

Gabon

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In 2013, Gabon made a moderate advancement in efforts to eliminate the worst forms of child labor. The Criminal Court convicted nine people of child trafficking and sentenced each to 14 years in prison. The labor inspectorate withdrew 50 children from child labor situations, and the Government continued to operate a shelter for children in need. However, children in Gabon continue to engage in the worst forms of child labor in domestic service, as a result of human trafficking. The Government continues to delay the development of a list of hazardous occupations prohibited for children under age 18 and has yet to conduct a proposed study on children trafficked into domestic service. Furthermore, it imposed no penalties for violations of child labor provisions of the Labor Code during the reporting period.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Gabon are engaged in the worst forms of child labor in domestic service; some reports suggest that they are engaged in the worst forms of child labor in commercial sexual exploitation, although the magnitude of the problem appears to be small.(1-8) According to a government survey, there are approximately 1,000 street children in Gabon. Street children and orphans affected by HIV/AIDS in Gabon are particularly vulnerable to involvement in the worst forms of child labor.(8) Data on key indicators on children’s work and education in Gabon 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)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		Unavailable

Source for primary completion rate: UNESCO Institute for Statistics, 2014.(9)

Source for all other data: Understanding Children’s Work Project’s analysis, 2014.(10)

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
Services	Domestic service (8, 11)
	Street vending (1, 11-15)
	Working as mechanics and in handicrafts workshops (5, 7, 16)
Categorical Worst Forms of Child Labor‡	Work in domestic service, in street vending, as mechanics, in handicrafts workshops,* and in restaurants, as a result of human trafficking (5, 7, 16-19)
	Commercial sexual exploitation sometimes as a result of human trafficking* (3, 5, 7, 16)

* Evidence of this activity is limited and/or extent of the problem is unknown.

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

Evidence suggests that the children involved in street vending in Gabon are required to carry heavy loads.(1, 15) Boys in Gabon are trafficked to work in handicrafts workshops and as mechanics; girls are trafficked to work in restaurants and commercial sexual exploitation.(5, 7, 16) These children are often from other countries in Central and West Africa.(1, 7, 19) There is some evidence children are trafficked within Gabon as well.(6, 20)




The Government made plans in 2011 to undertake a survey on trafficking victims in 2012, but has not yet done so.(5, 21, 22) The survey was intended to include children trafficked into domestic service.(23) It is unclear whether this survey will be carried out.

The country suffers from a shortage of schools and teachers. While UNICEF reports generally high primary-school attendance rates, a 2010 UNICEF report indicates that dropout and repetition are problems at the secondary level.(12, 16) Reports also suggest that some children, especially girls, are pressured by teachers to have sex in exchange for good grades.(24) The lack of sufficient educational opportunities might increase the likelihood that children will enter into the worst forms of child labor.

II. LEGAL FRAMEWORK ON 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 relevant laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	16	Article 177 of the Labor Code (25, 26)
Minimum Age for Hazardous Work	Yes	18	Article 177 of the Labor Code (25, 26)
List of Hazardous Occupations Prohibited for Children	Yes		Article 177 of the Labor Code (25, 26)
Prohibition of Forced Labor	Yes		Article 4 of the Labor Code (25)
Prohibition of Child Trafficking	Yes		Law 09/04 (7)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Law 09/04 (7)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	20	Act No. 004/98 (27)
Compulsory Education Age	Yes	16	Article 1 of the Constitution; Article 2 of Act No. 21/2011 (28, 29)
Free Public Education	Yes		Article 1 of the Constitution; Article 2 of Act No. 21/2011 (28, 29)

* No conscription or no standing military.

The Ministry of Education may make exemptions from the minimum employment age of 16; exemptions may be for light work, or for vocational training or apprenticeships for children between 14 and 16. However, the Government decree for exemptions for light work does not set a minimum age for which such light work may be permissible and does not include a list specifying the kinds of light work allowed under this exemption; moreover, the ILO Committee of Experts has expressed concern over this gap in the law.(25, 26, 30)

The Labor Code sets the minimum age for hazardous work at 18 and enables labor inspectors to require medical exams for anyone under the age of 21 who may be asked to perform work that is considered “high risk.”(25, 26) The Labor

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Code proscribes broad categories of hazardous work, but does not lay out a list of the specific hazardous occupations prohibited for children under age 18.(26) According to the 2010 amendment to the Labor Code, the Ministry of Economy, Employment and Sustainable Development (formerly the Ministry of Labor, Employment and Social Security); the Ministry of Health; and the Ministry of Family and Social Affairs are responsible for formulating such a list and issuing a decree to enact it into law. However, these agencies have not yet begun this task, though UNICEF has offered recommendations on such a law to these agencies.(21, 26, 30, 31) Information was not available on whether laws exist to protect children from engaging in illicit activities such as drug trafficking.

The Constitution calls for the provision of free education; however, in practice, families must pay for supplies, including school uniforms.(16, 28)

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).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Economy, Employment, and Sustainable Development (MOEESD)	Receive, investigate, and address child labor complaints through its inspectors.(3, 11, 32)
Ministry of Justice	Enforce child labor laws.(11, 32)
Local Vigilance Committees	Monitor potential cases of child exploitation and trafficking at the local level.(20, 21, 32)

Law enforcement agencies in Gabon took actions to combat child labor, including its worst forms.

