

Equatorial Guinea

In 2011, Equatorial Guinea made a minimal advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the Government engaged in anti-trafficking training to enable its police force to better identify and provide services to victims. Despite these efforts, Equatorial Guinea lacks legislation to protect all children under age 18 from engagement in hazardous work, pornography and illicit activities. Additionally, the minimum age for compulsory education is lower than the minimum age for employment, leaving children age 13 particularly vulnerable to the worst forms of child labor, as they are no longer required to attend school but are not legally able to work. Further, the Government has not established a coordinating mechanism to combat all the worst forms of child labor, nor does it implement social programs to target the country's problems of child labor in street work, domestic service and prostitution. Children in Equatorial Guinea continue to engage in the worst forms of child labor, including in street work and domestic service.

Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	Unavailable
Attending School	5-14 yrs.	Unavailable
Combining Work and School	7-14 yrs.	Unavailable
Primary Completion Rate		52.4

Sources:

Primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2012.(1)

All other data: Understanding Children's Work Project's analysis.(2)

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Equatorial Guinea are engaged in the worst forms of child labor, including street work and domestic service.(3-6) Some children working on the streets transport water and wash cars. They also sell food, water and clothes as ambulatory vendors and in markets.(3-7) Children working on the streets are vulnerable to severe weather, traffic accidents and crime.(8)

Children are also employed in domestic work, some under forced conditions.(3, 4, 9, 10) Some evidence suggests that children in domestic service in Equatorial Guinea may be physically and psychologically abused by their employers.(4)



Although evidence is limited, some children are reportedly involved in prostitution, specifically girls working in urban centers such as Malabo and Bata.(4, 7, 9, 11)

Children are trafficked from neighboring countries for domestic servitude and street work. Trafficked children work as vendors in local markets and on streets in urban areas.(10, 12, 13) There is limited evidence indicating that children may also be trafficked to Equatorial Guinea for commercial sexual exploitation.(13) A limited number of children are trafficked internally, brought from rural areas to urban centers to work in domestic labor and local businesses.(14)

Laws and Regulations on the Worst Forms of Child Labor

The General Labor Code sets the minimum age for employment at 14. Children younger than age 16 are prohibited from employment in conditions that may endanger their health, security or morals.(15) Ministerial Order 4/2005 bans all children younger than age 17 from being on the streets after 11 p.m. and from specific forms of child labor. The Order also forbids parents and tutors from exploiting children for labor, such as street vending, car washing or work in bars and restaurants.(16) While the above protections exist, the laws do not cover children ages 16 and older with regard to hazardous work. Furthermore, the Government has not developed a list of hazardous occupations prohibited for children younger than age 18.(9)

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	No
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	14
	Minimum Age for Hazardous Work	16
	Compulsory Education Age	12
	Free Public Education	Yes

Forced labor is forbidden by the General Labor Ordinances. The law states that the freedom of labor shall be subject to no restrictions other than “normal civic obligations and minor communal services.”(15) The specific language of the law has been the subject of comments from the ILO Committee of Experts, since normal obligations and minor services are not distinctly enumerated in the relevant legislation.(17)

Law 1/2004, or the Law on the Smuggling of Migrants and Trafficking in Persons, prohibits trafficking in persons and criminalizes parental child abuse and illegally engaging children in work. The Law defines parental child abuse as “the use of boys or girls by their relatives for street trading or other jobs during school times or at night.”(14, 18) It also sets penalties, including prison and fines, for those who employ children illegally, regardless of whether employers are family members or not.(14, 18)

Research suggests that Equatorial Guinean law does not address the use or procurement of children for prostitution, pornography or other illicit activities.(6, 9)

The minimum age for military recruitment in Equatorial Guinea is 18.(5, 19)

The General Education Law of 1995 makes primary education free and compulsory for all citizens and residents. Primary education institutions serve children ages 7 to 12.(20) Though education is mandatory until age 12, some rural children do not attend school.(3, 5) Girls are more likely to leave school early due to pregnancy or a need to help in the home.(6)

Further, children age 13 may be particularly vulnerable to the worst forms of child labor, as they are no longer required to attend school but are not legally able to work.

Institutional Mechanisms for Coordination and Enforcement

Research found no evidence that the Government of Equatorial Guinea has a coordinating mechanism to combat the worst forms of child labor.

