Social Welfare. (3)
Children’s Court	Adjudicates on criminal, civil, and care and protection cases involving children and determines guardianship of child abuse victims, including child laborers, referred to the court by DSW. (20,33)
National Agency Against Trafficking in Persons (NAATIP)	Investigates suspected cases of human trafficking. Staff include investigators, police, members of the National Intelligence Agency, and five prosecutors. (17,21,34) Gathers evidence for the NAATIP director, who can recommend that the NAATIP prosecutor file charges for human trafficking violations. (21,34)
The Gambia Police Force Child Welfare Unit	Oversees all situations involving children’s welfare. Collaborates with CPA, DSW, NGOs, and other agencies as the designated governmental coordinating body for all child welfare activities in The Gambia. (3,19,35)
Child Protection Alliance (CPA)	Promotes children’s rights and child protection services. Raises awareness about child exploitation. (19) Members include government departments, civil society organizations, UN agencies, NGOs, child and youth organizations, and bilateral institutions. (19) Trains journalists about child sex tourism and government officials on the UN Convention on the Rights of the Child. (36,37) Maintains 15 child protection centers across the country to monitor, identify, and report potential cases of child abuse and trafficking in persons. (19,21)
Tourism Security Unit	Prevents unaccompanied children from entering tourist areas and patrols tourist areas for child labor and criminal violations, such as commercial sexual exploitation and human trafficking. Has a dedicated child protection division comprising immigration, intelligence, police, and drug law enforcement officers. (19,22,38)

# The Gambia

## MODERATE ADVANCEMENT

**Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)**

Organization/Agency	Role
Local Enforcement Agencies	Monitors neighborhoods for child exploitation with support from DSW. Maintains six Neighborhood Watch Groups established by DSW in urban areas near tourist resorts. (18-21) Serves as volunteer arbiters and mediators for community disputes involving children and other matters through Village Development Committees. (3) Raises awareness and reports cases of labor issues, including child labor, to the authorities through 15 Community Child Protection Committees, in operation throughout the country. (21,29)
The Gambia Tourism Board	Combats commercial sexual exploitation of children in tourist areas. (19) Educates the public about child sex tourism and the consequences for violating the Code of Conduct of The Gambia Tourism Authority for the Protection of Children. In collaboration with DSW, maintains a database of individuals suspected of pedophilia or child trafficking. (19,21,39)

Reports indicate that the Neighborhood Watch Groups remain largely inadequate, as they are not empowered to monitor or report cases, are untrained, and only some groups are occasionally active. (5,19) In 2019, research was unable to determine whether members of the 1,500 Village Development Committees were trained on child protection and the worst forms of child labor. (3,21,40)

### **Labor Law Enforcement**

In 2019, labor law enforcement agencies in The Gambia took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Trade, Industry, Regional Integration and Employment that may hinder adequate labor law enforcement, including the lack of authorization of labor inspectors to enter private homes or farms for inspection of possible labor violations.

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

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (21)	Unknown (19)
Number of Labor Inspectors	7 (21)	7 (19)
Inspectorate Authorized to Assess Penalties	Yes (21)	Yes (19)
Initial Training for New Labor Inspectors	Yes (21)	Yes (19)
Training on New Laws Related to Child Labor	N/A (21)	N/A (19)
Refresher Courses Provided	Yes (21)	Yes (19)
Number of Labor Inspections Conducted	Unknown (21)	Unknown (19)
Number Conducted at Worksite	Unknown (21)	Unknown (19)
Number of Child Labor Violations Found	1 (21)	1 (19)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (21)	0 (19)
Number of Child Labor Penalties Imposed that Were Collected	N/A (21)	N/A (19)
Routine Inspections Conducted	Yes (21)	Yes (19)
Routine Inspections Targeted	Yes (21)	Yes (40)
Unannounced Inspections Permitted	Yes (21)	Yes (19)
Unannounced Inspections Conducted	Yes (21)	Yes (19)
Complaint Mechanism Exists	Yes (21)	Yes (19)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (21)	Yes (19)

The number of labor inspectors is likely insufficient for the size of The Gambia's workforce, which includes more than 700,000 workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less-developed economies, The Gambia would employ about 19 labor inspectors. (41,42) Per the law, inspectors are not authorized to inspect private homes or farms in which children may be working in violation of the minimum age for work. (3,21) The government did not provide information for inclusion in this report on its labor inspectorate funding, the number of labor inspections conducted, or the number of inspections conducted at worksites.

