



Edited by

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Gabriella Rossetti

# National Seminar on Eradicating Child Labour in Somalia

27<sup>th</sup>-28<sup>th</sup> October 2019  
Mogadishu (Somalia)





The national seminar held in Mogadishu (Somalia) on 27 and 28 October 2019 has been planned in the context of the project "Protection of Somali children from the worst forms of exploitation of child labor (Somalia)"

The project was supported with funds of "Otto per Mille Waldensian Church", realized and co-funded by Nexus Solidarietà Internazionale Emilia Romagna (Nexus ER), Confederazione Generale Italiana del Lavoro (CGIL) and Federation of Somali Trade Union (FESTU).



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## **THANKS TO:**

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Heartfelt thanks also to Mr. Mban Kabu (ILO – International Labour Organization) and Mr. Joel Odigie, Deputy General Secretary of ITUC/CSI-Africa (International Trade Union Confederation).

Special thanks to Gabriella Rossetti for the commitment, time, and energy that she has always dedicated to us.



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# National Seminar on Eradicating Child Labour in Somalia

**27<sup>th</sup>-28<sup>th</sup> October 2019**  
**Mogadishu (Somalia)**

In 2015, world leaders adopted the 2030 Sustainable Development Goals (SDGs): 17 integrated goals and 169 associated targets to guide global development. SDG target 8.7 calls on governments to take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms. Somalia is among world governments that adopted 2030 Sustainable Development Agenda. Somalia's National Development Plan (NDP) envisions to protect its civilians, "with special attention to securing the rights of women, youth and children". Yet, child labour is widespread in Somalia and it has been further exacerbated in recent years by poverty, conflict and displacement.

Somalia has ratified some key international conventions concerning child labour, including the ILO convention 182 on Worst Forms of Child Labour and the ILO convention 138 on Minimum Age.

The project "*Protezione dei bambini somali dalle peggiori forme di sfruttamento del lavoro minorile (Somalia)*" co-funded by the Waldensian Church and implemented by Nexus Emilia Romagna and its local partner Federation of Somali Trade Unions (FESTU), aims to contribute to further consolidating national commitment to accelerate the pace of elimination of child labour in Somalia as required in Target 8.7 of the 2030 Agenda on Sustainable Development and in line with Somalia's National Development Plan.

The project has foreseen the realization of a two-day National Seminar on 'Protecting Somali Children from Exploitation' involving several national and international actors engaged in the fight against child labour and exploitation. The two-day seminar took place in Mogadishu on 27-28 October 2019, with the participation of the Federal Minister of Labour and Social Affairs (H.E. Sadik Hirsi Warfa), the Ambassador of Italy (H.E. Alberto Vecchi), and contributions of representative from FESTU (Omar Faruk Osman, General Secretary), ILO (Mban Kabu, workers specialist for Horn and East Africa), ITUC-Africa (Joel Odigie, Coordinator for Human and Trade Union Rights), and CGIL (Salvatore Marra, International and European policies adviser). The seminar was intended to lay out a practical vision for accelerating the pace of the elimination of child labour in Somalia, providing a forum to discuss operationalization of target 8.7 of Sustainable Development Goals (SDGs) within the framework of National Development Plan to secure the prohibition and elimination of the worst forms of child labour. Furthermore, the participants identified common challenges and priorities, and elaborated a multi-stakeholder action plan for the near future.





Day  
**1**

**27<sup>th</sup> October**



## 1

# OVERVIEW OF CHILD LABOUR

**Mban Kabu**

ILO workers specialist for Horn and East Africa

The intervention of Mban Kabu, ILO workers specialist for Horn and East Africa, presented an overview of child labour at global and regional level. The definition of child labour is offered by the two ILO Conventions which represent a complementary approach to the same objective: the elimination of child labour and its worst forms. These are the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182). According to the Articles of these Conventions, child labour is defined as a sub-set of working children. It includes all children in the age cohort 5-11 years who are working; all children between the ages 12-14 years, who are performing work not considered as light work and working more than 14 hours a week; and all those in the 15-17 years group whose work may be deemed hazardous.

## ***The Minimum Age Convention, 1973 (No. 138)***

The ILO Convention N. 138 (1973) has been ratified by 172 countries. Convention No. 138 establishes various minimum ages for admission to employment or work, depending on the types of employment or work performed:

### *General minimum age – mandatory*

Each Member State which ratifies Convention No. 138 shall specify a general minimum age for admission to employment or work within its territory and on local registered means of transport. Not less than the age of completion of compulsory schooling and, in no case, not less than 15 years.

### *Higher minimum age for hazardous work – mandatory*

Any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardise the health, safety or morals of young persons. The minimum age for admission shall not be less than 18 years. These types of hazardous work shall be determined by the competent authority, after consultation with the organizations of employers and workers concerned.

### *Flexibility clauses – optional*

Flexibility clauses might apply for apprenticeships and vocational training, light work, artistic performances, with possible exceptions from the ages of 12 or 13. Exclusion clauses: Articles 4 and 5 of the Convention.

