



SOMALIA

MINIMAL ADVANCEMENT – *Efforts Made but Continued Practice that Delayed Advancement*

In 2023, Somalia made minimal advancement in efforts to eliminate the worst forms of child labor. The government and the International Labor Organization finalized Somalia's first Decent Work Country Program to support the implementation of policy objectives and initiatives related to fundamental labor rights, including the elimination of child labor and forced labor. However, despite new initiatives to address child labor, Somalia made only minimal advancement because federal and state security forces continued to recruit and use children in armed conflict, in violation of national law. Government security forces also detained children for suspected association with armed groups, subjecting some of them to lengthy interrogations and coerced confessions. It is also unknown whether labor and criminal law enforcement agencies in Somalia took actions to enforce child labor laws in 2023. In addition, Somalia lacks legislation prohibiting child trafficking and the use of children in illicit activities.



PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Statistics on Children’s Work and Education

Children	Age	Percent of Population
Working	5 to 14	9.5% (Unavailable)
Hazardous Work by Children	15 to 17	Unavailable
Attending School	5 to 14	38.3%
Combining Work and School	7 to 14	4.7%

Children in Somalia are subjected to the worst forms of child labor, including in armed conflict. Children also perform dangerous tasks in street work.

Overview of Children’s Work by Sector and Activity



Agriculture

Farming including planting, weeding, harvesting, and cleaning and packing crops; herding livestock; fishing, including cleaning fish.



Industry

Manufacturing and construction activities; crushing stones, mining, and excavating.



Services

Domestic work in hotels and private residences; street work, including shining shoes, washing cars, conducting minibuses, vending, and selling khat; voluntarily recruited children used in hostilities by state armed groups.



Categorical Worst Forms of Child Labor‡

Use in armed conflict and supporting roles (including as cooks, porters, and informants, or to operate checkpoints) by both state and non-state armed groups; use in illicit activities, including selling of drugs; forced labor in domestic work, agriculture, breaking rocks, selling or transporting khat, begging, and construction work.

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

In 2023, there were continued allegations of grave violations against children linked to federal and state government security forces, including recruitment and use, killing and maiming, and sexual violence. Despite a government order barring the recruitment of children into state armed groups, members of the federal armed forces, security services, regional forces, and police in Galmudug, Jubaland, and Puntland continued to recruit children into their ranks. Al-Shabaab, which forcibly recruited children as young as age 8 into its ranks, committed a majority of grave violations, using deception or coercion tactics to forcibly recruit victims, including children, into sexual slavery, combat, and support roles. Al-Shabaab also continued the practice of forcing communities to turn over male children to serve as child soldiers, imposing a financial penalty on families who refused to cooperate.



SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

The suggested government actions below would close gaps USDOL has identified in Somalia's implementation of its international commitments to eliminate the worst forms of child labor.

Legal Framework

Ratify the UN Convention on the Rights of the Child Optional Protocol on Armed Conflict, the UN Convention on the Rights of the Child Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography, and the Palermo Protocol on Trafficking in Persons.

Determine by national law or regulation the types of hazardous work prohibited for children, after consultation with employers' and workers' organizations.

Raise the minimum age for light work to 13 and increase the compulsory education age from 14 to 15 years to align with the minimum age for work.

Criminally prohibit using, procuring, and offering a child for prostitution, pornography, and pornographic performances, and ensure that penalties for the commercial sexual exploitation of children are sufficiently stringent to deter violations.

Criminally prohibit child trafficking in the Federal and Member States, the use of children in illicit activities, and the recruitment of children under age 18 by non-state armed groups, and ensure that the law protects children involved in commercial sexual exploitation from criminal charges.

Enforcement

Ensure that the labor inspectorate has dedicated funding and increase the number of labor inspectors from 35 to 79 to ensure adequate coverage of the labor force of 3,158,000 workers.

Ensure that labor inspections are conducted at worksites, including unannounced inspections and in targeted sectors in which child labor most frequently occurs.

Institutionalize training for labor inspectors and criminal law enforcement investigators on laws related to child labor, while ensuring adequate financial support exists for training and capacity development.

Establish a formal complaint and referral mechanism between the labor inspectorate and social welfare services for children subjected to child labor.

Publish information on labor and criminal law enforcement efforts related to the worst forms of child labor.

