

In 2016, Gabon made a minimal advancement in efforts to eliminate the worst forms of child labor. The Committee for the Fight Against Child Trafficking established Local Vigilance committees in all nine regions, and initiated eight prosecutions against individuals for using child labor. 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 does not criminally prohibit slavery or the use of children for pornographic performances. Labor inspectors lack basic resources necessary to conduct investigations, such as transportation, fuel, and office supplies. Additionally, the Government lacks a general policy to address child labor, reduced funding to the Interministerial Committee for the Fight Against Child Trafficking, and reduced financial support to social programs to address child labor.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Gabon perform dangerous tasks in domestic work and transportation.(1-7) 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, 2016.(8)

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.(9)

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 (10)  |
| Industry                                | Mining, including in sand quarries (2, 11)  |
|   | Working in brick factories (2)  |
| Services                                | Domestic work (2-4, 12)   |
|   | Street vending, including cleaning market spaces at night and carrying heavy loads (1, 2, 13)   |
|   | Garbage scavenging (2)  |
|   | Work in restaurants (11)  |
|   | Working in transportation and as mechanics (2, 3, 11, 14, 15)   |
| Categorical Worst Forms of Child Labor‡ | Forced labor in markets or restaurants, handicraft shops, mining, farming, animal husbandry, fishing, domestic work, and as mechanics, each sometimes as a result of human trafficking (5, 7, 16) |
|   | Commercial sexual exploitation sometimes as a result of human trafficking (5-7, 13, 17)   |

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

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Gabon is primarily a destination and transit country for victims of child trafficking from other countries in Central and West Africa.(3, 4, 6, 7, 13, 15, 16, 18) There is limited evidence of child trafficking occurring within Gabon, although some parents entrust their children to intermediaries who subject them to child trafficking rather than providing education and work opportunities.(7, 16, 19) There is limited information about specific activities carried out by child labor in the agriculture, industry, and service sectors.

Although the Law on General Education guarantees the right to free and compulsory education, in practice, students were often required to pay for supplies and school fees, which may be prohibitive.(15, 20-22) Rural areas have a lack of schools and teachers, and education beyond primary school is often unavailable.(2, 15, 23) Reports suggest that some children, especially girls, are sexually abused at school.(5, 11, 15, 24) Some indigenous groups and children living in remote areas do not have access to birth registration, which is required for school enrollment; out of school children are more vulnerable to child labor.(11, 20)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF 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, including its worst forms (Table 4). However, gaps exist in Gabon's legal framework to adequately protect children from child labor.

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

| Standard  | Meets International Standards: Yes/No | Age | Legislation  |
|---|---------------------------------------|-----|--|
| Minimum Age for Work  | Yes                                   | 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 (25-28)                      |
| Minimum Age for Hazardous Work  | Yes                                   | 18  | Article 177 of the Labor Code (25, 26)   |
| Identification of Hazardous Occupations or Activities Prohibited for Children | No                                    |     | Article 177 of the Labor Code (25, 26)   |
| Prohibition of Forced Labor   | No                                    |     | Article 4 of the Labor Code; Articles 3, 11–13, and 20 of Law N° 09/04 Preventing and Fighting Against Child Trafficking (25, 29)  |
| Prohibition of Child Trafficking  | Yes                                   |     | 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 bis of the Penal Code (29-32) |
| Prohibition of Commercial Sexual Exploitation of Children                     | No                                    |     | Articles 260, 261, and 263 of the Penal Code(32)   |
| Prohibition of Using Children in Illicit Activities                           | No                                    |     |  |
| Minimum Age for Military Recruitment  |                                       |     |  |
| State Compulsory  | No*                                   |     |  |

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

| Standard                 | Meets International Standards: Yes/No | Age | Legislation   |
|--------------------------|---------------------------------------|-----|---|
| State Voluntary          | Yes                                   | 20  | Act N° 004/98 (33)  |
| Non-State Compulsory     | 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 (22, 32, 34) |
| Free Public Education    | Yes                                   |     | Articles 1.18 and 1.19 of the Constitution; Article 2 of Act N° 21/2011 on General Education (22, 34)                         |