### ***The Worst Forms of Child Labour Convention, 1999 (No. 182)***

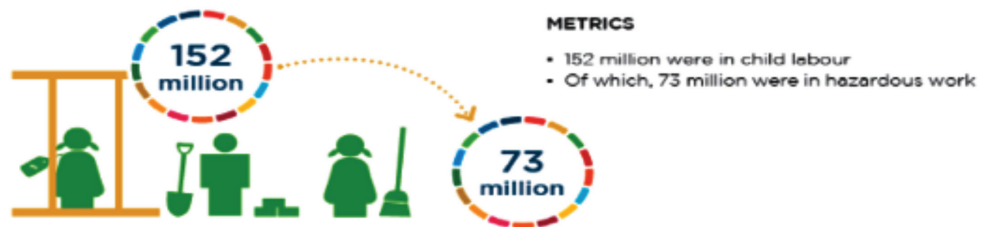
The ILO Convention N. 182 (1999) has been ratified by 186 countries. Each Member State which ratifies the Convention shall take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency (Article 1). For the purposes of the Convention, the term “child” shall apply to all persons – boys and girls – under the age of 18 (independent of the country’s level of development) (Article 2). Article 3 of the Convention defines the worst forms of child labour:

- (a) All forms of slavery or practices similar to slavery, such as:
  - the sale and trafficking of children,
  - debt bondage and serfdom
  - forced or compulsory labour,
  - including forced or compulsory recruitment of children to be employed in armed conflict.
- (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances.
- (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties.
- (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children – hazardous work.

According to ILO 2017 Global Estimates of Modern Slavery and Child labour, there are approximately 152 million children aged 5-17 years trapped in child labour, of which 73 million are in hazardous work. About 58 per cent (i.e. 88 million) of child labourers are males and 42 per cent (i.e. 64 million) are females. About 48% of child labourers are in the age cohort 5-11 years. Considering main economic activities, agriculture accounts for 70.9 per cent of all child labour, followed by services (17.2 per cent) and industry 11.9 per cent.

Africa accounts for 19.6 per cent of child labour, followed by Asia and the Pacific which has 7.4 per cent, the Americas which host 5.3 per cent, Europe and Central Asia which accounts for 4.1 per cent and the Arab States which has 2.9 per cent.

## children aged 5-17 years



### REGIONAL PREVALENCE OF CHILD LABOUR

Africa	19.6%
Americas	5.3%
Arab States	2.9%
Asia and the Pacific	7.4%
Europe and Central Asia	4.1%



## OF THE 152 MILLION CHILDREN IN CHILD LABOUR

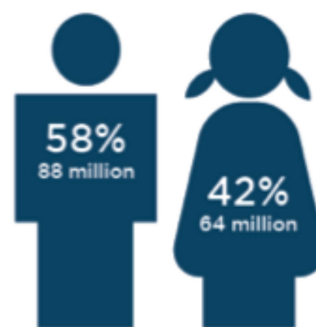
### AGE PROFILE

**48%**  
5-11 years-olds

**28%**  
12-14 years-olds

**24%**  
15-17 years-olds

### GENDER



### ECONOMIC ACTIVITY

**70.9%**  
Agriculture

**11.9%**  
Industry

**17.2%**  
Services



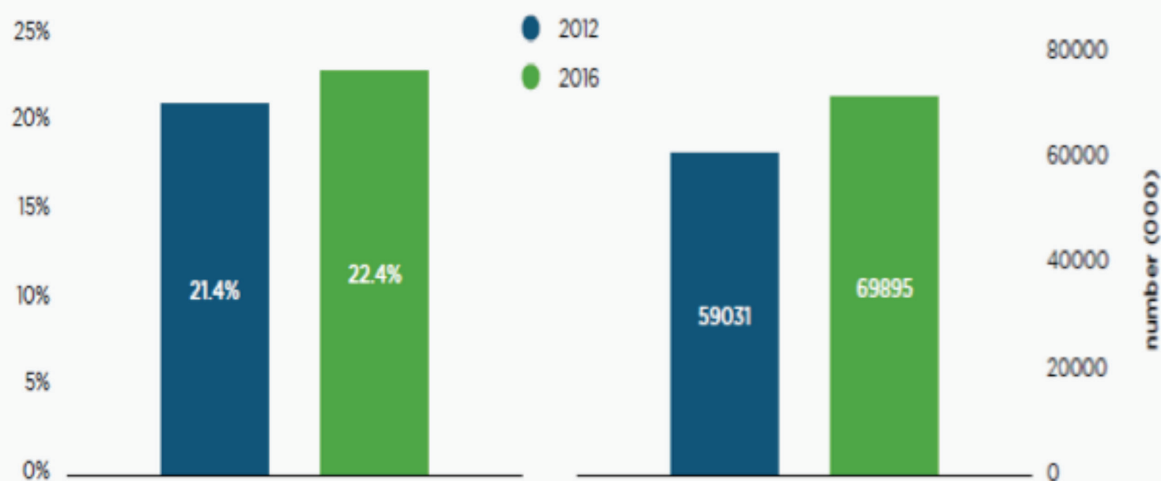
## Africa

Mban Kabu highlighted that one-fifth of all African children are involved in child labour, a proportion more than twice as high as in any other region. Nine per cent of African children are in hazardous work, again highest of all the world's regions. In absolute terms, 72.1 million African children are estimated to be in child labour and 31.5 million in hazardous work.

Progress against child labour appears to have stalled in the continent. Child labour went up in Sub-Saharan Africa from 2012 to 2016 particularly contrary to continued progress elsewhere in the world, and despite the targeted policies implemented by African governments to combat child labour. The African region has also been among those most affected by situations of state fragility and crisis, which in turn heighten the risk of child labour.

