

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Gabon is an associated country of ILO-IPEC.¹⁷³² Gabon is one of nine countries working with ILO-IPEC on the first of a two-phase USDOL-funded regional project to combat the trafficking of children in West and Central Africa.¹⁷³³ In May 2002, ILO-IPEC launched the second phase of the project to improve institutional capabilities, promote prevention, and develop strategies to fight child trafficking in Gabon.¹⁷³⁴ In 2000, the Government of Gabon co-hosted a regional conference on trafficking as part of a collaborative effort with UNICEF and the ILO. The government also created an inter-ministerial committee comprised of representatives from the Ministries of Labor, Justice, Foreign Affairs, and Family to address the issue.¹⁷³⁵ Throughout 2002, the Government of Gabon carried out an anti-trafficking information campaign that included billboards, radio announcements, television coverage, school curricula and child rights pamphlets.¹⁷³⁶ Representatives from the Government of Gabon also attended a January 2002 seminar along with officials from Benin, Burkina Faso, Côte d'Ivoire, Mali, Niger, and several UN agencies and NGOs, to discuss child trafficking and exploitation in West and Central Africa.¹⁷³⁷ In the resulting Yamoussoukro Declaration, the conference participants pledged to conduct coordinated information campaigns on child trafficking.¹⁷³⁸ In September 2002, Gabon hosted a seminar on child trafficking during which government officials and representatives from NGOs and the European Union agreed to coordinate efforts in the fight against child trafficking.¹⁷³⁹

In November 2001, Gabon, UNICEF and several NGOs announced a campaign to increase awareness about child trafficking and inform victims about rehabilitative services.¹⁷⁴⁰ ILO, UNICEF, and the Government of Gabon organized an anti-child trafficking workshop in March 2002. Attendees discussed information exchange, regional cooperation, building stronger institutions, and the repatriation and reintegration of trafficked children.¹⁷⁴¹ The Government of Gabon also opened a center in March 2002 that provides shelter along with legal, medical and psychological assistance to trafficking victims.¹⁷⁴² In June 2002, the U.S. State Department's Africa Bureau

¹⁷³² ILO-IPEC, *IPEC Action Against Child Labour: Highlights 2002*, Geneva, October 2002.

¹⁷³³ The other countries working on the project include Benin, Burkina Faso, Cameroon, Ghana, Ivory Coast, Mali, Nigeria, and Togo. See ILO-IPEC, Phase I: Combating the Trafficking of Children for Labour Exploitation in West and Central Africa, executive summary, RAF/01/P53/USA, Geneva, July 1999.

¹⁷³⁴ U.S. Embassy- Libreville, *unclassified telegram no. 0137*, February 28, 2003.

¹⁷³⁵ U.S. Department of State, *Country Reports on Human Rights Practices 2002: Gabon*, Washington, D.C., March 31, 2003, Section 6f; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18204.htm>.

¹⁷³⁶ U.S. Department of State, *Trafficking in Persons Report- 2003: Gabon*, Washington, D.C., June 11, 2003, 50; available from <http://www.state.gov/g/tip/rls/tiprpt/2003/21275.htm>.

¹⁷³⁷ Integrated Regional Information Networks, "West and Central Africa: IRIN Focus on Regional Efforts Against Child Trafficking", IRINnews.org, [online], January 21, 2002 [cited July 9, 2003]; available from http://www.irinnews.org/report.asp?ReportID=19693&SelectRegion=West_Africa&SelectCountry=CENTRAL_AFRICA-WEST_AFRICA.

¹⁷³⁸ Ibid. During a subsequent meeting on the issue in March 2002, the governments of West and Central Africa, including Gabon, and partner organizations agreed to ratify a regional convention against child trafficking in 2004. The convention will focus on prevention, identification, repatriation and reintegration of child victims of trafficking into their home countries. See Integrated Regional Information Networks, "West and Central Africa: Region to establish child trafficking legislation in 2004", IRINnews.org, [online], March 20, 2002 [cited July 22, 2003]; available from <http://www.irinnews.org/print.asp?ReportID=26560>.

¹⁷³⁹ Integrated Regional Information Networks, "Gabon: 'More Effort Needed' on Child Trafficking", IRINnews.org, [online], September 17, 2002 [cited July 10, 2003]; available from <http://www.irinnews.org/print.asp?ReportID=29940>.

¹⁷⁴⁰ Integrated Regional Information Networks, "UNICEF and Partners Against Child Trafficking", IRINnews.org, [online], November 8, 2001 [cited July 15, 2003]; available from <http://www.irinnews.org/print.asp?ReportID=13622>.

¹⁷⁴¹ Integrated Regional Information Networks, "GABON: Child trafficking workshop opens", March 13, 2002 [cited July 17, 2003]; available from http://www.irinnews.org/report.asp?ReportID=25094&SelectRegion=West_Africa&SelectCountry=GABON.

