



**September 2019**

**Anti-Slavery International and RADDHO submission to the Human Rights Committee, 127th session (14 October 2019 – 8 November 2019): Fifth periodic report of Senegal**

**Forced child begging**

**Anti-Slavery International**, established in 1839 and in consultative status with ECOSOC since 1950, works to eradicate all contemporary forms of slavery, including bonded labour, forced labour, trafficking in human beings, descent-based slavery, the worst forms of child labour, and forced marriage.

**La Rencontre Africaine pour la Défense des Droits de l’Homme (RADDHO**) was established in 1990 and formally recognised in 2002. It is an affiliate of the International Commission of Jurists (ICJ) and laFédération Internationale des Droits de l'Homme (FIDH). It works to promote, defend and protect human rights in Senegal and Africa.

This submission to the Human Rights Committee (hereafter the Committee) ahead of its examination of Senegal’s fifth periodic report provides information on **forced child begging of *talibés***, a worst form of child labour.

It updates the information provided by Anti-Slavery International in advance of the 125th session of the Committee in March 2019 and provides supplementary information in response to paragraphs 16, 22 and 23 of the *List of issues in relation to the fifth periodic report of Senegal* (CCPR/C/SEN/Q/5, hereafter the List of Issues). This document is structured in line with the relevant paragraph of the List of Issues.

**Executive summary**

Forced begging of *talibé* children, a worst form of child labour, remains widespread and persistent in Senegal. *Talibés* are children, almost exclusively boys and generally between the ages of five to 15 years, who study in Quranic schools (*daaras*), which are not part of the formal education sector in Senegal.

In 2019, Human Rights Watch estimated that more than 100,000 *talibé* children living in residential *daaras* are forced to beg by their Quranic teachers. *Talibés* beg on the streets for money and food for an average of five to eight hours a day to meet their daily payment quota. They are victims of violence, both on the streets and by their Quranic teachers, and are subjected to physical abuse including beating, whipping, being chained and bound; emotional abuse; sexual abuse; and other forms of threats and coercion. Most come from remote rural areas of Senegal or are trafficked from neighbouring countries including Mali and Guinea-Bissau. Separated from their families for long periods, *talibés* live in in squalid and overcrowded conditions, and are vulnerable to disease and poor nutrition. Medical conditions and wounds regularly go untreated. Many *talibés* do not receive any formal education beyond memorizing the Quran. The physical abuse and terrible conditions drive hundreds of children to run away from the *daaras* each year.

President Sall has publicly committed to ending forced begging of *talibés*. The Government has taken a number of steps to address forced child begging of *talibés*, including a programme to reform and regulate *daaras* (the *daara* modernisation programme – PAMOD), and the “retrait des enfants de la rue” (the *‘retrait’* programme) to remove children from the streets.

However, action by the Government to address forced child begging has been periodic and inconsistent over the years. Laws relating to forced child begging are not adequately enforced, the police still often fail to investigate cases of forced begging, and Quranic teachers who exploit *talibés* enjoy relative impunity. Government plans to reform and regulate *daaras* are still far from being adequately implemented. The Daara Inspectorate seems to lack both clear guidance and an adequate plan of action or appropriate means to combat begging and abuse in the *daaras*. The draft Daara regulation law, which was first introduced in 2010 and then reintroduced in 2013[[1]](#footnote-1), has yet to be adopted. While it was approved in 2018 by the Council of Ministers after a long delay, it has yet to be introduced to the National Assembly for adoption. Furthermore, the text was considerably weakened following consultation with religious authorities and Quranic masters and does not contain an explicit prohibition of begging (although it is mentioned in the implementing decrees).

The Government is urged to demonstrate sustained and consistent political will to end forced begging of *talibés* and take additional measures to enforce laws, prosecute perpetrators, protect children forced to beg, and accelerate the implementation of *daara* modernisation.

**Forced labour, contemporary forms of slavery and human trafficking (Article 6, 7, 8, 24 and 26)**

**Paragraph 16 of the List of Issues**

1. **FORCED CHILD BEGGING OF *TALIBES* – A WORST FORM OF CHILD LABOUR**

Forced begging of *talibé* children, a worst form of child labour, remains widespread and persistent in Senegal. Human Rights Watch estimated in 2019 that more than 100,000 *talibé* children living in residential *daaras* are forced to beg by their Quranic masters and assistants. While there are *daaras* which do respect the rights of their children, in others, a Quranic education is used as a pretext for exploitation. *Talibés* are not charged for their studies, food and education and are instead forced to beg on the streets for food and money for up to eight hours a day. Few *talibés* receive any formal education at these *daaras* beyond memorising the Quran.