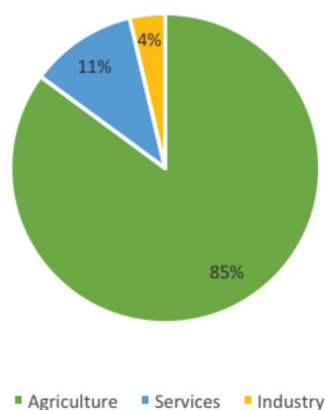
			Children in employment		Of which: Children in child labour		Of which: Children in hazardous work	
			2012	2016	2012	2016	2012	2016
World (5-17 years)		Number (000s)	264 427	218 019	167 956	151 622	85 344	72 525
		Prevalence (%)	16.7	13.8	10.6	9.6	5.4	4.6
Age range	5-14 years	Number (000s)	144 066	130 364	120 453	114 472	37 841	35 376
		Prevalence (%)	11.8	10.6	9.9	9.3	3.1	2.9
	15-17 years	Number (000s)	120 362	87 655	47 503	37 149	47 503	37 149
		Prevalence (%)	33.0	24.9	13.0	10.5	13.0	10.5
Sex (5-17 years)	Male	Number (000s)	148 327	123 190	99 766	87 521	55 048	44 774
		Prevalence (%)	18.1	15.0	12.2	10.7	6.7	5.5
	Female	Number (000s)	116 100	94 829	68 190	64 100	30 296	27 751
		Prevalence (%)	15.2	12.4	8.9	8.4	4.0	3.6
Region (5-17 years)	Africa	Number (000s)	--	99 417	--	72 113	--	31 538
		Prevalence (%)	--	27.1	--	19.6	--	8.6
	Americas	Number (000s)	--	17 725	--	10 735	--	6 553
		Prevalence (%)	--	8.8	--	5.3	--	3.2
	Asia and the Pacific	Number (000s)	129 358	90 236	77 723	62 077	33 860	28 469
		Prevalence (%)	15.5	10.7	9.3	7.4	4.1	3.4
	Europe and Central Asia	Number (000s)	--	8 773	--	5 534	--	5 349
		Prevalence (%)	--	6.5	--	4.1	--	4.0
	Arab States	Number (000s)	--	1 868	--	1 162	--	616
		Prevalence (%)	--	4.6	--	2.9	--	1.5

Percentage and number of children in child labour, 5-17 years age group, Africa, 2012 and 2016



Agriculture accounts for 85 per cent of all child labour in Africa and 61.4 million children in absolute terms. Child labour in agriculture relates primarily to subsistence and commercial farming and livestock herding, most is unpaid and takes place within the family unit. Of the remaining children in child labour, 81 million (11 per cent) are found in the services sector and 2.7 million (4 per cent) are found in industry.

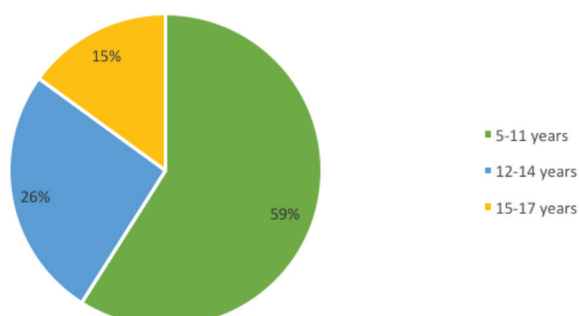
*Percentage distribution of children in child Labour, by branch of economic activity, Africa, 2016*



This age profile of child labour in Africa is much “younger” than elsewhere. Young children form the largest group of those trapped in child labour. The age breakdown of children in child labour indicates that 59 per cent of all those in child labour are in the 5-11 years age group 26 per cent are aged 12-14 years and 15 per cent fall into the 15-17 years age range. Children in the youngest age group also constitute the largest group in hazardous work in Africa. The global estimates for 2016 indicate that there was a total of over 9.2 million victims of modern slavery in Africa on any given day in 2016. This translates into a prevalence of 7.6 per 1,000 persons, highest in any region in the world.

The group of very young African children facing hazardous work conditions directly endangering their health, safety and moral development is of special concern. The largest share of those in modern slavery were victims of forced labour. About two thirds (63 per cent) of the total were victims of forced labour (which covered three areas: forced labour imposed by private actors; forced sexual exploitation; and State-imposed forced labour) and 37 per cent were victims of forced marriage. The prevalence of forced marriage was the highest of all the world’s regions.

*Distribution of child labour in Africa by age cluster, %*









# 2 CHILD LABOUR IN SOMALIA AND THE ROLE OF FESTU

**Omar Faruk Osman**  
FESTU, General Secretary

The intervention of Omar Faruk Osman, FESTU General Secretary, provided an overview of child labour in Somalia. At least 45% male and 54% female children between the ages of 5-14 years are considered to be involved in child labour in the Country. More than 2 million children in Somalia are not attending school because they have been forced to work. Children as young as five years old are part of the national labour force. Female children are employed as domestic workers. In farms and in the fields, children work up to 16 hours a day, seven days a week. Agriculture, fishing, seafood processing, small-scale manufacturing, hospitality, domestic work and street vending are a few of the many sectors where child labour is rampant in all regions of Somalia. The Southern regions are those with the highest incidence of child labour.