The Ministry of Labor (MOL) is responsible for enforcing child labor laws in businesses and on construction sites.(3) It employs approximately 100 inspectors who monitor these facilities for labor violations including breaches of minimum age laws.(3, 5) The Ministry of Works and Social Security monitors the streets, market places and small businesses for child labor violations.(5)

During the reporting period, the MOL began tracking labor inspections and collecting and compiling statistics on resulting labor violations, including those related to child labor. However, this information has not yet been made publicly available.(5) Research did not uncover the number of child labor inspections conducted or violations cited during the reporting period. Furthermore, research found no evidence that the Government tracks and publicizes statistics on prosecutions and convictions related to child labor.

The Ministry of National Security is responsible for enforcing criminal laws related to the worst forms of child labor.(3, 5) The Ministry of Justice is responsible for the prosecution and punishment of violators of laws related to the worst forms of child labor.(3, 5) Research did not find any statistics on the number of investigations or prosecutions concerning the worst forms of child labor conducted during the reporting period.

The Inter-institutional Committee to Combat the Illicit Trafficking of Migrants, the Trafficking of Persons and the Exploitation of Children coordinates actions taken and government efforts to address human trafficking.(9, 10) The committee is chaired by the Minister of Justice, Religion and Prisons and includes representatives from the office of the Attorney General and from the Ministries of Health, Interior, National Security and Women’s Affairs.(9, 10, 13) However, research indicates that the Commission did not meet during the reporting period and is no longer active.(13, 21)

The Ministry of Women’s and Social Affairs takes the lead on identification and care of child labor and trafficking victims. The Ministry also provides training to other agencies that work on human trafficking issues.(5)

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Government Policies on the Worst Forms of Child Labor

In 2007, the Government of Equatorial Guinea launched a long-term development plan, Horizonte 2020, to address poverty and direct the country's progress toward reaching the Millennium Development Goals. Among Horizonte 2020's principal goals are the strengthening of economic growth and the promotion of social policy actions and programs. (5, 22) The Government also established a National Plan for Education for All (2002-2015). The policy prioritizes universal basic education, including pre-school and primary school, as well as girl's education.(23) The question of whether Horizonte 2020 and the National Plan for Education for All have an impact on child labor does not appear to have been addressed.

A National Action Plan Against Human Trafficking exists, which aims to educate the public, punish offenders and provide benefits and care to victims.(10) However, key components of the plan have not been implemented.(11, 13)

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

Although the Government has implemented programs to combat trafficking in persons, research found no evidence that the Government of Equatorial Guinea has social programs that

address other worst forms of child labor, including street work, domestic service and commercial sexual exploitation.

During the reporting period, the Government held trainings to professionalize its police force. The sessions included anti-trafficking in persons components, including instruction on how to identify and deal with trafficking victims.(5, 6) However, there is no evidence that the training included components on the worst forms of child labor.

In 2009, the Ministry of Social Affairs' submitted a proposal to the Social Development Fund (SDF) to establish a network of shelters to service women and children, including victims of trafficking. SDF has not yet approved funding for the proposal.(13)

The Government has committed \$100 million toward a 10-year program to improve elementary education. The long-term goals of the program, which is partially funded by private sector partners, include bolstering school attendance and graduation rates.(3) Specific projects have included continuing a partnership with a foreign oil company to renovate schools and reform and update curriculum materials.(6) The question of whether the Government's education programs have an impact on the worst forms of child labor does not appear to have been addressed.

Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Equatorial Guinea:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Raise the minimum age for all hazardous work to 18.	2010, 2011
	Develop a list of hazardous occupations and activities prohibited for all children younger than age 18.	2010, 2011
	Amend the General Labor Ordinance to define what types of compulsory labor fall under the "normal civic obligations and minor communal services" exception.	2010, 2011
	Enact legislation to protect children younger than age 18 from all worst forms of child labor, including pornography and involvement in illicit activities.	2010, 2011
	Enact legislation to raise the age of compulsory education to equal or exceed the minimum age for employment.	2010, 2011
Coordination and Enforcement	Establish a coordinating mechanism to combat all the worst forms of child labor.	2010, 2011

