

In 2017, Gabon made a minimal advancement in efforts to eliminate the worst forms of child labor. The government launched the Economic Recovery Plan, which includes the goal of improving the quality of public education, addressing the teacher deficit, and accelerating the construction of classrooms. However, children in Gabon perform dangerous tasks in domestic work and transportation. The government lacks prohibitions against the use of children in illicit activities, and the minimum age for work provisions applies only to children in formal employment relationships and excludes children who work in the informal sector. Also, labor inspectors do not have the authority to assess penalties, and they lack the basic resources, such as transportation, fuel, and office supplies, necessary to conduct investigations.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Gabon perform dangerous tasks in domestic work and transportation. (1; 2; 3; 4; 5) Table 1 provides key indicators on children's work and education in Gabon. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

| Children | Age | Percent |
|-------------------------------|---------|---------------|
| Working (% and population) | 5 to 14 | 22.3 (83,073) |
| Attending School (%) | 5 to 14 | 94.4 |
| Combining Work and School (%) | 7 to 14 | 23.3 |
| Primary Completion Rate (%) | | Unavailable |

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2018. (6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Deuxième Enquête Démographique et de Santé au Gabon (EDSG-II) Survey, 2012. (7)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

| Sector/Industry | Activity |
|---|--|
| Agriculture | Fishing, including the production and sale of smoked fish (5) |
| Industry | Working in sand quarries† (8; 9; 5) |
| | Working in brick factories (5) |
| Services | Domestic work (1; 10; 11; 5) |
| | Street vending, including cleaning market spaces at night and carrying heavy loads† (12; 5) |
| | Garbage scavenging (5) |
| | Working in restaurants (8; 9) |
| Categorical Worst Forms of Child Labor‡ | Working in transportation† and as mechanics (8; 13; 9; 5) |
| | Forced labor in markets, restaurants, handicraft shops, sand quarries, farming, animal husbandry, fishing, domestic work, and as mechanics, each sometimes as a result of human trafficking (2; 11; 14; 4) |
| | Commercial sexual exploitation, sometimes as a result of human trafficking (2; 3; 15; 10; 4) |

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

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

Gabon is primarily a destination and transit country for victims of child trafficking from other countries in Central and West Africa. (1; 3; 13; 16; 10; 4) Some parents entrust their children to intermediaries who subject them to child trafficking for labor exploitation rather than providing education and safe work opportunities; however, there is limited evidence of child trafficking occurring within Gabon. (4) A national child labor survey or similar research has not been conducted in Gabon. (17)

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Although the Law on General Education guarantees the right to free and compulsory education, in practice students must pay for supplies and school fees, which may be prohibitive. (13; 18; 19; 20) Rural areas also lack schools and teachers, and education beyond primary school is often unavailable. (13; 21; 5) Reports suggest that some children, especially girls, are sexually abused at school. (2; 8; 13; 22) In addition, one report indicates that some indigenous groups and children living in remote areas do not have birth certificates because they may not have been born at hospitals. (8) Birth registration is often required for school enrollment, and out-of-school children are more vulnerable to child labor. (18)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

| Convention | Ratification |
|--|--------------|
|  ILO C. 138, Minimum Age | ✓ |
| ILO C. 182, Worst Forms of Child Labor | ✓ |
|  UN CRC | ✓ |
| UN CRC Optional Protocol on Armed Conflict | ✓ |
| UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography | ✓ |
|  Palermo Protocol on Trafficking in Persons | ✓ |

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Gabon's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