Enforce laws prohibiting the recruitment and use of child soldiers by the Somali Police Force, the National Intelligence and Security Agency, and the Somali National Army, as well as Galmudug, Jubaland, and Puntland forces and all allied militia. Investigate, prosecute, and punish, as appropriate, all commanders who recruit and use children.

Ensure that children associated with armed groups are referred to social services providers while ceasing the practices of detaining them with adults, subjecting them to lengthy interrogations without legal representation, eliciting coerced confessions, and imposing long prison terms.

Coordination

Establish a robust coordination mechanism that addresses all forms of child labor, including in forced labor in domestic work, agriculture, and herding livestock.

Government Policies

Adopt policies to address child labor in agriculture, industry, street work, domestic work, and commercial sexual exploitation.

Ensure activities are undertaken to implement the Somalia Social Protection Policy and the UN Child Soldier Action Plans, and publish results from activities on an annual basis.

Social Programs

Adopt a countrywide birth registration system to facilitate the identification of child labor victims.

Conduct a national child labor prevalence survey, including data on the number of children working and attending school, to inform targeted policies and programs related to elimination of child labor.

Enhance efforts to eliminate barriers to education and make education accessible and safe for all children by removing all armed groups from educational facilities, constructing schools outside Mogadishu, removing enrollment fees, and ensuring that girls, internally displaced children, and nomadic and rural children have access.

Develop programs to address all forms of child labor, including in street work and agriculture, and expand the scope of existing programs to address the use of children in armed conflict, including awareness raising on worst forms of child labor and international standards related to the definition of a child in the context of work and participation in armed conflict.

Carry out activities under the ACT to Protect Children Affected by Armed Conflict program and make information about implementation measures publicly available on an annual basis.



CHILDREN AT HIGHER RISK

Conflict, severe drought, and devastating floods forced more than 1 million people in Somalia to flee their homes, raising the country's population of internally displaced persons (IDPs) to over 3.8 million during the reporting period. IDPs, including children, are significantly less likely to benefit from educational opportunities, and remain acutely vulnerable to sex trafficking and forced labor. Non-state armed groups have been reported to recruit children in IDP communities. In addition, pastoralist communities face additional impediments to education, as their nomadic existence makes static schools impractical. Children and youth among these groups are considered at high risk of exploitation or recruitment into armed groups such as al-Shabaab. Children from minority clan households are also particularly vulnerable to forced recruitment by military groups. (3,6-10)



BARRIERS TO EDUCATION ACCESS

Recurrent climate shocks, including widespread famine and protracted violence, remain significant barriers to education. Schools are also targeted for violence by al-Shabaab and have been occupied by both state and non-state forces. In addition, there is limited availability of public schools outside of the capital city of Mogadishu and families are often unable to pay the fees charged by private schools. Girls face additional obstacles including lower prioritization of girls' education, an insufficient number of female teachers, and lack of sanitation facilities within schools, which negatively affect girls' attendance and learning.







LEGAL FRAMEWORK FOR CHILD LABOR

Somalia has not ratified key international conventions concerning child labor, including the International Labor Organization's Convention Concerning Minimum Age for Admission to Employment C. 138; the UN Convention on the Rights of the Child (UNCRC) Optional Protocol on Armed Conflict; the UNCRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography; or the Palermo Protocol on Trafficking in Persons. In addition, Somalia's laws regarding the commercial sexual exploitation of children are not sufficient because the use, procuring, and offering of a child for prostitution, pornography, and pornographic performances are not criminally prohibited.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, 15 Years	✓	Article 93 of the Labor Code
Minimum Age for Hazardous Work, 18 Years	✓	Article 90 of the Labor Code; Article 29 of the Provisional Constitution
Identification of Hazardous Occupations or Activities Prohibited for Children	✗	Articles 90 and 94 of the Labor Code
Prohibition of Slavery, Debt Bondage, and Forced Labor	✓	Articles 455 and 464 of the Penal Code
Prohibition of Child Trafficking	✗	
Prohibition of Commercial Sexual Exploitation of Children	✗	Articles 407 and 408 of the Penal Code
Prohibition of Using Children in Illicit Activities	✗	
Minimum Age for Voluntary State Military Recruitment, 18 Years	✓	General Order No. 1

Legal Framework for Child Labor (Cont.)