Area	Suggested Actions	Year(s) Action Recommended
Coordination and Enforcement	Reactivate the Inter-Institutional Committee to Combat the Illicit Trafficking of Migrants, the Trafficking of Persons and the Exploitation of Children and ensure regular meetings and the fulfillment of its mandate.	2011
	Increase transparency of enforcement efforts by: <ul style="list-style-type: none"> • Making information on inspections and labor violations related to child labor publicly available. • Tracking and making publicly available information on prosecutions and convictions related to child labor. 	2010, 2011 2009, 2010, 2011
Policies	Assess the impact Horizonte 2020 and the National Plan for Education for All may have on child labor.	2010, 2011
	Fully implement the National Action Plan Against Human Trafficking.	2011
Social Programs	Implement programs that target all relevant worst forms of child labor, particularly street work, domestic service and prostitution.	2009, 2010, 2011
	Approve funding for shelters and services targeted at child trafficking victims.	2011
	Assess the impact that the Government's education programs may have on the worst forms of child labor.	2010, 2011

REFERENCES

- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total.*; accessed <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. February 2, 2012. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- U.S. Embassy- Malabo. *reporting, January 27, 2011*.
- European Union Fund for Development official. Interview with USDOL consultant. May 22, 2007.
- U.S. Embassy- Malabo. *reporting, January 23, 2012*.
- U.S. Department of State. "Equatorial Guinea," in *Country Reports on Human Rights Practices- 2011*. Washington, DC; May 24, 2012; <http://www.state.gov/j/drl/rls/hrrpt/2011/af/186191.htm>.
- U.S. Embassy- Malabo. *reporting, February 17, 2012*.
- International Labour Office. *Children in hazardous work: What we know, What we need to do*. Geneva, International Labour Organization; 2011. While country-specific information on the dangers children face in street work is not available, research studies and other reports have documented the dangerous nature of tasks in street work and their accompanying occupational exposures, injuries and potential health consequences to children working in the sector.
- ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Equatorial Guinea (ratification: 2001) Submitted: 2010*; accessed January 25, 2012; <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=25288&chapter=9&query=Guinea%40ref&highlight=&querytype=bool&context=0>.
- U.S. Embassy- Malabo. *reporting, February 14, 2011*.
- U.S. Embassy- Malabo official. E-mail communication to USDOL official. May 22, 2012.
- Child Rights Information Network. *Child Rights References in the Universal Periodic Review: Equatorial Guinea- 6th Session*, [online] December 9, 2009 [cited January 19, 2012]; <http://www.crin.org/resources/infodetail.asp?ID=21860>.
- U.S. Department of State. "Equatorial Guinea," in *Trafficking in Persons Report- 2011*. Washington, DC; June 27, 2011; <http://www.state.gov/documents/organization/164454.pdf>.
- U.S. Embassy- Malabo. *reporting, February 22, 2010*.
- Government of Equatorial Guinea. *Ordenamiento General del Trabajo*, 2/1990, enacted January 4, 1990. source on file.
- Government of Equatorial Guinea. *Regulación Sobre la Circulación de Menores de Edad Durante Determinadas Horas Nocturnas, así como su Explotación para Actividades con Fines Lucrativos*, Orden Ministerial 4/2005, enacted June 20, 2005. source on file.
- ILO Committee of Experts. *Individual Direct Request concerning Forced Labour Convention, 1930 (No. 29) Equatorial Guinea (ratification: 2001) Submitted: 2010*; accessed January 25, 2012; <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=23906&chapter=9&query=Equatorial+Guinea%40ref&highlight=&querytype=bool&context=0>.
- Government of Equatorial Guinea. *Sobre el Tráfico Ilícito de Migrantes y la Trata de Personas*, 1/2004, enacted September 14, 2004. source on file.
- Coalition to Stop the Use of Child Soldiers. "Equatorial Guinea," in *Child Soldiers Global Report 2008*. London; 2008; http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf.
- Government of Equatorial Guinea. *Ley Sobre Educación General en Guinea Ecuatorial*, 14/1995, enacted January 9, 1995; Amended 2006. source on file.
- U.S. Embassy- Malabo official. E-mail communication to USDOL official. February 18, 2012.
- Equatorial Guinea News. "Equatorial Guinea's 2020 Development Plan guiding Country Toward Emerging Economy." Equatorial Guinea News [online] September 22, 2010 [cited January 19, 2012]; <http://equatorialguineainfo.blogspot.com/2010/09/equatorial-guineas-2020-development.html>.
- Integrated Regional Information Networks. "Equatorial Guinea: Basic Education Plan Ratified." IRINnews.org [online] September 26, 2002 [cited January 19, 2012]; <http://www.irinnews.org/Report.aspx?ReportID=34795>.