Omar Faruk Osman highlighted that child labour is most common in workplaces and sectors where there is no effective union representation and where other worker rights violations, such as pay inequity, discrimination, and lack of health and safety measures, are widespread. Child workers are deprived of education, forced to work in dangerous situations, beaten and sexually abused and often are incapacitated by work-related illnesses and injuries. Children also herd livestock and they suffer injuries such as being bitten by snakes, and butted, gored, or trampled by animals.

Somali children are forced to break rocks into stones and gravel that are used for construction work. They also work in the street as beggars, porters and vendors. Children who work on the street also wash cars, shine shoes, and sell cigarettes, khat, sweets, bottled water, plastic bags, fruits, toothbrushes and toothpastes. Children working on the streets are exposed to abuse and violence. Children are indentured to employers who pay low wages to the families for the employment of their children thus lowering wages and increasing poverty countrywide.

Article 29 of the Provisional Constitution specifies that “every child has the right ... not to be used in armed conflict”. However, the terrorist organization Al-Shabaab resorts to widespread and systematic forceful conscription and recruitment of children within their ranks for criminal and armed operations. Al-Shabaab is today the main perpetrator in the use of child soldiers in Somalia. Boys as young as 8 years are bribed and/or forcibly taken from their homes, schools, and the streets to serve as soldiers. Conscripted children plant roadside bombs and other explosive devices, operate checkpoints,

serve as human shields and suicide bombers, and are trained to carry out assassinations. Some conscripted boys over age 15 are forced to fight or face execution. Armed groups recruit girls for forced marriage with their soldiers. Girls are also recruited to transport weapons and provide intelligence and logistical support.

In 2014, Somalia ratified ILO Convention No. 182 on the Worst Forms of Child Labour following FESTU's aggressive campaign. The country has not ratified Convention No. 138 on the Minimum Age for Admission to Employment. Somalia is governed by the Provisional Federal Constitution passed in August of 2012, which does not establish a minimum age for employment, and the current government has not passed laws establishing a minimum age for employment or a list of hazardous activities. Somalia's constitution defines a child as "any person under 18 years of age", and stipulates that, "no child may perform work or provide services that are not suitable for the child's age or create a risk to the child's health or development in any way." The 1972 Labour Code, which fails to meet the International Labour Standards, establishes the minimum age for employment at 15, excluding children working for their families. It also prescribes a range of minimum ages for employment into certain hazardous activities. Somalia's tripartite constituents agreed on a new draft Labour Law which amends the old and out-dated labour code of 1972 but has not yet been enacted into law by Parliament. Thus, there is currently a lack of labour laws which provide protections for minimum age and hazardous work, and the lack of national policy on child labour, leave children unprotected child labour in general and its worst forms

Omar Faruk Osman states that Somali trade unions, under the aegis of the Federation of Somali Trade Unions (FESTU), have been campaigning on social problems since their establishment. These unions require up-to-date laws on freedom of association, safe and healthy workplaces as well as for the rights of workers to demand their spaces. But it is not secret that FESTU and its affiliated unions have had to campaign for the very right to exist, when the successive governments of Somalia have tried to outlaw them, or employed different methods to suppress them.

Trade unions have also used campaigns to achieve wider goals. In the fight against child labour, union campaigning has been a strategy which the trade union movement has been using effectively to raise awareness and to improve and implement international standards. FESTU and its affiliates have campaigned against child labour since 2011, a year after the federation's formation because the labour unions could not allow the Federal Government and the Federal Member States to claim that they do not know that child labour exists. In addition, trade unionists would not allow employers or criminal groups to continue to exploit child labour. Somali trade unions are aware that the first most important step towards protecting children from exploitation and abuse in the workplace is to make their situation known. By exposing cases of abuse and explaining the issue, the trade union movement puts pressure on the government to push them into action, tries to influence employers and mobilize public opinion to create a society which will not tolerate child labour.

FESTU, with the help of its Italian partners CGIL and NEXUS, has been exposing the problem of child labour, pushing for policies that prepare young people for the workplace, and promoting more effective national action plans to curb this intolerable menace that continues to undermine the very foundation of Somalia. Through this Italian funded program, trade unions have also been advocating for parents focused intervention measures including the campaign for adequate living wages for workers so that their children don't have to work.

The FESTU's approach for combating child labour strongly focuses on promoting decent work for adults as a long-term sustainable way to improve the quality of life for families, address the underlying economic root causes of child labour, and empower entire communities. FESTU believes that an



effective anti-child labour measure is badly needed in order to effectively address the chronic problem of child labour, push the government to demonstrate willingness and readiness to safeguard rights that allow individuals, unions and employers to promote decent work for adults, for children to have access to education and social partners to mount national advocacy to eradicate child labour.



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# 3 EXPERIENCES AND LESSONS LEARNED ON HOW TO TACKLE CHILD LABOUR ISSUES IN ITALY

**Salvatore Marra**

CGIL, International and European policies adviser

Salvatore Marra from CGIL provided an overview of experiences and lessons learned on how to tackle child labour issues in Italy. He highlighted that child labour is complex and deeply rooted in poverty and it is not unique of Somalia.

Child labour is mentioned in the Constitution of the Italian Republic, but attention to this phenomenon already existed before the adoption of the Constitution in 1948. Art. 37 states that the minimum age limit for paid labour must be established by law and states that the Republic must protect the work of minors with special rules and guarantee equal pay for equal work.