### Criminal Law Enforcement

In 2019, criminal law enforcement agencies in The Gambia took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including enforcement of penalties.

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

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (21)	Yes (19)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (21)	N/A (19)
Refresher Courses Provided	Yes (21)	Yes (19)
Number of Investigations	1 (21)	0 (19)
Number of Violations Found	3 (21)	0 (19)
Number of Prosecutions Initiated	1 (21)	1 (19)
Number of Convictions	0 (21)	0 (19)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	N/A (35)	N/A (19)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (21)	Yes (19)

Although Articles 39 and 40 of the Children’s Act prohibit human trafficking and slave dealing of children, and although these crimes carry a penalty of life imprisonment, a source indicates that penalties are not fully applied, possibly hindering enforcement and emboldening violators. (29,35) The government’s standard operating procedures for child sex trafficking victims are yet to be implemented and, as a result, the government’s ability to proactively identify and remedy child sex trafficking victims is limited. (5,19,20) Moreover, despite the prevalence of child sex tourism in The Gambia, international law enforcement cooperation to prevent and investigate cases of child sex trafficking is weak. (5,19,20) The government continued prosecution of two Nigerian nationals for commercial sexual exploitation of four Nigerians—one minor and three adults—trafficked to The Gambia. An additional Gambian citizen is under prosecution as well. (17,19,21,29,43)

The IOM held a 3-day training for 27 members of the Tourism Security Unit on identifying trafficking in persons and victim referral to social welfare agencies; this is part of a larger 3-year U.S government-funded project related to efforts to combat trafficking in persons. Tourism accounts for 20 percent of the country’s GDP and is beset with issues of trafficking in persons. (38,43-45)

## 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 the lack of adequate funding and the inactivity of some coordinating bodies during the reporting period.

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

Coordinating Body	Role & Description
National Coordination Committee on Child Labor	Coordinates child labor enforcement processes, including prosecutions of the worst forms of child labor. Led by DSW, comprises representatives from UNICEF, Department of Labor, NAATIP, Action Aid, Ministry of Basic and Secondary Education, Gambia Teachers Union, Young People in the Media, and the Inspector General of Police. (3) Research was unable to determine whether the coordinating body was active in 2019.
National Agency Against Trafficking in Persons (NAATIP) Task Force	Coordinates, administers, and monitors the implementation of the Trafficking in Persons Action Plan and shares information among law enforcement agencies. (19,45) The Task Force includes NAATIP, Ministry of Justice, Department of Immigration, DSW, Ministry of Foreign Affairs, Women’s Bureau, Gambia Radio and Television Services, Center for Street Children, and The Gambia Police Force. (46) In 2019, government funding for NAATIP was \$72,000, double that of the prior year. During the reporting period, activities included awareness-raising workshops attended by 150 people at border posts at Farafeni and Kerr Ayeeb, Giboro Seliti, and Omorto. (40,43,44,47) The Task Force, led by NAATIP, also held trainings for school-aged children and The Gambia Police Force on the dangers of trafficking in persons, and a separate training for 30 travel agencies, airlines, and the Tourism Security Unit, in conjunction with several other partners. (43)

# The Gambia

## MODERATE ADVANCEMENT

In spite of an increase in the National Agency Against Trafficking in Persons' budget, reporting indicates that funding is still insufficient for training of officials, thus hindering the agency's ability to conduct investigations on trafficking in persons. (3,4,14,15,18,21,40)

## 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 the lack of a national child labor policy.

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

Policy	Description
National Child Protection Strategy (2016–2020)	Outlines strategies to improve child protection, including addressing the worst forms of child labor, by increasing awareness and strengthening coordination among government agencies. (48) Research was unable to determine whether actions were undertaken to implement this policy in 2019. (40)
National Trafficking in Persons Action Plan (2016–2020)	Organizes governmental efforts to combat human trafficking. (4,21,29,49) In 2019, the government continued efforts to coordinate activities of the policy through the reformation and revitalization of the inter-agency Trafficking in Persons Task Force. (43)
The Gambia and Senegal Trafficking Memorandum of Understanding	Coordinates the two countries' efforts to address human trafficking through meetings, information sharing, improved laws, and prevention, protection, and assistance activities. (21) Research was unable to determine whether actions were undertaken to implement this policy in 2019. (40)
Code of Conduct of The Gambia Tourism Authority for the Protection of Children	Raises awareness of commercial sexual exploitation of children in the tourism industry and among tourists. (19,50) In 2019, the Gambia Tourism Board participated in tandem with other partners on a training for 27 Tourism Security Unit personnel on trafficking in persons. (43)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (21)