Child Labor Laws and Regulations	Meets International Standards	Legislation
Prohibition of Compulsory Recruitment of Children by (State) Military		General Order No. 1
Prohibition of Military Recruitment by Non-state Armed Groups		Article 29 of the Provisional Constitution
Compulsory Education Age, 14[‡] Years		Articles 13 and 15 of the General Education Law
Free Public Education		Article 14 of the General Education Law

‡ Age calculated based on available information

Although the Labor Code establishes age 12 as the minimum age for light work and describes the conditions under which it may be undertaken, it neither determines the activities in which light work may be permitted nor prescribes the number of hours per week for light work. In addition, the gap between the end of compulsory education and the minimum age for work leaves children aged 14 vulnerable to child labor because they are not required to attend school but may not legally work. Furthermore, while the constitution states that children may not perform work that would endanger their health or development, and while the 1972 Labor Code enables the publication of a hazardous works list, the government has not determined by regulation the types of hazardous work prohibited for children.

The Federal Government of Somalia lacks legislation prohibiting human trafficking, including of children, or the use of children in illicit activities. Though laws prohibit procuring people for prostitution, they do not specifically increase punishment for procurement of children, and no laws prohibiting the use or offering of a child for prostitution or the use, procuring, and offering of a child for pornography or pornographic performances. Under Article 405 of the Penal Code, children involved in prostitution are not protected from criminal charges. Many fines for offenses under the Penal Code are equal to or less than one dollar, making them an ineffective deterrent against exploitation of children. Finally, although Somalia's Provisional Constitution asserts the right of children to be protected from armed conflict, there is not an explicit legal prohibition against recruitment of children by non-state armed groups.



ENFORCEMENT OF LAWS ON CHILD LABOR

In 2023, it is unknown whether labor and criminal law enforcement agencies took actions to address child labor. In addition, enforcement agencies do not have sufficient human and financial resources to carry out their mandated duties.

Agencies Responsible for Child Labor Law Enforcement

Ministry of Labor and Social Affairs (MOLSA): Investigates and enforces laws related to the worst forms of child labor. MOLSA's regional office in Banadir (Mogadishu) employs 35 labor inspectors. MOLSA also coordinates informally with other government ministries on child labor-related issues, including the Somali Police Force, the National Intelligence and Security Agency, and the Immigration and Naturalization Directorate. However, to date, there is no evidence that MOLSA's labor inspectorate has funding or is undertaking labor inspections. Although the government did not provide information on labor inspections that occurred in 2023, zero labor inspections occurred in 2022.

Somali Police Force: Investigates and enforces laws related to forced child labor, commercial sexual exploitation, and use of children in illicit activities. Operates units dedicated to investigating cases of human trafficking for prosecution through the Somali Police Force Criminal Investigation Division.

Enforcement Mechanisms and Efforts

Has a Labor Inspectorate	Yes	Has a Complaint Mechanism	No
Able to Assess Civil Penalties	Yes	Imposed Penalties for Child Labor Violations	Unknown
Routinely Conducted Worksite Inspections	Unknown	Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	Unknown
Unannounced Inspections Permitted	Yes	Imposed Penalties for Worst Forms of Child Labor Crimes	Unknown

In 2023, it is **unknown** how many labor inspectors conducted worksite inspections, or whether child labor violations were found. It is also **unknown** whether investigations into suspected cases of the worst forms of child labor were conducted, prosecutions were initiated, or perpetrators were convicted.