European legislation also includes special provisions on child labour, starting from the European charter of fundamental rights (article 32) on the “Prohibition of child labour and protection of young people at work” The article states that “The employment of children is prohibited. The minimum age of admission to employment may not be lower than the minimum school-leaving age, without prejudice to such rules as may be more favourable to young people with exceptions for limited derogations. Young people admitted to work must have working conditions appropriate to their age and be protected against economic exploitation and any work likely to harm their safety, health or physical, mental, moral or social development or to interfere with their education.”

The European Union also adopted the directive 94/33, which established basic principles regarding working relationships with minors. In the first place, the completion of the 15<sup>th</sup> year of age was established as a requirement to enter the world of work, secondly it was established that young persons must first of all undertake a course of education and professional training.

Children (under the age of 15), on the other hand, must refrain from any work, but when it comes to cultural, artistic, sports, advertising and entertainment activities, these minors can only work with children with written consent of the parents and with the authorization of the Provincial Labor Directorate. Minors who are between the ages of 15 and 18, teenagers, cannot perform jobs that could potentially stop full physical development.

The first comprehensive Italian law against child labour was adopted in 1967, but then re-adapted to the European directive provisions in 1999. The legislation on child labour has been adapted constantly until very recent to make it more and more efficient and adapt it to current circumstances.

Nevertheless, currently there are about 340,000 minors aged 16 involved in work activities in Italy. 28,000 children and adolescents in work in environments at risk for their health and safety and involved in very dangerous activities.

The “Game Over” research by Save The Children Italy reported that 7% of children under the age of 15 often perform long working hours jobs or night shifts (around 28,000). The main sectors are catering (43%), crafts (20%) and agriculture (20%). In conditions of economic crisis, employers often prefer to contract a teenage boy as the costs are lower, even if several are involved in family activities (44.9%). Children are often forced to interrupt their studies and have no time for leisure or rest. Italy has one of the highest school drop-out rates in Europe (18.2%) and if preventive measures are not taken, the situation can further worsen.

Actions against child labour have been implemented by institutions, NGOs, trade unions, employers etc. but there is still a lot to be done. Networking between the different stakeholders and preventing the phenomenon are key factors for the success of the fight against child labour. Exploitation of children in labour is strongly connected to other conditions such as poverty, sexual exploitation, unaccompanied foreign minors and trafficking of human beings.

Trade unions in Italy have always been engaged in this fight against child labour. Child labour is work which violates national and international standards concerning the work of children. Putting the efforts of workers and trade unions organizations at the heart of strategies for eradicating child labour means producing tangible results and beneficial social effects for entire communities.

Salvatore Marra concluded that the eradication of child labour is a necessary step on the path to decent work for all and for sustainable development in Somalia. It requires political will at the national level implementation of all ILO conventions, investment in education and universal social protection, as well as decent work for adults. Trade unions have a vital role to play in bringing about these changes and this is the very reason why CGIL is supporting FESTU in the national advocacy activities and campaigning to eradicate child labour.









Day **2** 28<sup>th</sup> October



## 4

# ELIMINATING CHILD LABOUR IN SOMALIA: WHAT ROLE FOR THE TRADE UNIONS?

**Joel Odigie**

ITUC-Africa, Deputy General Secretary

The intervention of Joel Odigie, ITUC-Africa, focused on the causes of child labour and on the role of trade unions on eliminating any form of child exploitation. Poverty is undoubtedly a cause accounting for child labour. But child labour itself is a cause of poverty. Poverty makes households more likely to have to resort to child labour at the expense of their children's education to meet basic needs and deal with uncertainty and natural and/or man-made shocks. For example, studies show that households can respond to health shocks, such as the sudden illness of caregivers or primary wage earners, by sending children to work. This suggests that child labour acts as a buffer or insurance against the impact of health-related shocks to households.

The lack of valuable schooling options is a key reason for children entering work too soon. Secondly and equally important, is the impact of educational deprivation on labour market prospects later in the life cycle. Simply stated, people with low levels of educational attainment usually lack the skills and bargaining power needed for securing decent work in the formal economy, leaving them less resilient to violations of their rights in the labour market.

The lack of organized childcare services for lactating mothers can mean having to care for their young children at their place of work or ask an older girl child to take care of the young sibling, preventing them from attending school; or it can mean having to bring their work home, in turn resulting in children's very early exposure to, and frequently involvement in work.

Violence, e.g. in the home, at school or institutions – can drive children to run away and become vulnerable and exposed to child labour. Work becomes a way to survive, even in extremely exploitative forms such as sexual exploitation, recruitment by gangs, armed groups and armed forces. Discrimination and violence in schools can also contribute to child labour, as it means that children are more likely to drop out of school early if they are subject to discrimination or violence – including playground fighting, verbal abuse, intimidation, humiliation, corporal punishment, sexual abuse, gang violence, or other forms of cruel and humiliating treatment – by their peers, teachers and other school staff.

The risk factors include lack of awareness and capacity, lack of policy and inaction on the part of employers in relation to their responsibility to respect fundamental principles and rights at work, notably the prohibition of child labour. Economic and commercial pressures can also play a role in

driving some employers to use child labour in enterprises linked to global supply chains. An overall business environment characterized by a high degree of informality creates additional challenges for the government to conduct labour inspections and implement policies to assure due diligence measures by the employers

By and large, the socio-economic pressures that render individuals and workers vulnerable to child labour are multiple and mutually reinforcing. Poverty, informality, absence of social services and infrastructures, presence of violence, certain social norms, gender and other forms of discrimination all operate together to limit options for survival and sustainable livelihoods. If children can do the work of adults at lower wages, then they are seen as a threat to adult workers indirectly causing the lowering of wages and worsening of working conditions. Trade unions are in a good position to protect working children, advocate their right to education while demanding recognition of the rights of adult workers to better wages.