\* No conscription (33, 35)

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 include a list specifying the kinds of light work allowed.(28, 36)

Laws related to forced labor are not sufficient, as slavery and child trafficking for the purpose of commercial sexual exploitation are not criminally prohibited.(10, 25, 29, 32) The law also does not sufficiently prohibit commercial sexual exploitation, as the production of pornography and procuring or offering children for pornographic performances are not criminally prohibited.(32) Research did not uncover a public version of Act N° 004/98 governing voluntary service in the State armed forces for review.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

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

| Organization/Agency                              | Role  |
|--|---|
| Ministry of Labor and Employment (MLE)           | Receive, investigate, and address child labor complaints through its inspectors.(20) Refer cases of child trafficking to the Ministry of the Interior's Police Force for investigation and the Ministry of Family and Social Development (MFSD) for social services.(2)   |
| Ministry of Family and Social Development (MFSD) | 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.(2, 7) Maintain a helpline for victims of child trafficking and reinsert victims of child trafficking and exploitation with their families.(37, 38) |
| 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.(2, 20, 39)   |
| Ministry of Justice and Human Rights             | Enforce child labor laws by prosecuting child labor complaints.(2, 20) Assist in supporting victims of child trafficking while prosecutors and investigators prepare their case.(40)  |
| Local Vigilance Committees                       | Administered by the Interministerial Committee for the Fight Against Child Trafficking (CNSLTE). Monitor potential cases of child exploitation and human trafficking at the local level. Identify, intercept, and provide assistance to children at risk of child trafficking.(15, 39, 41, 42)  |

#### *Labor Law Enforcement*

In 2016, labor law enforcement agencies in Gabon took actions to combat child labor, including its worst forms (Table 6).

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

| Overview of Labor Law Enforcement           | 2015          | 2016          |
|---|---------------|---------------|
| Labor Inspectorate Funding                  | \$0 (43)      | Unknown* (2)  |
| Number of Labor Inspectors                  | Unknown* (43) | Unknown* (44) |
| Number of Child Labor Dedicated Inspectors  | Unknown       | 10 (44)       |
| Inspectorate Authorized to Assess Penalties | No (43)       | No (2, 25)    |
| Training for Labor Inspectors               |               |               |

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**Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)**

| Overview of Labor Law Enforcement  | 2015         | 2016         |
|--|--------------|--------------|
| Initial Training for New Employees   | Yes (45)     | Yes (44)     |
| Training on New Laws Related to Child Labor  | N/A          | N/A          |
| Refresher Courses Provided   | No (43)      | Yes (2)      |
| Number of Labor Inspections  | 24 (43)      | Unknown* (2) |
| Number Conducted at Worksite   | Unknown      | Unknown      |
| Number Conducted by Desk Reviews   | Unknown      | Unknown      |
| Number of Child Labor Violations Found   | 24 (43)      | 15 (2)       |
| Number of Child Labor Violations for Which Penalties Were Imposed                  | 10 (43)      | 0 (2)        |
| Number of Penalties Imposed that Were Collected                                    | Unknown (43) | 0 (2)        |
| Routine Inspections Conducted  | Yes (43)     | Unknown (44) |
| Routine Inspections Targeted   | Yes (43)     | N/A          |
| Unannounced Inspections Permitted  | Yes (25, 46) | Yes (2)      |
| Unannounced Inspections Conducted  | Yes (43)     | No (2)       |
| Complaint Mechanism Exists   | Yes (43)     | Yes (2)      |
| Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services | Yes (43)     | Yes (2)      |

\* The Government does not publish this information.

In principle, the Ministry of Labor and Employment (MLE) sends newly hired labor inspectors to Cameroon for a one-time training at the Regional African Center for Administration Work, but this has not happened since 2014 and no new labor inspectors were recruited during the reporting period.(44) The number of labor inspectors is insufficient for the size of Gabon's workforce, which includes over 674,000 workers.(47) According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Gabon should employ roughly 45 inspectors.(47-49) Inspectors lack the resources necessary to conduct inspections, including transportation, fuel, and office supplies, and there is a lack of enforcement in the informal sector.(2, 20) Although inspectors have the authority to proactively plan inspections, they did not do so in 2016.(2) Additionally, labor inspectors in Gabon are tasked with reconciling labor disputes, which may detract from their primary duties of inspection and monitoring.(50)

### *Criminal Law Enforcement*

In 2016, criminal law enforcement agencies in Gabon took actions to combat the worst forms of child labor (Table 7).

**Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor**

| Overview of Criminal Law Enforcement  | 2015             | 2016            |
|---|------------------|-----------------|
| Training for Investigators  |                  |                 |
| Initial Training for New Employees  | Unknown          | Yes (44)        |
| Training on New Laws Related to the Worst Forms of Child Labor                        | N/A              | N/A             |
| Refresher Courses Provided  | No (7, 10)       | Yes (2, 40)     |
| Number of Investigations  | 15 (7, 51)       | Unknown*(2, 40) |
| Number of Violations Found  | Unknown          | Unknown (2)     |
| Number of Prosecutions Initiated  | 11 (7, 51)       | 8 (2)           |
| Number of Convictions   | 0 (7)            | 0 (2)           |
| Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services | Yes (10, 43, 46) | Yes (2)         |

\* The Government does not publish this information.

Like labor inspectors, investigators lack resources such as transportation, fuel, and office supplies.(2) Additionally, the prosecution of child trafficking cases can be difficult since the Criminal Court only meets twice per year, has a backlog of cases, and is not mandated to prioritize cases involving children.(7, 17) The 11 prosecutions from 2015 are still pending.(44)

In addition, it is not clear how many cases of exploitative child labor were identified as a result of calls made to the MLE's hotline for child trafficking victims.(16, 37, 38)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established a mechanism to coordinate its efforts to address child labor, including its worst forms (Table 8).

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

| Coordinating Body   | Role & Description  |
|---|---|
| Interministerial Committee for the Fight Against Child Trafficking (CNSLTE) | Coordinate national efforts against child trafficking and other worst forms of child labor. Led by the MLE and includes representatives from four other ministries.(2) Operate a hotline for victims of child trafficking, maintain provincial offices and centers for child trafficking victims, remove children from exploitative labor situations, provide social services, and repatriate victims when appropriate.(2, 7, 15, 16, 19, 30, 37) In 2016, established Local Vigilance committees in all nine regions, assisted in the prosecution of individuals for using child labor.(2, 52) |
| National Observatory for Children's Rights                                  | Coordinate the implementation of the Convention on the Rights of the Child, including the promotion of children's right to education and protection against all forms of exploitation and abuse.(15, 53)  |

In 2016, budget constraints and a lack of communication between ministries limited the ability of the CNSLTE to effectively coordinate government actions and collect data. Research indicates that members of the Interministerial Committee for the Fight Against Child Trafficking (CNSLTE) occasionally use personal funds to assist victims due to a lack of resources.(10, 43)

#### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

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

| Policy   | Description   |
|--|---|
| CNSLTE's 2016-2017 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.(44) In 2016, held two awareness raising sessions about child trafficking.(40) |
| National Manual of Procedures for the Care of Child Victims of Trafficking | Establishes a series of procedures to return victims of child trafficking to their country of origin or facilitate their integration into Gabon.(19) Disseminated by the CNSLTE.(19)  |

† Policy was approved during the reporting period.

In 2016, research found no evidence of a general policy to address child labor. Although the Government of Gabon drafted separate bilateral agreements with Benin, Cameroon, Guinea, Mali, Nigeria, and Togo to combat child trafficking, the agreements have not been signed by all parties.(3, 11, 15, 21, 54) The Government has not included child labor elimination and prevention strategies into the UNDAF (2012–2016), Gabon Emergent Strategic Plan (2011–2016), National Youth Policy of Gabon, and the Education Policy (2010–2020).(53, 55-57) Research was unable to determine whether activities were undertaken to implement the National Manual of Procedures for the Care of Child Victims of Trafficking or the Gabon Emergent Strategic Plan (2011–2016).

#### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

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**Table 10. Key Social Programs to Address Child Labor<sup>†</sup>**

| Program                                    | Description  |
|--|--|
| Shelters for Children in Need <sup>†</sup> | Shelters in Libreville and Port-Gentil supported by the Government and civil society organizations that provide social services to victims of child labor, child trafficking, and other vulnerable children.(7, 14, 16, 18, 37) The Government provides in-kind support, such as social workers, medical supplies, food, and office supplies. In 2016, provided services to at least 15 children and repatriated 4 victims.(2) |
| Decent Work Country Program (2013–2016)    | Promotes decent work conditions with a focus on creating job opportunities for youth and promoting social protection.(58)  |

<sup>†</sup> Program is funded by the Government of Gabon.

‡The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(10, 40, 58)

Although Gabon has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem.(2) Research indicates that shelter space is insufficient to accommodate all victims and funding for Government-run shelters decreased for the third consecutive year. The Government also decreased funding for NGOs providing social services to human trafficking victims and other vulnerable children.(2, 7, 17, 40) The Government also failed to provide funding to UNICEF as part of its Country Program Action Plan and research was unable to determine whether activities were undertaken to implement the Decent Work Country Program (2013–2016) during the reporting period.(59)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

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

**Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

| Area                | Suggested Action   | Year(s) Suggested |
|---------------------|--|-------------------|
| Legal Framework     | Establish criminal prohibitions for slavery and child trafficking for the purpose of commercial sexual exploitation.   | 2015 – 2016       |
|                     | Establish criminal prohibitions for the production of child pornography, and procuring or offering children in pornographic performances.  | 2015 – 2016       |
|                     | Ensure that the legal framework prohibits the use of children in illicit activities, including both the production and trafficking of drugs.   | 2009 – 2016       |
|                     | Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.   | 2016              |
|                     | Ensure that the legal framework for light work establishes a minimum age no younger than 13, determines the activities considered light work, and specifies the conditions under which light work may be undertaken.                                       | 2013 – 2016       |
|                     | Make publicly available the law governing voluntary service in the State armed forces.   | 2016              |
| Enforcement         | Publish information on the funding level for the labor inspectorate and ensure that inspectors and investigators receive adequate funding and resources to carry out inspections and investigations.   | 2009 – 2016       |
|                     | Strengthen the labor inspectorate by authorizing inspectors to assess penalties, and conducting routine and unannounced inspections.   | 2014 – 2016       |
|                     | Publish information on the enforcement of child labor laws, including the number and type of inspections conducted, number of investigations conducted, and violations found.  | 2009 – 2016       |
|                     | Ensure that both civil and criminal violations of child labor laws are punished in accordance with the law.  | 2016              |
|                     | Significantly increase the number of labor inspectors in accordance with the ILO recommendation and ensure that labor inspectors are able to carry out their primary duties of inspection and monitoring throughout the country, including in rural areas. | 2009 – 2016       |
|                     | Establish a mechanism to log all calls to the MLE’s child protection hotline and track cases of child labor for referral to law enforcement or social services providers.  | 2014 – 2016       |
| Coordination        | Ensure that the CNSLTE has sufficient funds to carry out its mandate, including improving communication and coordination among ministries.   | 2013 – 2016       |
| Government Policies | Adopt a policy that addresses all relevant forms of child labor, such as domestic work, work in transportation, and commercial sexual exploitation.  | 2015 – 2016       |



**Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

| Area                | Suggested Action   | Year(s) Suggested |
|---------------------|--|-------------------|
| Government Policies | Sign agreements with origin countries to combat child trafficking.   | 2014 – 2016       |
|                     | Integrate child labor elimination and prevention strategies into existing policies, and ensure policies are implemented as planned.  | 2014 – 2016       |
| Social Programs     | Conduct research to determine the specific activities carried out by children working in agriculture, industry, and the service sector to inform policies and programs.  | 2014 – 2016       |
|                     | Ensure 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 – 2016       |
|                     | Expand existing programs to address the scope of the child labor problem and ensure the Government continues to provide adequate support.  | 2010 – 2016       |

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