It should be stressed that the forms of begging that *talibé* children are exposed to are increasingly pernicious. Some children are used to do arduous domestic work in certain houses, some to work in markets and bus stations as luggage carriers, and others as street vendors in urban areas.

*Talibés* are vulnerable to violence both on the streets and by their Quranic master. They experience regular physical abuse including beating, whipping, being chained and bound; emotional abuse; sexual abuse; and other forms of threats and coercion in order to meet their financial ‘quota’ from begging. *Talibés* live in crowded and unhygienic conditions and are vulnerable to disease and malnutrition.Some *daaras* are set up in abandoned or unfinished buildings in conditions of extreme squalor. Children are denied access to medical care and sufficient food. Medical conditions and wounds regularly go untreated; even deaths sometimes go unreported. Children fleeing *daaras* because of corporal punishment, physical abuse and poor conditions often end up living on the streets.

Most *talibés* come from remote rural areas of Senegal or from neighbouring countries. Decisions to send children away to *daaras* are usually influenced by family poverty, barriers to free State education, and parents’ wishes for their children to learn the Quran from Quranic masters. However, the only option for a ‘free’, full-time Quranic education falls outside the formal and regulated education sector. While religion, culture and tradition are sometimes invoked to justify forced begging, sending *talibés* out to beg is not an inevitable or intrinsic part of Quranic teaching. Evidence also suggests that some Quranic masters gain far in excess of the income needed to maintain their daaras and earn a basic living.

A June 2019 report by Human Rights Watch and a Senegalese coalition of human rights groups, the Platform for the Promotion and Protection of Human Rights (*la Plateforme pour la Promotion et la Protection des Droits Humains*, PPDH)[[2]](#footnote-2) concluded that the number of *talibé* children subjected to forced begging and other serious abuses by their Quranic teachers remained staggering in 2017 and 2018. They observed hundreds of *talibé*children begging in numerous locations across the country, including the cities of Dakar, Diourbel, Louga, Touba and Saint-Louis. The children often begged in front of police and gendarmes, near government buildings, between moving cars and along busy highways. Some were as young as five years old, and many suffered from skin infections or malnutrition. Sixty-three of the 88 *talibés* interviewed said that their Quranic teacher required them to return with a quota of money each day, ranging from 100 to 1,250 francs CFA ($0.20-$2.20).[[3]](#footnote-3) Abuses documented included deaths, beatings, sexual abuse, chaining and imprisonment, and numerous forms of neglect and endangerment, and took place in at least eight of Senegal’s 14 administrative regions.[[4]](#footnote-4) They encountered trafficking, and problems related to *talibé* migration, including illicit transport of groups of *talibés* across regions or country borders; cases of *talibés* abandoned by their *marabouts* or parents; and the hundreds of *talibés* who end up in the streets or in children’s shelters each year after fleeing abusive *daaras.[[5]](#footnote-5)*

1. **THE GOVERNMENT RESPONSE TO FORCED CHILD BEGGING**

Law No. 2005-6 to Combat Trafficking in Persons and Related Practices explicitly criminalises forced child begging, and the Penal Code also criminalises begging. However, the Government has largely failed to enforce these laws and investigate, prosecute and convict those forcing *talibés* to beg. While Government officials have repeatedly pledged over the years to address forced child begging of *talibés* and have undertaken efforts such as the PAMOD *daara* modernization programme and the *‘retrait’* programme, the Government response has been inconsistent, with periods of momentum that are not sustained. The PAMOD programme is not being properly implemented, and the draft Daara regulation law has not yet been adopted.

**2.1 A failure to adequately enforce the law and prosecute perpetrators**

The Government has largely failed to enforce relevant laws including Law No. 2005-6 to Combat Trafficking in Persons and Related Practices (which explicitly criminalises forced child begging) and the Penal Code (which criminalises begging). Despite the widespread and visible nature of the abuse, investigations and prosecutions are extremely rare. The police still often fail to investigate cases of forced begging, social workers still fail to report many such cases, and charges against Quranic masters continued to be dropped. There has also been a longstanding practice to prosecute Quranic masters for lesser offences under other laws rather than for the express offence of forcing *talibés* to beg under the provisions of Law No. 2005-6 or the Penal Code.