Joel Odigie argued that Somali trade unions can give the most significant contribution to the struggle against child labour by focusing on the development and validation of national policy on child labour so that the struggle can be guided by a policy. There is no doubt that trade unions have an objective interest in combatting child labour because the presence of large numbers of children in the labour market undermines the trade unions' bargaining power and makes it difficult to fight unemployment and underemployment among adults.

Workers' organizations therefore are logical leaders in discovering and denouncing child labour at the local and national levels. They can become credible advocates for the protection of children against exploitation and abuse in the workplace by documenting real cases of child labour and their effects on the children. As a potentially strong pressure group, Somali trade unions have an indispensable role to play in social mobilization efforts to combat child labour.

The unions stated that they will continue to demand for better public sector wages while organising workers in the private sector, and said that Somali labour inspection policy is almost non-existent. It is suggested that one can be developed through a tripartite agreement with technical support from the current project and the ILO. This policy must be definitive on the need for investigation, prosecution, and sanctions.

Furthermore, it was reminded that the judicial is weak and needs institutional support to be able to adjudicate on child labour issues. Judicial workers, lawyers, and judges can benefit from training on child labour. Also it was suggested to implement the development of Technical, Vocational Education and training (TVET), which can be implemented with both government and trade unions staff. Construction of shelter homes linked to TVET centres can also be considered, in order to give support to orphans and street children. Trade unions should also wave awareness campaigns on child labour by different means from street billboards to interactive radio programs.

Until now, industrial relations have been dominated by undue interference by government officials in the organizations and activities of trade unions and employers' associations perceived by government officials as "their properties". This made it impossible to follow a collective, broad stakeholder approach to tackle the risks of child labour since as social partners we're not free and allowed to make contributions as independent and democratic organisations. Fortunately, a positive atmosphere for social dialogue is now established which is developing and growing. The existence of a Somali National Tripartite Consultative Committee (SNTCC) is recognized as a possible development and platform that can help reap the fruits of the efforts of non-state actors to control and curb child labour.



To sum it-up, Joel Odigie recognised the following roles for trade unions:

Education and awareness for workers and their communities on the issues of child labour, the effects on children and society and on how people can act to contrast them. The participants believe that trade unions should develop interactive radio education programs and encourage members of the public to participate.

Mobilisation and marking of collaborative days – participants pointed out that trade unions being membership-based can mobilise their members, families and their communities to be part of collective actions against child labour. The mobilisation should also target religious and community leaders, as well as families, especially single-headed, women-headed ones. It was also agreed that commemorative days can be used to promote anti-child labour attitudes.

Advocacy and lobby – the trade unions can advocate for the implementation of education programs and facilities to tackle child labour issues; “the slogan children should be at school and in playgrounds and not in factories, farms and other workplaces” will be encouraged in the advocacy campaign and lobbying.

Advocacy should also include the call for preventive and prosecuting policies. For instance, labour inspection policy and practices should be effective and capable of sanctioning perpetrators. Advocacy will also be loud on the provision and application of progressive social protection programs. This will help to reduce the zero-sum effects of poverty and hardship in indigent households, root causes of child labour.







## 5

# IDENTIFYING SOLUTIONS FOR ELIMINATING CHILD LABOUR IN SOMALIA

**Mban Kabu**

ILO workers specialist for Horn and East Africa

**Joel Odigie**

ITUC-Africa, Deputy General Secretary

The joint intervention by Joel Odigie (ITUC-Africa) and Mban Kabu (ILO) focused on identifying solutions for addressing and eliminating child labour in Somalia. It was recognized that Somalia cannot afford to remain inactive to the fight against child labour, given the dire consequences of this social menace, including the erosion of the child's human rights, the loss of jobs for adults, the weakening of unions' bargaining power and the spiral of the cycle of poverty. Several actions and initiatives to be taken in the near future were identified:

- Spreading awareness: raising parents' and society's awareness of the scourge of child labour can prevent school dropout which leads children into child labour. Outreach communication can help parents and communities to understand children's problems and respond to them much more effectively. Awareness also helps parents and communities to achieve growth, education, employment and business opportunities and create a socially and economically developed society that meets the needs of children. Community events, sports, arts and theatre to educate communities on the importance of children's rights should be supported promoting educational resources and access to information services.
- Passing and enforcing strict laws to prohibit and combat the risks of child labour is crucial. These should be informed by the findings of a prior gap analysis of existing laws and policies. The child labour laws should be based on ILO child labour conventions (i.e. C138 and C182), the UN Convention on the Rights of the Child (1989), and the African Charter on the Rights and Welfare of the Child adopted in 1990 which came into force in 1999. A civil society coalition led by workers and a network of Non-Governmental Organizations (NGOs), in coordination with local, state and national authorities, should keep a watchful eye on the implementation of laws in favour of children. This should be supported by effective labour inspection services and the swift application of appropriate sanctions against defaulters to deter the spread of this bad social habit.
- Advocating for fully financed free, quality education for all: Public schooling that is free, accessible and of good quality provides families with a valuable alternative to involving their children prematurely in work and builds resilience to forced labour later in the life cycle. This includes ensuring a good start by promoting early childhood development, care and pre-primary education, which both