The Government of the Gambia signed a Memorandum of Understanding with the Government of the United Arab Emirates (UAE) to put in place formal protections for Gambian workers employed in the UAE. (17) Although the government has adopted various policies addressing human trafficking, research found no evidence of a policy on other worst forms of child labor. (21)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, 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 the adequacy of programs to address the full scope of the problem.

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

Program	Description
Combating Child Sex Tourism Project	CPA project, funded by End Child Prostitution and Trafficking Netherlands, that raises awareness about commercial sexual exploitation of children, the Tourism Offences Act, and the Code of Conduct among Tourism Security Unit personnel, hoteliers, travel agencies, and other tourism stakeholders. (1) Research indicated that the project was active during the reporting year, but research did not determine whether specific activities were undertaken relative to the project. (40)
Street Children Center†	Drop-in centers run by DSW with support from international organizations, foreign NGOs, and local businesses. Provides medical care, food, and counseling to street children, including human trafficking victims and <i>almudus</i> . (19) In 2019, research indicated that this center continued to operate with DSW providing a monetary allocation to the shelter for meals. (4,19)
Conditional Cash Transfers to Islamic Religious Schools (Majaalis)†	Ministry of Education program in partnership with the Institute for Social Reformation, an Islamic NGO based in The Gambia, that gives <i>marabouts</i> food rations and approximately \$2 monthly for each student if the <i>marabouts</i> do not force students to beg. (18,21) Provides teachers for English, mathematics, and science subjects to Koranic schools. (1) In 2019, support for the program continued at existing levels with the program reaching 17 schools throughout all regions and encompassing 1,500 children, with activities undertaken related to inspection and payment. (19,40)

† Program is funded by the Government of The Gambia

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms. (51)

Although The Gambia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem. Programs do not reach all children working in agriculture and domestic work or those vulnerable to human trafficking, commercial sexual exploitation, forced begging, and street work. (21)

### 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 The Gambia (Table 11).

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Harmonize provisions of the Children's Act and the labor code that regulate apprenticeships and ensure that children attain at least 14 years of age before beginning workplace apprenticeships.	2017 – 2019
Enforcement	Ensure neighborhood watch groups are properly trained to monitor and report cases of child labor.	2018 – 2019
	Ensure that the village development committees receive training on the worst forms of child labor.	2017 – 2019
	Publish information on the labor inspectorate's funding levels and total inspections, including those conducted at worksites.	2012 – 2019
	Increase the number of labor inspectors responsible for enforcing labor laws, including laws related to child labor, to meet the ILO's technical advice.	2016 – 2019
	Ensure the labor inspectorate has authority to conduct inspections on farms and in homes.	2017 – 2019
	Ensure penalties for child trafficking are comprehensively applied to deter violations and government officials are trained in the application of those penalties.	2016 – 2019
	Implement standard operating procedures to provide for proactive child sex trafficking victim identification and access to remedy.	2019
	Strengthen international law enforcement cooperation to prevent and investigate child sex tourism.	2019
Coordination	Ensure that the National Coordination Committee on Child Labor meets regularly and carries out activities to support its mandate.	2018 – 2019
	Ensure the National Agency Against Trafficking in Persons Task Force has sufficient funding to conduct investigations on trafficking in persons.	2012 – 2019
Government Policies	Undertake activities in support of the National Child Protection Strategy and The Gambia and Senegal Trafficking Memorandum of Understanding.	2017 – 2019
	Adopt a policy that addresses all relevant worst forms of child labor, including commercial sexual exploitation.	2015 – 2019
Social Programs	Undertake activities in support of the Combating Child Sex Tourism Project.	2017 – 2019
	Expand existing programs to address the full scope of the child labor problem.	2010 – 2019
	Ensure that children can complete compulsory schooling by subsidizing or defraying the cost of books, uniforms, and other fees.	2010 – 2019
	Enhance opportunities for children to access education by providing adequate teaching facilities and clean water, and increasing the number of teachers in rural areas.	2017 – 2019

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# The Gambia

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