Labor Law Enforcement

In 2013, the Government coordinated with UNICEF to train 10 labor inspectors on child labor.(3) Ministry of Economy, Employment, and Sustainable Development (MOEESD) carries out inspections in cities but not in rural areas; the country's heavily forested terrain contributes to the lack of access to such areas.(3, 11, 33) The Government does not make public any data on the number of child labor inspections, but it acknowledges that while inspections are carried out in sectors where children work, more inspections are needed.(3, 30) Violations of child labor laws were found in at least 16 cases, and approximately 50 children were removed from exploitative labor during the reporting period.(3) However, Gabon has imposed no penalties for violations of child labor provisions of the Labor Code during the reporting period.(30)

Labor inspectors can question any child suspected of being involved in the worst forms of child labor, including in the informal sector. However, the law also gives the police the right to arrest children involved in such work, thereby punishing them for their involvement in exploitative labor.(12)

Criminal Law Enforcement

In 2013, Department of Justice officials attended a UNICEF workshop on strengthening the rule of law when prosecuting violations of children's rights. Approaches included educating judges and other officials involved in criminal law enforcement on international standards.(34, 35) Nine people were convicted of child trafficking and sentenced to 14 years of prison each.(3) The Government reactivated a dormant Vigilance Committee in Woleu Ntem province because of a reported increase of trafficking of indigenous children in the previous year.(20)

UNICEF has reported that weak enforcement and coordination pose challenges to combating trafficking in Gabon. Although the situation is improving as a result of public awareness campaigns and trainings for law enforcement, the UN has noted that due to a lack of knowledge of the law, officials continue to occasionally try minors as adults or treat child trafficking victims as undocumented immigrants.(12, 36)

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 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Interministerial Committee for the Fight Against Child Trafficking	Coordinate efforts against child trafficking and all worst forms of child labor by facilitating communication and coordinating enforcement actions among ministries. Led by the MOEESD and includes the Ministry of the Interior, the Ministry of Foreign Affairs, the Ministry of Justice, the Ministry of Health, the Ministry of Family and Social Affairs (MFSA), and the head of the police unit for minors. Refer children found during inspections to social services, including shelters run by or in coordination with the MFSA.(3, 11, 23, 37)

In 2013, the Interministerial Committee met regularly, facilitated the repatriation of victims of child trafficking, organized training for labor inspectors and law enforcement officials, and conducted an observation mission in the province of Ogooué Lolo.(3) The Interministerial Committee receives a budget to fund investigations and coordinate actions against child exploitation. The Committee acknowledges that it has a limited budget for fighting child exploitation.(3, 11)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Gabon has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

Policy	Description
2013 Plan of Action on the Worst Forms of Child Labor†	Aims to address the worst forms of child labor, including by identifying and prosecuting those who use child labor, building capacity to enforce laws against trafficking, and encouraging civil society to participate in the Vigilance Committees that have been established in rural areas. Vests executive role for the plan in the Interministerial Committee, in cooperation with Economic Community of Central African States, ECOWAS, and other regional partners.(3, 4, 13, 21)
Education Policy (2010-2020)*	Includes goals of making pre-primary education widely available, improving the quality of primary education throughout the country, and improving the quality and increasing the availability of different types of secondary education that would prepare students for the workforce.(29, 38)

*The impact of this policy on child labor does not appear to have been studied.

† Policy was launched during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2013, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

Program	Description
Global Action Plan on Child Labor Issues Project	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to develop, validate, adopt, and implement a National Action Plan on the elimination of child labor in Gabon.(39) In 2013, the Government adopted a Plan of Action on the Worst Forms of Child Labor.(3, 13, 21)
Gabon Emergent Plan*‡	Government program that outlines President Ali Bongo Ondimba's vision for the country's development, which includes a component on improving work conditions and eliminating child labor; under the Plan, the Government conducted an awareness-raising campaign with the assistance of UNICEF.(11, 31, 40)
Shelters for Children in Need*‡	Vigilance Committees-operated shelters that provide victims of child labor and trafficking and orphans with health, education, financial, and reintegration services.(11, 40)

*The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Gabon.

Although a formal agreement does not exist, standard operating procedures are in place with the Government of Benin to facilitate repatriation of trafficking victims from that country.(20) Gabon also has informal agreements to cover the

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costs of repatriating trafficking victims with Mali, Nigeria, and Togo.(5, 7, 13, 38)

Existing government services offered to victims of child trafficking have been focused on children in street work, to the exclusion of children in other forms of child labor. The Government also lacks programs targeting children in other worst forms of child labor.

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 9)

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Laws	Create a list of light work that children between 14 and 16 may be allowed to perform by exemption from the Ministry of Education.	2013
	Develop and issue a decree laying out the complete, updated list of hazardous types of work and enterprises prohibited to children under age 18, as mandated in the Labor Code.	2010 – 2013
	Ensure that laws protect children from engaging in illicit activities, such as drug trafficking.	2011 – 2013
	Amend the law to ensure police cannot arrest children engaged in the worst forms of child labor.	2010 – 2013
Enforcement	Conduct child labor inspections outside of urban areas.	2011 – 2013
	Gather, analyze, and disseminate child labor enforcement information.	2009 – 2013
	Ensure that children are protected from and are not penalized for their involvement in the worst forms of child labor by educating officials to ensure that minors are not tried as adults and child trafficking victims are not treated as criminals.	2010 – 2013
	Improve the sharing of anti-trafficking law enforcement information among government ministries.	2011 – 2013
Coordination	Ensure that the Interministerial Committee for the Fight Against Child Trafficking has sufficient funds to coordinate efforts and train Committee members on child labor, including its worst forms	2013
Social Programs	Assess the impact that existing programs may have on child labor.	2013
	Institute programs focused on all worst forms of child labor in Gabon.	2010 – 2013
	Carry out the proposed survey on child trafficking.	2011 – 2013
	Take steps to address abuse in schools, costs of school materials, and numbers of schools and teachers.	2010 – 2013

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