| Standard | Meets International Standards: Yes/No | Age | Legislation |
|---|---------------------------------------|-----|--|
| Minimum Age for Work | No | 16 | Article 177 of the Labor Code; Article 2 of Decree N° 0651/PR/MTEPS Establishing Individual Exceptions to the Minimum Age for Admission to Employment (23; 24; 25) |
| Minimum Age for Hazardous Work | Yes | 18 | Article 1 of the Hazardous Work List (23; 24; 26) |
| Identification of Hazardous Occupations or Activities Prohibited for Children | Yes | | Articles 2, 3 and 5 of the Hazardous Work List (23; 24; 26) |
| Prohibition of Forced Labor | Yes | | Article 4 of the Labor Code; Articles 3, 11–13, and 20 of Law N° 09/04 Preventing and Fighting Against Child Trafficking (23; 27) |
| Prohibition of Child Trafficking | No | | Articles 3, 11–14, and 20 of Law N° 09/04 Preventing and Fighting Against Child Trafficking; Decree N° 0031/PR/MTEEF on Children's Work; Article 278 <i>bis</i> of the Penal Code (27; 28; 29; 30) |
| Prohibition of Commercial Sexual Exploitation of Children | No | | Articles 260–261 and 263 of the Penal Code (30) |
| Prohibition of Using Children in Illicit Activities | No | | |
| Prohibition of Military Recruitment | | | |
| State Compulsory | Yes* | 18 | Article 17 of the Law on the Organization of National Defense and Public Security (31; 17) |
| State Voluntary | Yes | 18 | Article 17 of the Law on the Organization of National Defense and Public Security (31; 17) |
| Non-state | No | | |
| Compulsory Education Age | Yes | 16 | Article 1 of the Constitution; Article 2 of Act N° 21/2011 on General Education; Article 344.8 of the Penal Code (20; 30; 32) |
| Free Public Education | Yes | | Articles 1.18 and 1.19 of the Constitution; Article 2 of Act N° 21/2011 on General Education (20; 32) |

* No conscription (17)

Article 2 of Decree N° 0651/PR/MTEPS Establishing Individual Exceptions to the Minimum Age for Admission to Employment permits children under age 16 to perform light work with parental permission. However, it does not set a minimum age for light work or specify the kinds of light work that are allowed. (25; 33) In addition, although the Labor Code prohibits work by children under age 16, the minimum age protections do not apply to children outside of formal work relationships, which does not conform to international standards that require all children be protected under the law establishing a minimum age for work. (23; 9)

Laws related to child trafficking are not in line with international standards, as they do not prohibit trafficking of children for the purpose of sexual exploitation. (23; 27; 30) The law also does not criminally prohibit producing pornography, nor the procuring or offering of children for pornographic performances. (30; 14) However, research indicates that in practice, existing laws related to forced labor and pimping may be used to prosecute these offenses. (17)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of the Ministry of Labor, Employment, Youth, and Professional Training (MOL) that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

| Organization/Agency | Role |
|---|--|
| Ministry of Labor, Employment, Youth, and Professional Training (MOL) | Receive, investigate, and address child labor complaints through its inspectors. (18) Refer cases of child trafficking to the Ministry of the Interior's Police Force for investigation and the Ministry of Social Protection and National Solidarity (MSPNS) for social services. (5) |
| Ministry of Social Protection and National Solidarity (MSPNS) | Provide social services and assistance to vulnerable children; assist in repatriation or resettlement processes for victims of child trafficking; operate shelters for victims of child trafficking. (4; 5) |
| Ministry of the Interior's Police Force | Enforce laws, investigate child labor violations, and refer cases to the Ministry of Justice and Human Rights for prosecution. (18; 5) |
| Ministry of Justice and Human Rights | Enforce child labor laws by prosecuting child labor cases. (18; 5) Assist in supporting victims of child trafficking while prosecutors and investigators prepare their cases. (34) |

Labor Law Enforcement

In 2017, labor law enforcement agencies in Gabon took actions to combat child labor (Table 6). However, gaps exist within the authority of the MOL that may hinder adequate labor law enforcement, including the ability to assess penalties.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

| Overview of Labor Law Enforcement | 2016 | 2017 |
|--|---------------|--------------|
| Labor Inspectorate Funding | Unknown* (35) | Unknown* (5) |
| Number of Labor Inspectors | Unknown* (36) | Unknown* (5) |
| Inspectorate Authorized to Assess Penalties | No (35; 23) | No (5; 23) |
| Training for Labor Inspectors | | |
| Initial Training for New Employees | Yes (36) | Yes (5) |
| Training on New Laws Related to Child Labor | N/A | N/A |
| Refresher Courses Provided | Yes (35) | Yes (37) |
| Number of Labor Inspections Conducted | Unknown* (35) | Unknown* (5) |
| Number Conducted at Worksites | Unknown | Unknown (5) |
| Number of Child Labor Violations Found | 15 (35) | 1 (5) |
| Number of Child Labor Violations for Which Penalties were Imposed | 0 (35) | 0 (5) |
| Number of Child Labor Penalties Imposed that were Collected | 0 (35) | N/A (5) |
| Routine Inspections Conducted | Unknown (36) | No (5) |
| Routine Inspections Targeted | N/A | N/A (5) |
| Unannounced Inspections Permitted | Yes (35; 38) | Yes (38) |
| Unannounced Inspections Conducted | No (35) | No (5) |
| Complaint Mechanism Exists | Yes (35) | Yes (5) |
| Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services | Yes (35) | Yes (5) |

* The government does not publish this information.