helps promote later school success while freeing poor parents from the care of their children while working. Parents and children themselves value schooling when it is seen as a path to a better future. Raising school quality requires, *inter alia*, addressing violence, overcrowding, teacher shortages and inadequate teacher training, lack of sanitation and canteen services or public financed school feeding programs. Clear policies on training, recruitment, deployment and decent working conditions for teachers are particularly important in this context. Offsetting the costs associated with schooling with measures such as abolishing school fees, reducing transport and other out-of-pocket costs and providing cash transfers to poor families to compensate them for the loss of earnings or production due to children's time spent in the classroom. Delivering community programs aimed at helping child labourers to leave work and return to school, such as providing remedial education, supporting access to school materials, and advocating for girls' education.

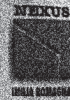
- Supporting access to secondary schooling can also be important to primary school enrolment, as parents have greater incentive to send their children to primary school rather than to work if they knew that their off springs will also have access to secondary education, where they see the initial investment in education begins to bear fruit. The school-to-work transition is particularly crucial, and education opportunities such as vocational training and skills building can increase the range of opportunities for the rehabilitation of victims of child labour and for young people to find work.
- Ensuring children's healthy development, through child survival interventions and access to basic services such as nutrition, clean water, sanitation and hygiene, and health services, is critical to breaking intergenerational cycles of poverty. The establishment of call centres and legal aid to combat the menace of child labour and guarantee equality for all, sustained inclusive economic growth and social progress for all are effective interventions that should receive the full attention of policy makers. When children's development is hindered, so too is their ability to attend and benefit from schooling and, ultimately, their chances of getting decent work in their adult lives.
- Implementing employment strategies which promote decent work for adults, providing quality public services for all and introducing robust policies to formalize the informal economy should underpin this forward match. The working conditions of working families often have very direct consequences on their ability to invest in their children's development. Long working hours constitute one impediment in this regard.
- Advocating for stronger social protection systems, including social protection floors, are needed to offset the socio-economic vulnerabilities that can push people into child labour. Without adequate social protection, families can be left with no other recourse than their children's labour to cope with adverse social or economic contingencies such as sudden loss of income or catastrophic illness, and adult workers can be left with little choice but to incur debt on usurious terms or to accept jobs that carry high risk of forced labour or fall into situations where they are trafficked.
- Ensuring freedom of association and collective bargaining – child labour, forced labour and human trafficking are closely associated with restrictions on workers' ability to exercise their rights to organize and bargain collectively. In situations where the rights to freedom of association and collective bargaining are denied, workers are unable to exert agency and collective voice, to defend their interests, or to positively influence the conditions of their working lives, in turn leaving them much more vulnerable to other fundamental labour rights violations, including forced labour and human trafficking. In many cases, children are forced to work, while their adult relatives remain unemployed. As an institution, collective bargaining can help tackle the root causes of child labour in a number of ways. Through collective bargaining, workers – through their elected representatives – are better able to negotiate improved wages and working conditions, thereby reducing dependence on income earned by children. Strong democratic trade unions may also advocate for the 'social



wage,' including employment promotion, vocational training and access to public education, all of which contribute to eradicating child labour. Collective bargaining has proven to be an effective means of increasing income, improving working conditions and identifying institutional mechanisms for resolving industrial conflict.

- The ILO should promote knowledge development initiatives on child labour, support awareness-raising campaigns, provide capacity-building activities for its constituents and advise the government on the development and implementation of laws, policies and relevant programs to combat child labour. Media and journalists can share untold stories about child labour and reveal what's going on in secret. Likewise, as an individual, citizen and consumer, you can be aware of children's issues, get involved in your community and with your representatives and spread the message about the urgency of the fight against child labour for the good of society.





**NATIONAL SEMINAR ON ERADICATING  
CHILD LABOUR IN SOMALIA**

*Theme: Protecting Somali Children  
from Exploitation*

26-27 October 2019

Mogadishu, Somalia



# 6 THE WAY FORWARD: ACTION PLAN

The seminar was concluded by a round table with discussion on concrete actions to be taken in the near future in order to eliminate child labour in Somalia. The representatives from *FESTU*, *CGIL*, *ILO* and *ITUC Africa* elaborated an action plan to be implemented soon. The following actions have been identified, including a roadmap and a ‘working network’ with the role of each actor involved to be involved in each action.

## ***ACTION 1 → Ratification and application of the Minimum Age Convention, 1973 (No. 138)***

**How?** The Federal Government of Somalia to obtain the consent of the Federal Parliament of Somalia on the ratification of ILO Convention No. 138 and convey this intent in writing to the ILO Director-General that the State of Somalia should be bound by the Convention and its undertaking to fulfil the provisions of the Convention, preferably with a specific reference to article 19(5) (d) of the ILO Constitution. To this end, the Federal Government of Somalia should communicate the ILO Convention No. 138 to the ILO Director-General, in order for the ratification to become effective in international law. The text of the said written communication should read as follows: “The Government of Somalia ... hereby ratifies the ... Convention adopted at the ... ILC Session and undertakes, in accordance with article 19, paragraph 5(d) of the ILO Constitution to fulfill its obligations in this respect.”