¹⁷⁴² U.S. Department of State, *Trafficking in Persons Report: Gabon*.

announced its West Africa Regional Strategy to Combat Trafficking in Persons, which includes Gabon. As part of this strategy, U.S. missions in the region will focus U.S. Government resources to support efforts by host governments to prosecute traffickers, protect and repatriate victims, and prevent new trafficking incidents.¹⁷⁴³ The U.S. Mission also received funding in 2003 to provide training and equipment for a special Gabonese police unit to control child trafficking.¹⁷⁴⁴

Between 1998 and 1999, the government implemented initiatives to reinforce basic education and popularize preschool education. As a result of these initiatives, the government increased the number of primary schools.¹⁷⁴⁵ The government has also adopted a plan to reduce repetition rates, particularly among girls.¹⁷⁴⁶

Incidence and Nature of Child Labor

In 2001, the ILO estimated that 13.2 percent of children ages 10 to 14 years in Gabon were working.¹⁷⁴⁷ Children are found working primarily as domestic servants and in the informal sector. Children are trafficked into the country from Benin, Togo, Nigeria, Burkina Faso, and Mali for the purposes of labor and sexual abuse.¹⁷⁴⁸ Children who are purchased in Benin, Togo and Mali for as little as USD 14 may be sold to commercial farms in Gabon and Côte d'Ivoire for up to USD 340.¹⁷⁴⁹

Education is compulsory for children between 6 to 16 years old under the Education Act.¹⁷⁵⁰ Schooling is free, but parents must pay for expenses such as books and school supplies.¹⁷⁵¹ In 2000, the gross primary enrollment rate was 143.8 percent,¹⁷⁵² and the net primary enrollment rate was 87.6 percent.¹⁷⁵³ Primary school attendance rates are unavailable for Gabon. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.¹⁷⁵⁴ According to the government, over 40 percent of students drop

¹⁷⁴³ The strategy will be implemented through improved coordination among USG donors, greater coordination with international donors, engagement with and funding of regional and international organizations, and direct funding for host government or local NGOs. See U.S. Embassy- Abuja, *unclassified telegram no. 1809*, June 18, 2002.

¹⁷⁴⁴ U.S. Embassy- Libreville, *unclassified telegram no. 0137*.

¹⁷⁴⁵ UNESCO, *L'évaluation de l'éducation pour tous à l'an 2000: Gabon*, prepared by Jacques Mourende-Tsioba Ministry of National Education, pursuant to UN General Assembly 52/84, Dec 12, 2000; available from <http://www2.unesco.org/wef/countryreports/gabon/contents.html>.

¹⁷⁴⁶ UNICEF, *At a glance: Gabon- The big picture*, [online] August 27, 2003 [cited August 28, 2003]; available from <http://www.unicef.org/infobycountry/gabon.html>.

¹⁷⁴⁷ World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003.

¹⁷⁴⁸ The U.S. Department of State regards child trafficking to be a significant human rights problem in Gabon. See U.S. Department of State, *Country Reports-2002: Gabon*, Section 6f. See U.S. Embassy- Libreville, *unclassified telegram no. 0137*. See also Integrated Regional Information Networks, "UNICEF and partners against child trafficking", IRINnews.org, [online], July 15, 2003 2001 [cited November 8]; available from <http://www.irinnews.org/print.asp?ReportID=13622>. See also The Age, *Robbed of Youth and Lost to a Bondage Hell*, [theage.com.au](http://www.theage.com.au), [previously online] April 17, 2001 [cited December 11, 2001]; available from <http://www.theage.com.au/news/2001/04/17/FFX9WJX3LLC.html> [hard copy on file]. See also Ed O'Loughlin, "Descent into Lives of Silent Servitude: Slavery in the 21st Century: A Herald Investigation," *The Sydney Morning Herald*, June 6, 2001; available from <http://old.smh.com.au/news/0106/06/features/features1.html>.

¹⁷⁴⁹ Jean-Luc Aplogan, *Slave Trade: Ship Carrying 250 Children Forced to Return to Benin*, United Nations Foundation, [online] April 13, 2001 [cited July 15, 2003]; available from http://www.unfoundation.org/unwire/util/display_stories.asp?objid=14230.

¹⁷⁵⁰ United Nations, *Gabon Presents Initial Report to Committee on Rights of Child*, press release, January 17, 2002; available from <http://www.unhchr.ch/hurricane/hurricane.nsf/view01/537A47397C7C5527C1256B4500378EC9...>

¹⁷⁵¹ U.S. Department of State, *Country Reports on Human Rights Practices- 2001: Gabon*, Washington, D.C., March 4, 2002, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2001/af/8374.htm>.

¹⁷⁵² World Bank, *World Development Indicators 2003*.