The first phase of the Dakar-focused “*retrait*” (withdrawal of street children) programme, which is discussed in more detail in the following section, was launched in June 2016 by President Sall promising to “impose fines and jail sentences” for those sending children to beg. Despite scores of interactions between the police and Quranic teachers during the first phase (June 2016 - March 2017), not one single case of a Quranic teacher forcing the children under his care to beg was either investigated at the *daaras* by the police or transmitted to the judiciary, who themselves could launch an investigation. Police and justice officials interviewed by Human Rights Watch justified their failure to investigate and prosecute forced begging in several ways. Some said they had received no specific instructions from higher authorities to do so; all said they had insufficient time, funding or personnel. Some also cited the daunting pervasiveness of forced begging and the lack of facilities to handle all the *talibés* if they were removed from such daaras.[[6]](#footnote-6) Human Rights Watch concluded that the second phase of the programme in 2018 again failed to ensure justice against the Quranic teachers responsible for forcing the children to beg.[[7]](#footnote-7) The 2019 Department of State *Trafficking in Persons* (TIP) report concurs, stating that in the second phase of the programme “…most implicated individuals, including men posing as Quranic teacher, received administrative penalties rather than being criminally investigated or prosecuted.”[[8]](#footnote-8)

The 2019 TIP report states that in the reporting year (1 April 2018 to 31 March 2019) there were three convictions of Quranic teachers for forcing children to beg under Law No. 2005-6 to Combat Trafficking, in addition to abuse and child endangerment charges. It notes that prior to these three convictions, only three individuals had been convicted for forced begging since 2005.[[9]](#footnote-9) The three convicted individuals reportedly received sentences of two years’ suspended sentence, two years’ imprisonment, and three years’ imprisonment, respectively; two of these sentences are in compliance with the penalties prescribed in Law No. 2005-6. The report states that “Officials did not consistently use the 2005 anti-trafficking law to prosecute alleged traffickers. When officials identified a potential forced begging case, they often issued administrative penalties to the alleged perpetrators instead of criminally investigating and prosecuting the case; during the reporting period, 136 alleged child forced begging cases were handled administratively. By not criminally investigating or prosecuting these forced begging cases, the government did not adequately hold traffickers accountable.”[[10]](#footnote-10) This conclusion is in line with the findings by Human Rights Watch and PPDH that in 2017 and 2018 investigations and convictions for abuses remained limited, and charges against Quranic teachers continued to be dropped or sentences reduced by the judiciary in a number of cases.”[[11]](#footnote-11)

In 2016, the Committee on the Rights of the Child in 2016 stated that it “…is deeply concerned about the very low rate of investigations, prosecutions and convictions of those responsible for trafficking, forced begging, child prostitution or forced child labour.”[[12]](#footnote-12) The Committee urged the State party to “Strengthen measures to remove *talibé* children from the control of Koranic teachers who exploit and mistreat them, and fully implement legislation prohibiting the exploitation of begging by others, including by promptly investigating and prosecuting perpetrators of such acts and punishing them accordingly;”[[13]](#footnote-13)

In March 2019, during the African Committee of Experts on the Rights and Welfare of Children’s periodic review of Senegal, forced child begging remained a prominent issue, especially with regards to the inadequacy of the measures taken by the Government to prevent forced begging, and the low rate of prosecutions and convictions for perpetrators of child exploitation and abuse, including Quranic masters.[[14]](#footnote-14)

* 1. **A need to amend Article 245 of the Penal Code**

There has been long-standing confusion as to whether or not Article 245 of the Penal Code, which lists circumstances in which begging is tolerable including seeking alms as part of religious traditions, provides an exemption allowing children to be forced to beg. While the 2005 anti-trafficking law criminalizes forced begging, provisions in the penal code that allows seeking of alms under certain conditions may have hampered law enforcement officials’ ability to distinguish traditional alms-seeking and exploitation through forced begging. The Government stated during the 2013 International Labour Conference that the provision for tolerated begging only applies to adults.[[15]](#footnote-15) However, in 2017 the ILO Committee of Experts on the Application of Conventions and Recommendations observed that, from a joint reading of these two provisions, it would appear that the act of organizing begging by *talibé* children cannot be criminalized, as it does not constitute an act of begging under section 245 of the Penal Code.[[16]](#footnote-16)

Given the continued uncertainty and ambiguity, and its potential impact on the propensity of law enforcement officials to undertake investigations, arrests and prosecutions, the Penal Code should be amended in order to explicitly guarantee that there are no circumstances in which it is permissible to force a child to beg. In addition, to improve the rate of prosecutions and convictions, the Government should revise Law No. 2005-6 to Combat Trafficking to allow civil society organization to act as a civil party and lodge complaints.