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Although the MOL is supposed to send newly hired labor inspectors to Cameroon for a one-time training session at the Regional African Center for Administration Work, this has not happened since 2014, and no new labor inspectors were recruited during the reporting period. (5) The number of labor inspectors is likely insufficient for the size of Gabon's workforce, which includes over 546,000 workers. (39) According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Gabon should employ roughly 36 inspectors. (39; 40; 41) Inspectors lack the resources, including transportation, fuel, and office supplies, necessary to conduct inspections. (18; 9; 5) Although inspectors have the authority to actively plan inspections, they did not do so in 2017. (5) Labor inspectors in Gabon are responsible for reconciling labor disputes, which may detract from their primary duty of inspection. (42)

Criminal Law Enforcement

In 2017, criminal law enforcement agencies in Gabon took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including sufficient financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

| Overview of Criminal Law Enforcement | 2016 | 2017 |
|---|---------------|---------|
| Training for Investigators | | |
| Initial Training for New Employees | Yes (36) | No (5) |
| Training on New Laws Related to the Worst Forms of Child Labor | N/A | N/A (5) |
| Refresher Courses Provided | Yes (35) | Yes (5) |
| Number of Investigations | Unknown* (35) | 1 (5) |
| Number of Violations Found | Unknown (35) | 65 (34) |
| Number of Prosecutions Initiated | 8 (35) | 0 (34) |
| Number of Convictions | 0 (35) | 0 (5) |
| Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services | Yes (35) | Yes (5) |

* The government does not publish this information.

During the reporting period, 26 police investigators received training on identifying cases of human trafficking. (5) However, like labor inspectors, police investigators lack resources such as transportation, fuel, and office supplies, and coordination among enforcement agencies is weak. (14; 5)

Although 65 child trafficking victims were identified during the reporting period, these cases did not result in prosecution. The government sought financial restitution and support from the perpetrator or foreign embassy of the victim's country of origin. (34) In general, the prosecution of child trafficking cases in Gabon can be difficult due to infrequent convening of the Criminal Court, a failure to prioritize cases involving children, and a backlog of cases. (15; 14; 4; 43) For example, 11 prosecutions from 2015 are still pending. (36; 14)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including a lack of adequate funding.

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

| Coordinating Body | Role and Description |
|--|--|
| Inter-ministerial Committee for the Fight Against Child Trafficking (CNSLTE) | Coordinate national efforts against child trafficking and other worst forms of child labor. Led by the MOL, includes representatives from four other ministries and civil society. (5) Remove children from exploitative labor situations, provide social services, and repatriate victims when appropriate. (13; 28; 43; 4) Disseminate the National Manual of Procedures for the Care of Child Victims of Trafficking, which establishes a series of procedures to return victims of child trafficking to their country of origin or facilitate their integration into Gabon. (44; 34) In 2017, drafted a 2017–2018 Plan of Action and in partnership with UNICEF, conducted training on trafficking in persons for 60 labor inspectors and judicial police. (34; 5) |

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

| Coordinating Body | Role and Description |
|--|---|
| National Observatory for Children's Rights | Coordinate the implementation of the Convention on the Rights of the Child, including promoting children's right to education and protection against all forms of exploitation and abuse. (13) Establish and oversee committees to protect children's rights in all provinces. (33) This committee was not active in 2017. (17) |
| Local Vigilance Committees | Administered by the CNSLTE, committees in provincial capitals identify potential cases of child trafficking, intercept victims, and assist children at risk of child trafficking. (13; 45; 4; 17) |

In 2017, budget constraints, civil strikes, and a lack of communication among ministries limited the ability of the Inter-ministerial Committee for the Fight Against Child Trafficking (CNSLTE) to effectively coordinate government actions. In addition, research indicates that members of the CNSLTE occasionally use personal funds to assist victims due to a lack of resources. (4; 34)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including implementing a policy on relevant forms of child labor.

Table 9. Key Policies Related to Child Labor

| Policy | Description |
|-------------------------------------|---|
| CNSLTE's 2016–2021 Plan of Action | Aims to address the worst forms of child labor, with a focus on increasing prosecution of offenders and shortening the length of time victims spend at shelters. (5; 17) In 2017, provided training to labor inspectors. (5) |
| Economic Recovery Plan (2017–2019)† | Aims to balance public finances, diversify the economy, and reduce poverty. Includes the goal of improving the quality of public education, addressing the teacher deficit, and accelerating the construction of classrooms. (46) |

† Policy was approved during the reporting period.