¹⁷⁵³ *Ibid.*

¹⁷⁵⁴ For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

out before they complete the last year of primary school.¹⁷⁵⁵ Problems in the education system include poor management and planning, lapse oversight, a shortage of teaching material, poorly qualified teachers, overcrowded classes, and a curriculum that is not always relevant to students' needs.¹⁷⁵⁶

Child Labor Laws and Enforcement

The Labor Code prohibits children below the age of 16 from working without the consent of the Ministries of Labor, Education, and Public Health.¹⁷⁵⁷ Section 6 of the Labor Code prohibits employing children in jobs that are unsuitable for them due to their age, state, or condition, or that prevent them from receiving compulsory education.¹⁷⁵⁸ Children between 16 and 18 years of age are prohibited from working in industries that necessitate continuous work hours, such as iron, sugar, and paper factories. Children under 18 years are prohibited from working at night in industrial establishments, except in family enterprises.¹⁷⁵⁹ The Labor Code prohibits procurement of a minor for the purpose of prostitution, which is punishable by imprisonment for 2 to 5 years and a fine of CFA 100,000 to 2,000,000 (USD 187 to 3,741).¹⁷⁶⁰ A January 2002 Executive Order authorizes law enforcement to prosecute individuals illegally employing minors.¹⁷⁶¹

No laws specifically prohibit trafficking in persons.¹⁷⁶² Pursuant to the Criminal Code, accomplices and instigators are subject to the same penalties as the prime offenders.¹⁷⁶³

While the Labor Code is intended to cover all children, in practice it is enforced only in situations involving Gabonese children, and not those who are foreign-born, many of whom work.¹⁷⁶⁴ The Ministry of Justice is responsible for the enforcement of child labor laws, while the Ministry of Labor is charged with receiving,

¹⁷⁵⁵ UN Committee on the Rights of the Child, *Initial Reports of States Parties due in 1996, Addendum: Gabon*, CRC/C/41/Add.10, prepared by Government of Gabon, pursuant to Article 44 of the Convention on the Rights of the Child, July 13, 2001, para. 214.

¹⁷⁵⁶ In the capital city, Libreville, classes average 100 students in size, and rural classes average about 40 students. Many rural schools are poorly built and lack furniture and educational material. Sixteen percent of school children have only one teacher for all six primary years, and some schools have no teacher at all. See *Ibid.*, para. 217.

¹⁷⁵⁷ U.S. Department of State, *Country Reports-2002: Gabon*, Section 6d.

¹⁷⁵⁸ ILO Governing Body, *Review of Annual Reports under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, Part II: Compilation of annual reports by the International Labour Office*, GB.283/3/2, Geneva, March 2002.

¹⁷⁵⁹ U.S. Embassy- Libreville, *unclassified telegram no. 1540*, November 2001.

¹⁷⁶⁰ Government of Gabon, *Criminal Code*, Article 261; available from <http://www.protectionproject.org>. For currency conversion, see Oanda.com, *FXConverter*, [online] [cited October 20, 2003]; available from <http://www.carosta.de/frames/convert.htm>. CFA stands for (African Financial Community), which encompasses Burkina Faso, Senegal, Guinea Bissau, Côte d'Ivoire, Togo, Benin, Equatorial Guinea, Gabon, Mali, Chad, the Central African Republic, Cameroon, the Congo, and the Comoro Islands.

¹⁷⁶¹ *Ibid.*

¹⁷⁶² U.S. Department of State, *Trafficking in Persons Report: Gabon*. In August 2001, the Council of Ministers of Gabon adopted a draft Ordinance that would make the trafficking of children punishable by a prison sentence and a fine of between 10 and 20 million CFA (USD 15,646 to 31,292). For currency conversion, see Oanda.com, *FXConverter*. However, as of the end of 2001, the National Assembly was considering the proposed law, and there is no available information as to its current status. See ILO Governing Body, *Review of Annual Reports*, 345. See also U.S. Department of State, *Country Reports-2002: Gabon*, Section 6f.

¹⁷⁶³ ILO Governing Body, *Review of Annual Reports*, 342.

¹⁷⁶⁴ U.S. Department of State, *Country Reports-2002: Gabon*, Section 6d.

investigating, and addressing child labor complaints.¹⁷⁶⁵ In 2000, Gabon was reported to have 35 labor investigators, none of whom were explicitly tasked with investigating violations of child labor laws.¹⁷⁶⁶

The Government of Gabon has not ratified ILO Convention 138, but ratified ILO Convention 182 on March 28, 2001.¹⁷⁶⁷

¹⁷⁶⁵ Ibid.

¹⁷⁶⁶ The U.S. Department of State found that child labor complaints were not routinely investigated and violations were inadequately addressed. U.S. Embassy- Libreville, *unclassified telegram no. 1365*, July 2000. See also U.S. Department of State, *Country Reports-2002: Gabon*, Section 6d.

¹⁷⁶⁷ ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited July 15, 2003]; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.