* 1. **The *retrait* programme and its failings**

The Dakar-focused “*retrait*” (withdrawal of street children) programme was launched in June 2016. The first phase of the programme ran from June 2016 until March 2017. According to the Ministry of Family, in the first year of the retrait programme, 1547 children were withdrawn from the streets of Dakar between June 2016 and March 2017, including 1089 identified as *talibés*. However, the most serious problem with the first phase of the programme was the sheer number of children returned to the care of the Quranic teachers who had subjected them to forced begging in the first place. Of the 1,456 children reported as ‘returned’, 1,006 children were returned to their Quranic teachers, who then took them back to the *daaras*.[[17]](#footnote-17) The vast majority of these *daaras* were never inspected, either before or after the return of the child, and none were formally investigated for forced begging. Not only were the *talibés* returned to their Quranic teachers, but up to 85 of these *daaras* also received money or supplies from the Ministry of Family when they came to recover the child. Sixteen *daaras* whose *talibés* were picked up from the streets received grants totalling around 950,000 CFA each (US$1,600).[[18]](#footnote-18) Despite the promises of sanctions by the President, not a single Quranic teacher was arrested or prosecuted for forcing *talibé* children to beg during the first year of the programme, which was carried out exclusively in Dakar. The number of children seen begging in Dakar diminished only during the first month of the programme, when many Quranic teachers still feared sanctions. After a few months, and in the face of the failure to investigate and prosecute offending teachers, the situation returned to the status quo.[[19]](#footnote-19)

In April 2018, phase two of the withdrawal programme began. The US Department of State 2019 Trafficking in Persons report (the TIP report) states that “the Ginddi Center cared for at least 541 child trafficking victims identified during the second phase of the campaign to remove vulnerable children from the streets of Dakar during the reporting period. Nearly all victims identified were child forced begging victims from Senegal, Guinea, Guinea-Bissau, The Gambia, Liberia, and Burkina Faso.”[[20]](#footnote-20) The report states that the second phase saw improved coordination between government agencies compared to the first phase. Human Rights Watch notes that while the second phase of the programme did not repeat some of the mistakes of the first phase, and ensured that children were returned to their parents, it once again failed to ensure justice against the Quranic teachers forcing children to beg.[[21]](#footnote-21)

Despite the government’s program to remove the children from the streets, there was no noticeable reduction in the number of talibés begging in the streets of Senegal’s major cities during 2018, with the exception of two Dakar municipalities of Médina and Gueule Tapée-Fass-Colobane where mayors issued decrees banning begging and requiring that *daaras*meet health and safety standards and took steps to close several daaras that did not comply.[[22]](#footnote-22) Government initiatives including social assistance projects and the retrait programme have been limited in scale and inconsistent. State child protection services across all regions are few and under-resourced.

**2.4 Limited implementation of the *daara* modernisation programme**

Modernisation and regulation of the *daara* system is crucial to address forced begging of *talibés*.However, implementation of the PAMOD programme to modernise the *daaras* is proving to be an extremely slow process. More information is provided about this in the following section, in response to paragraph 23 of the List of Issues.

1. **CONCLUSIONS AND RECOMMENDATIONS**

The Government is urged to demonstrate sustained and consistent political will to end forced begging of *talibé* children and take additional measures to enforce laws, prosecute perpetrators, protect children forced to beg, and accelerate the implementation of *daara* modernisation. Including to:

* Enforce existing laws on forced child begging, including Law No. 2005-6 to Combat Trafficking and the Penal Code, without exception, applying strict penalties that act as a deterrent, and are applied in practice;
* Amend Law No. 2005-6 to Combat Trafficking to enable civil society organisations to act as a civil party and lodge complaints; and amend the Penal Code in order to explicitly guarantee that there are no circumstances in which it is permissible to force a child to beg.
* Ensure that *talibés* who are forced to beg are removed from harmful situations by processes that promote the best interests of the child, and include rehabilitative care and family identification, reunification, and reintegration.
* Ensure meaningful inspections of *daaras* that focus not only on the quality of Quranic education but also the level of protection and rights of *talibé* children. A sufficient number of inspectors should be recruited, trained in child protection and relevant laws, and receive clear central instructions about their role and responsibilities.
* Ensure all law enforcement officials receive training on Law No. 2005-6 to Combat Trafficking and other laws relevant to forced child begging, and have adequate resources to investigate, arrest and prosecute.
* Fully implement the recommendations of the Committee on the Rights of the Child (2016) and the ILO Committee of Experts (2017) on forced child begging of *talibés*.