In 2017, research found no evidence of an active policy to address child labor. In addition, the government has not adopted CNSLTE's 2016–2021 Plan of Action. Although these Plans of Action aim to increase prosecution, the number of prosecutions fell from eight in 2016 to zero in 2017, and the CNSLTE was unable to address its other goal of shortening the duration of time victims spend in shelters. (4) Although the Government of Gabon drafted separate bilateral agreements with Benin, Cameroon, Guinea, Mali, Nigeria, and Togo to combat child trafficking, none were finalized by the end of 2017. (8; 13; 19; 11; 43) In addition, the government has not included child labor elimination and prevention strategies into the UNDAF (2018–2022), National Youth Policy of Gabon, and the Education Policy (2010–2020). (47; 48; 11)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2017, the government funded and participated in programs that may contribute to preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

| Program | Description |
|--------------------------------|---|
| Shelters for Children in Need† | Shelters supported by the government and civil society organizations that provide social services to victims of child labor and child trafficking, and other vulnerable children. (16; 43; 38; 11; 4) Victims receive medical care, literacy training, and reintegration support. In 2017, provided services to 65 children and repatriated 42 victims. (5) |

† Program is funded by the Government of Gabon.

Although Gabon has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem. (5) Research also indicates that shelter space is insufficient to accommodate all victims, and the government decreased funding for shelters and NGOs that provide social services to human trafficking victims and other vulnerable children. (11; 15; 5; 17)

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VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Gabon (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

| Area | Suggested Action | Year(s) Suggested |
|---------------------|---|-------------------|
| Legal Framework | Ensure that minimum age protections are extended to children working outside of formal employment relationships. | 2017 |
| | Establish criminal prohibitions for child trafficking for the purpose of sexual exploitation. | 2015 – 2017 |
| | Establish criminal prohibitions for producing child pornography and procuring or offering children in pornographic performances. | 2015 – 2017 |
| | Establish criminal prohibitions for using children in illicit activities, including both producing and trafficking of drugs. | 2009 – 2017 |
| | Ensure that the legal framework for light work establishes a minimum age no younger than 13, determines activities that are considered light work, and specifies the conditions under which light work may be undertaken. | 2013 – 2017 |
| | Establish criminal prohibitions for the recruitment of children under age 18 for use in armed conflict by State or non-state armed groups. | 2016 – 2017 |
| Enforcement | Ensure that the number of labor inspectors is in accordance with the ILO's technical advice, and that inspectors and investigators receive adequate training, funding, and resources to carry out inspections and investigations. | 2009 – 2017 |
| | Strengthen the Labor Inspectorate by authorizing inspectors to assess penalties, and conduct routine and unannounced inspections. | 2014 – 2017 |
| | Publish information on the funding level for the Labor Inspectorate and information on the enforcement of child labor laws, including the number and type of inspections conducted. | 2009 – 2017 |
| | Ensure that labor inspectors are not tasked with conciliation or arbitration duties, and that they can carry out their primary duties of inspection and monitoring throughout the country. | 2009 – 2017 |
| | Ensure that prosecutions related to criminal violations of child labor laws are carried out and perpetrators are punished in accordance with the law. | 2016 – 2017 |
| Coordination | Ensure that the CNSLTE has sufficient funds to carry out its mandate, including improving communication and coordination among ministries. | 2013 – 2017 |
| Government Policies | Adopt a policy that addresses all relevant forms of child labor, such as domestic work and work in transportation, and ensure that existing policies have sufficient resources to be implemented. | 2015 – 2017 |
| | Sign agreements with origin countries to combat child trafficking. | 2014 – 2017 |
| | Integrate child labor elimination and prevention strategies into existing policies. | 2014 – 2017 |
| Social Programs | Conduct a national child labor survey or similar research to determine the specific activities carried out by working children to inform policies and programs. | 2014 – 2017 |
| | Ensure that children have access to education by eliminating school fees, increasing the number of teachers and schools in rural areas, and ensuring schools are free from sexual abuse. Make additional efforts to provide all children with birth registration. | 2010 – 2017 |
| | Expand existing programs to address the scope of the child labor problem and ensure that the government continues to provide adequate support. | 2010 – 2017 |

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