COORDINATION, POLICIES, AND PROGRAMS

<p>Key Mechanism to Coordinate Government Efforts on Child Labor</p> <p>The Federal Government of Somalia established a mechanism to coordinate its efforts to address child labor. However, this mechanism does not coordinate efforts to address all worst forms of child labor in the country.</p>	<p>Interministerial Committee on Children and Armed Conflict (ICCAC): Implements the 2012 Action Plan to Eliminate Recruitment and Use of Child Soldiers, the Action Plan to End the Killing and Maiming of Children in Contravention of International Law, and the 2019 roadmap to end and prevent grave violations against children. Co-chaired by the Child Protection Unit of the Ministry of Defense and UNICEF, includes other Ministry of Defense officials, representatives of the Ministry of Women and other relevant ministries, and UN officials. The Child Protection Unit and the ICCAC also identify and respond to the needs of victims of kidnapping and recruitment into armed conflict by al-Shabaab, screen the Somali National Army units for child soldiers, and engage in awareness raising activities. During the reporting period, the Committee organized a meeting which included members of the Ministry of Defense and UNICEF.</p>
<p>Key Policies Related to Child Labor</p> <p>The Federal Government of Somalia established policies related to child labor. However, these policies do not cover all worst forms of child labor including child trafficking and the use of children in commercial sexual exploitation and illicit activities.</p>	<p>The National Employment Policy: Provides a roadmap for improving labor conditions, including stipulations related to child labor. Designed with ILO support under a Joint UN Project on Youth Employment in Somalia that was adopted in February 2019. The plan is steered by Somali National Tripartite Consultative Committee (SNTCC), a tripartite committee responsible for implementing the Labor Code and relevant labor policies in Somalia. Elimination of child labor is one of the priority focus areas of the SNTCC. In 2023, the government and ILO approved a Decent Work Country Program to support the implementation of the objectives under the National Labor Policy, including awareness-raising activities to support elimination of child labor and forced labor and data collection through integration of child labor and forced labor modules into future labor force surveys.</p> <p>UN Child Soldier Action Plans: Establishes a strategy for identifying and removing children from the Somali National Army through education and monitoring of military camps. In 2012, the Federal Government of Somalia committed to two UN action plans to end grave violations against children, including the Action Plan to Eliminate Recruitment and Use of Child Soldiers and the Action Plan to End the Killing and Maiming of Children in Contravention of International Law. A 2019 UN Roadmap supports the implementation of both plans. Research was unable to determine whether activities were undertaken to implement the UN Child Soldier Action Plans during the reporting period.</p>

Coordination, Policies, and Programs (Cont.)

<p>Key Policies Related to Child Labor</p>	<p>The Somalia Social Protection Policy: Develops and strengthens components of a national social protection system, including safety net programs. Provisions include a guaranteed income floor for vulnerable households and families with children under age 5. The policy focuses, in part, on mitigating the vulnerability of IDPs and other populations to gender-based violence and human trafficking. Research was unable to determine whether activities were undertaken to implement the Somalia Social Protection Policy during the reporting period.</p>
<p>Key Social Programs to Address Child Labor</p> <p>The Federal Government of Somalia funded and participated in programs that include the goal of eliminating child labor. However, these social programs are inadequate to address the problem in all sectors in which child labor has been identified, including in agriculture and street work.</p> <p><small>† Program is partially funded by the Federal Government of Somalia.</small></p>	<p>ACT to Protect Children Affected by Armed Conflict:† Federal Government of Somalia awareness-raising initiative highlighting children in armed conflict. Ministry of Defense Child Protection Units disseminate radio and print media content regarding the prevention of child recruitment and conscription in armed conflict. Research was unable to determine whether activities were undertaken to implement the ACT to Protect Children Affected by Armed Conflict during the reporting period.</p> <p>Shock Responsive Safety Net for Human Capital Project:† \$330-million program, supported by a World Bank loan through 2025. Provides cash transfers to vulnerable households and builds a national shock-responsive safety net system responding to the needs of vulnerable populations affected by climate shocks and malnutrition. As of April 2023, over 265,000 households were receiving cash transfers under the program.</p> <p>Donor-Funded Programs: UNICEF partnerships with the Ministry of Defense to address issues related to the recruitment and use of child soldiers in Somalia. Includes the Defectors Reintegration Program that rehabilitates and reintegrates former combatants, emphasizing the specific needs of former child soldiers, including demobilized female combatants and their dependents. Six different centers provide accommodations, medical care, psychological counseling, education, and vocational training to former combatants. During the reporting period, UNICEF provided reintegration support and care services to 1,244 children released from armed groups and armed forces, and at-risk children around the country.</p>

For information about USDOL’s projects to address child labor around the world, visit dol.gov/ILABprojects

 **WORKER RIGHTS SPOTLIGHT**

In addition, Somalia does not provide clear protections against anti-union discrimination and penalties for violations of freedom of association, collective bargaining, and the right to strike for workers were not commensurate with similar crimes. These factors can hinder workers’ ability to report child labor, particularly in agriculture and the informal economy.

For references, please visit dol.gov/ChildLaborReports