**Protection of children (arts. 23 and 24)**

**Paragraph 22 of the List of Issues**

1. **VIOLENCE, NEGLECT AND ENDANGERMENT OF TALIBE CHILDREN**

*Talibé* children living in residential *daaras*, separated from their families for long periods, are subjected to multiple forms of violence in addition to forced begging, They experience regular physical abuse and corporal punishment including beating, whipping, being chained and bound; emotional abuse; sexual abuse; and other forms of threats and coercion in order to meet their financial ‘quota’ from begging. Some *daaras* are set up in abandoned or unfinished buildings in conditions of extreme squalor, and *talibés* live in crowded and unhygienic conditions where they are vulnerable to disease and malnutrition. Children are denied access to medical care and sufficient food. Medical conditions and wounds regularly go untreated; even deaths sometimes go unreported. Children fleeing *daaras* because of corporal punishment, physical abuse and poor conditions often end up living on the streets.

The report by Human Rights Watch and PPDH found staggering levels of serious abuses by Quranic teachers in 2017 and 2018, including deaths, beatings, sexual abuse, chaining and imprisonment, and numerous forms of neglect and endangerment.[[23]](#footnote-23) It documented the deaths of 16 *talibé* children in 2017 and 2018 due to abuse, neglect or endangerment by Quranic teachers or their assistants, occurring in the regions of Saint-Louis, Diourbel and Thiès. The children, who were between the ages of 5 and 15, include three who died following severe beatings, four who died in two *daara*fires*,* five killed in traffic accidents while begging or avoiding return to the *daara*, and four who died from untreated illnesses. Nine of these deaths took place in 2018, including two as a result of beatings: one in the city of Touba (Diourbel region) in April 2018, and one in the town of Mpal (Saint-Louis region) in May 2018. In addition, 61 cases were documented of beatings or physical abuse against *talibés* by Quranic teachers or their assistants in 2017 and 2018, 15 cases of actual or attempted rape or sexual abuse, and 14 cases of children imprisoned, tied or chained in *daaras.* In 43 of the documented abuse cases, children were beaten by *marabouts* or their assistants for failing to bring the requested sum of money after begging. Among the 14 cases of *talibés* restrained or imprisoned, many in cell-like rooms with bars or grating on the windows, some of the children were locked up for weeks or even months. “If we tried to run away, the *marabout* would chain us by both legs so we couldn’t move,” said a 13-year-old *talibé* who escaped after being chained for three weeks in a *daara*in Touba[[24]](#footnote-24).

Human Rights Watch also documented numerous cases of child neglect by Quranic teachers during field visits to 22 Quranic schools in Dakar, Diourbel, Louga and Saint-Louis regions. Multiple *daaras* housed from dozens to hundreds of *talibés* in conditions of extreme filth and squalor, often in unfinished buildings missing walls, floors or windows. Trash, sewage and flies clogged the ground and air, and children slept crammed dozens to a room or outside, often without mosquito nets. Dozens of *talibés* with visible infections or illnesses had not received medical treatment, and 13 *daaras* visited provided little to no food to the children, according to *talibé* children and Quranic teachers interviewed.[[25]](#footnote-25)

1. **THE GOVERNMENT RESPONSE TO VIOLENCE, NEGLECT AND ENDANGERMENT OF TALIBE CHILDREN**

Government action to protect *talibé* children against violence and neglect, and prosecute the perpetrators of this abuse, has been insufficient. While Senegal has strong domestic laws banning child abuse, endangerment, and forced begging, Human Rights Watch found that laws were inconsistently enforced against abusive Quranic teachers in 2017 and 2018. Investigations and convictions for abuses remained limited, and charges were dropped or reduced by judges or public prosecutors in a number of cases. We regret the absence of statistical data on prosecutions, convictions and sentences passed for violence against *talibé* children in the Government’s response to the List of Issues.