**Who?** The President of the Federal Government of Somalia who has the power and authority to seek the consent of the Federal Parliament on treaty ratification matters and also reserves the right to delegate ratification right to the Prime Minister/Minister of Foreign Affairs/Minister of Labour and Social Affairs.

**With whom?** FESTU, SCCI, Ministry of Justice, Federal Parliament of Somalia, MOLSA, Office of the Prime Minister and Ministry of Foreign Affairs, ILO, UNICEF, UNESCO

**By when?** 2020

### ***ACTION 2 → Free, quality and compulsory education for all***

**How?** Adopt a policy underpinned by realistic programs and strategies on free, quality and compulsory basic education for all. Rollout and fully finance fee free universal quality basic education programs for all by prioritizing the construction of sufficient number of well-equipped school infrastructures and children's recreational facilities in the national budget. Finance the development and distribution of core textbooks to all pupils and students for participating in the universal basic education program. Inject more investment in teacher's education and teachers in-service training program to render teachers fit for delivering an educational curriculum relevant to needs of the present-day labour market of Somalia, driven by the forces of globalization, technological advancement, climate change and demographic shifts.

**Who?** Ministry of Primary and Basic Education and Ministry of Economic Planning and Development.

**With whom?** FESTU, SCCI, UNICEF, UNESCO, WFP, FAO, World Bank, IMF, representatives of CBOs, PTAs, private sector, CSOs, children's welfare NGOs, religious organizations, international community.

**By when?** 2020-2023

### ***ACTION 3 → Develop and implement a comprehensive national child protection policy***

**How?** Undertake gap analysis to identify outstanding policy gaps and harmful social and cultural beliefs and practices that should be addressed during the development of the national child protection policy. Convene a national consultative child protection conference to get people's inputs to inform the development of the national child protection policy. Engage a team of experts to draft the national child protection policy based on the inputs generated from the national child protection conference and the tenets of ILO Convention No. 138 and Convention No. 182, the UN Convention on the Rights of the Child, 1999 and the African Charter on the Rights and Welfare of the Child adopted in 1990 and came into force in 1999. Submit the draft child protection policy should be submitted to the Federal Parliament of Somalia for debate and subsequent adoption

**Who?** Ministry of Social Welfare, Women and Children's Affairs

**With whom?** FESTU, SCCI, representatives of the Conference of Principles of Secondary Schools, Head Teachers' Council, PTAs, ILO, UNICEF, CSOs, CBOs, and religious organizations, private sector, children's welfare NGOs, international community

**By when?** Jan – Dec 2021

### ***ACTION 4 → Establishment of child protection call centres and legal aid***

**How?** The police to create and operates telephone hotline centres where people and call to report cases of child exploitation and abuse. Put in place community policing brigades do community policing including the protection of children. Similarly, the Somali Bar Association should set-up free Legal Aid Unit to provide legal assistance on cases concerning child exploitation and abuse.

**Who?** Ministry of Internal Security and the Ministry of Justice

**With whom?** Federal Police of Somalia, the Somali Bar Association, communities, FESTU, SCCI, CBOs, CSOs, children's welfare NGOs

**By when?** 2020 onwards

#### ***ACTION 5 → Zero tolerance to child labour***

**How?** Promote a culture of zero tolerance approach to child labour practices across all enterprises (formal and informal) and communities as an act of immorality.

**Who?** Employers and the Somalia Chamber of Commerce and Industry (SCCI)

**With whom?** FESTU, Federal Government of Somalia, municipal and local government authorities, CBOs, CSOs, religious organizations, children's welfare NGOs

**By when?** 2020 onwards

#### ***ACTION 6 → Awareness raising on child labour***

**How?** Undertake public sensitization campaigns against the menace of child labour and promote the ratification of ILO Convention No. 138 using multifaceted channels including radio and TV talk shows, newspaper, newsletter, news magazine, leaflet, pamphlet, postal, billboards, rallies, focus group meetings, social media platforms – Facebook, Tweeter, Instagram, meet-one-teach-one.

**Who?** FESTU and its affiliated unions

**With whom?** Alliance against child labour Somalia Charter, Save the Children and other children's welfare NGOs, SCCI, MOLSA, CSOs, CBOs, religious organizations, PTAs, ILO, UNICEF, UNESCO

**By when?** 2020 – 2023

#### ***ACTION 7 → Organize and enforce social contract***

**How?** Unions to organize in economic sectors where child labour occur, enforce minimum wages, dialogue with employers on child labour and include clauses prohibiting child labour in CBAs, promote the ratification and application of legal standards on child labour and make effective use of the ILO supervisory mechanism.

**Who?** FESTU and its affiliated unions

**With whom?** SCCI, MOLSA, Association of Workers in the Informal Economy, NGOs, CBOs, CSOs

**By when?** 2020 onwards

#### ***ACTION 8 → Decent work and inclusive development for all***

**How?** ILO tripartite constituents to discuss, conclude, adopt and rollout the DWCP. Finance the implement the National Employment Program to respond to the chronic employment problem which weighs heavily on young people. Implement sustainable development strategies underpinning DWCP and the National Employment Policy to achieve decent work for all, basic social protection floors,



quality public services, and the transition from the informal economy to the formal economy to ensure equality, sustainable and inclusive growth and social progress for all.

**Who?** MOLSA

**With whom?** FESTU, SCCI, ILO

**By when?** 2020-2021 onwards