Government initiatives including social assistance projects and the retrait programme have been limited in scale and inconsistent. State child protection services across all regions are few and under-resourced. [[26]](#footnote-26) According to Human Rights Watch, Officials rarely close *daaras* that pose health and safety risks to children. In 2018, mayors of the two Dakar municipalities of Médina and Gueule Tapée-Fass-Colobane issued decrees banning begging and requiring that *daaras*meet health and safety standards and took steps to close several *daaras* that did not comply.[[27]](#footnote-27)

A major limitation in the Government’s response to violence, neglect and endangerment of children has been its slow progress in the implementation of the PAMOD *daara* modernisation programme. This is outlined in the following section.

**Paragraph 23 of the List of Issues**

1. **LIMITED IMPLEMENTATION OF THE *DAARA* MODERNISATION PROGRAMME**

Modernisation and regulation of the *daara* system is crucial to address forced begging and abuse of *talibé* children. In November 2013, the PAMOD programme (Projet d'Appui à la Modernisation des Daara) was officially launched to set norms for *daaras*, including the eradication of begging, a more diverse academic curriculum, and decent standards of hygiene, health, child protection and child rights.

However, implementation of the *PAMOD* programme to modernise the *daaras* is proving to be an extremely slow process. The draft Daara regulation law, which establishes the criteria that *daaras* will have to conform to and against which they will be inspected, was first introduced in 2010 and then reintroduced in 2013, but has still not been adopted as of September 2019. While it was approved by the Council of Ministers in 2018 after a long delay, it is not known to have been introduced to the National Assembly yet. Furthermore, the text was considerably weakened following consultation with religious leaders and Quranic masters and does not contain an explicit prohibition of begging (although it is mentioned in the implementing decrees).

Until the *daara* regulation law is passed, the nationwide regulation system of the *daaras* cannot be rolled out. In the meantime, there are significant gaps in the performance of the Daara Inspectorate, who appear to lack clear central guidance and instructions about their role, and do not appear to be developing plans to address child begging and abuse in *daaras*. It also is unclear whether the Inspectorate intends to inspect all *daaras*, or just those registered as modern, creating a risk that unregistered *daaras* would continue to operate unchecked. The Ministry of Justice has not been sufficiently involved in the *daara* modernisation programme, which limits the potential to close exploitative *daaras* and prosecute abusive masters.

The Government has also begun to set up ‘modern’ *daaras*, with funding from the World Bank and the Islamic Development Bank. The aim is that these *daaras* will have high standards, with school canteens and highly qualified Quranic teachers, capable of teaching other subjects, and that parents will be encouraged to send their children to these *daaras* rather than *daaras* that force children to beg. The Government states it will also give financial subsidies to existing *daaras* with good practices to help them fully eradicate any reliance on begging and offer grants to the families of *talibés* who agree to return to or stay in their place of origin to study. According to the US Department of State Trafficking in Persons report, participation in the program to become a “modern *daara*” and receive subsidies will be voluntary.[[28]](#footnote-28)

Supportive Quranic masters who have submitted applications for their *daara* to obtain the status of a modern *daara,* are frustrated by administrative slowness in the process of delivering authorisations.

A further gap in the Government’s response is that currently the PAMOD *daara* modernisation programme seems to be focusing on the new *‘*modern *daaras’* that are being built rather than also supporting existing *daaras* to improve their practices and facilities.

In March 2016, the Committee on the Rights of the Child, expressed it concerns about the “Slow progress in adopting the law on modernizing Koranic schools…”[[29]](#footnote-29) and recommended that the State party “(b) **Accelerate the adoption of the law on modernizing the *daaras* and provide adequate technical and financial resources for the effective functioning of the inspectorate of the *daaras****;”*[[30]](#footnote-30)

In 2017, the ILO Committee of Experts took “…due note of the draft legislation to eliminate begging by talibe children, but observes that it has been under preparation and consultation for several years” and urged the Government “***to intensify its efforts to ensure the adoption of the various draft legal texts with a view to prohibiting and eliminating begging by talibe children and to protect them against sale, trafficking and forced or compulsory labour and to ensure their rehabilitation and social integration.”***

1. **CONCLUSIONS AND RECOMMENDATIONS**

The Government is urged to demonstrate sustained and consistent political will to end violence, neglect, endangerment and forced begging of *talibé* children, and accelerate measures to implement the *daara* modernisation programme. Including to:

* Introduce the draft Daara regulation law to the National Assembly for review, discussion and adoption without further delay.
* Ensure meaningful inspections of daaras that focus not only on the quality of Quranic education but also the level of protection and rights of *talibé* children. A sufficient number of inspectors should be recruited, trained in child protection and relevant laws, and receive clear central instructions about their role and responsibilities.
* Ensure that *talibés* who are forced to beg and subjected to violence and abuse, are removed from harmful situations by processes that promote the best interests of the child, and include rehabilitative care and family identification, reunification, and reintegration.
* Promptly conduct investigations into cases of suspected violence, neglect, endangerment and forced begging against/of *talibés,* with prosecutions brought and sentences passed that act as a deterrent and are applied in practice.
* Strengthen child protection mechanisms, including by providing adequate resources to children’s shelters and child protection services nationwide.
* Fully implement the recommendations of the Committee on the Rights of the Child (2016) and the ILO Committee of Experts (2017) on forced child begging of *talibés*.

1. It was reintroduced in 2013 after a fire at a *Daara* in Medina, Dakarm that killed nine *talibé* children who had been locked in the *daara overnight* [↑](#footnote-ref-1)
2. Human Rights Watch and PPDH, ‘*There is Enormous Suffering’: Serious Abuses Against Talibe Children in Senegal 2017-2018*, 11 June 2019

   https://www.hrw.org/report/2019/06/11/there-enormous-suffering/serious-abuses-against-talibe-children-senegal-2017-2018 [↑](#footnote-ref-2)
3. *Ibid* [↑](#footnote-ref-3)
4. Dakar, Diourbel, Fatick, Kaolack, Louga, Saint-Louis, Tambacounda, and Thiès [↑](#footnote-ref-4)
5. Human Rights Watch and PPDH ‘*There is Enormous Suffering’: Serious Abuses Against Talibe Children in Senegal 2017-2018*, op.cit [↑](#footnote-ref-5)
6. Human Rights Watch, *“I still see the Talibés begging,* op.cit [↑](#footnote-ref-6)
7. Human Rights Watch and PPDH, ‘*There is Enormous Suffering’: Serious Abuses Against Talibe Children in Senegal 2017-2018* [↑](#footnote-ref-7)
8. US Department of State, *2019 Trafficking in Persons Report: Senegal,* June 2019 [↑](#footnote-ref-8)
9. US Department of State, *2019 Trafficking in Persons Report: Senegal,* June 2019 [↑](#footnote-ref-9)
10. US Department of State, *2019 Trafficking in Persons Report: Senegal,* June 2019 [↑](#footnote-ref-10)
11. Human Rights Watch and PPDH, ‘*There is Enormous Suffering’: Serious Abuses Against Talibe Children in Senegal 2017-2018*, op.cit [↑](#footnote-ref-11)
12. Committee on the Rights of the Child, *Concluding observations on the combined third to fifth periodic reports of Senegal,* CRC/C/SEN/CO/3-5, 7 March 2016, para 71 [↑](#footnote-ref-12)
13. *Ibid.,* Para 70a [↑](#footnote-ref-13)
14. ACERWC/RPT (XXXIII). Item 13: Consideration of State party report: Senegal, pp41-43 [↑](#footnote-ref-14)
15. Individual case (CAS) – Discussion: 2013, Publication: 102nd ILC session (2013), Worst Forms of Child Labour Convention, 1999 (No. 182) – Senegal (ratified 2000) [↑](#footnote-ref-15)
16. Observation (CEACR) - adopted 2016, published 106th ILC session (2017) [*Worst Forms of Child Labour Convention, 1999 (No. 182)*](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312327:NO) *- Senegal (Ratification: 2000)* [↑](#footnote-ref-16)
17. Human Rights Watch, *“I still see the Talibés begging”: Government Program to Protect Talibé Children in Senegal Falls Short*, July 2017 [↑](#footnote-ref-17)
18. Information provided by the Ministry of the Family to Human Rights Watch, in *Ibid* [↑](#footnote-ref-18)
19. *Ibid* [↑](#footnote-ref-19)
20. US Department of State, *2019 Trafficking in Persons Report: Senegal,* June 2019 https://www.state.gov/reports/2019-trafficking-in-persons-report/senegal/ [↑](#footnote-ref-20)
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