

Gabon

Incidence and Nature of Child Labor

The ILO estimated that 12.4 percent of children ages 10 to 14 years were working in Gabon in 2002.¹⁶²² Children are trafficked into the country from Benin, Nigeria, and Togo.¹⁶²³ Children from Benin and Togo, particularly girls, are found working as domestic servants and in the informal commercial sector. Nigerian children are found working as mechanics.¹⁶²⁴ Children are also reported to be trafficked into Gabon from Equatorial Guinea.¹⁶²⁵ 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 340.¹⁶²⁶

A social practice known as "placement" is also reported to be a problem. According to tradition, poor families send their children to more affluent homes where the children receive an education in exchange for performing various services for their host families. However, the practice has degenerated, and placed children are allegedly trafficked or subjected to commercial sexual exploitation.¹⁶²⁷

Education is compulsory for children ages 6 to 16 years under the Education Act,¹⁶²⁸ but students must pay for expenses such as books, uniforms, and school supplies.¹⁶²⁹ The government has used oil revenue for school construction, paying teachers' salaries, and promoting education, including in rural areas.¹⁶³⁰ In 2001, the gross primary enrollment rate was 134.4 percent, and in 2000 the net primary enrollment rate was

¹⁶²² World Bank, *World Development Indicators 2004* [CD-ROM], Washington, D.C., 2004. Reports indicate that child labor laws are enforced in urban areas among citizen children only, and that many of the children found working are foreign-born. See U.S. Department of State, *Country Reports on Human Rights Practices- 2003: Gabon*, February 25, 2004, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27728.htm>.

¹⁶²³ U.S. Department of State, *Country Reports- 2003: Gabon*, Section 6f. There are reports of children who are trafficked to Gabon for domestic labor, and then fall victims to sexual abuse and prostitution when they escape from their employers. See ECPAT International, *Gabon*, in ECPAT International, [database online] n.d. [cited May 7, 2004]; available from http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/countries.asp?arrCountryID=61&CountryProfile=facts,affiliation,humanrights&CSEC=Overview,Prostitution,Pronography,trafficking&Implement=Coordination_cooperation,Prevention,Protection,Recovery,ChildParticipation&Nationalplans=National_plans_of_action&orgWorkCSEC=orgWorkCSEC&DisplayBy=optDisplayCountry.

¹⁶²⁴ U.S. Department of State, *Country Reports- 2003: Gabon*, Sections 6d, 6f.

¹⁶²⁵ ECPAT International, *Gabon*.

¹⁶²⁶ UN Wire, *Ship Carrying 250 Children Forced to Return to Benin*, United Nations Foundation, [online] April 13, 2001 [cited May 10, 2004]; available from http://www.unfoundation.org/unwire/util/display_stories.asp?objid=14230.

¹⁶²⁷ ECPAT International, *Gabon*.

¹⁶²⁸ 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...>

¹⁶²⁹ U.S. Department of State, *Country Reports- 2003: Gabon*, Section 5.

¹⁶³⁰ *Ibid.* However, a steady decline in oil production has led to cutbacks in education. See Integrated Regional Information Networks, "GABON: Student riots crystallise frustration with education cutbacks", IRINnews.org, [online], January 27, 2004 [cited February 11, 2004]; available from <http://www.irinnews.org/report.asp?ReportID=39162>.

78.3 percent.¹⁶³¹ Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. In 2000, the gross primary attendance rate was 141.3 percent and the net primary attendance rate was 92.2 percent.¹⁶³² According to the government, over 40 percent of students drop out before they complete the last year of primary school.¹⁶³³ Problems in the education system include poor management and planning, lack of oversight, a shortage of teaching material, poorly qualified teachers, overcrowded classes, and a curriculum that is not always relevant to students' needs.¹⁶³⁴

Child Labor Laws and Enforcement

The Labor Code prohibits children below 16 years from working without the consent of the Ministries of Labor, Education, and Public Health.¹⁶³⁵ The employment of children in jobs that are unsuitable for them due to their age, state, or condition, or that prevent them from receiving compulsory education is also prohibited.¹⁶³⁶ Children under 18 years are prohibited from working at night in industrial establishments, except in family enterprises.¹⁶³⁷ Forced labor is forbidden by the Labor Code.¹⁶³⁸

The Criminal 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 192 to 3,830).¹⁶³⁹ Gabonese law prohibits the seduction, procurement, or trafficking in persons for the purpose of prostitution.¹⁶⁴⁰

There is no law specifically prohibiting trafficking in persons.¹⁶⁴¹ Pursuant to the Criminal Code, accomplices and instigators in child trafficking are subject to the same penalties as the prime offenders.¹⁶⁴² Child trafficking has also been included in the Penal Code as an offense.¹⁶⁴³

¹⁶³¹ World Bank, *World Development Indicators 2004*. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.

¹⁶³² USAID, *Global Education Online Database*, [database online] n.d. [cited March 11, 2004]; available from http://esdb.cdie.org/cgi-bin2/broker.exe?_program=gedprogs.cntny_2.sas&_service=default&ccode=6GAB+.

¹⁶³³ 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.

¹⁶³⁴ 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.*, paras. 216, 17.

¹⁶³⁵ Children between 14 and 16 years may work as apprentices with permission from the Ministry of National Education. See *Code du travail*, Loi no 3/94, (November 21, 1994), Articles 82, 177; available from <http://natlex.ilo.org/txt/F94GAB01.htm>.

¹⁶³⁶ *Ibid.*, Article 6. According to Decree No. 31/PR/MTEFP of January 8, 2002, children under 16 years who have been removed from exploitive labor must be placed in appropriate reception or transit centers, and trafficked children must be repatriated to their country of origin at the expense of their employer or guardian. See ILO, *The effective abolition of child labour*, 2003, 72; available from <http://www.ilo.org/public/english/standards/decl/download/review03/childlabour.pdf>.

¹⁶³⁷ Children over 16 years can work in certain industries that, by their nature, must be continued at night. *Code du travail*, Articles 167, 68.

¹⁶³⁸ *Ibid.*, Article 4.

¹⁶³⁹ *Criminal Code*, Articles 260, 61; available from <http://209.190.246.239/protectionproject/statutesPDF/GabonF.pdf>. Currency conversion at FX Converter, [online] [cited May 10, 2004]; available from <http://www.oanda.com/convert/classic>.

¹⁶⁴⁰ ECPAT International, *Gabon*.

Minimum age laws were strictly enforced in urban areas among citizen children, but rarely enforced in rural areas.¹⁶⁴⁴ 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 in domestic service or in marketplaces.¹⁶⁴⁵ The Ministry of Justice is responsible for the enforcement of child labor laws, while the Ministry of Labor is charged with receiving, investigating, and addressing child labor complaints.¹⁶⁴⁶ However, the U.S. Department of State reported that the number of labor inspectors was reported to be inadequate, complaints were not routinely investigated, and violations were not effectively addressed.¹⁶⁴⁷

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

The Government of Gabon is one of nine countries participating in a USDOL-funded ILO-IPEC project to combat the trafficking of children for exploitative labor in West and Central Africa.¹⁶⁴⁸

UNICEF has carried out several awareness-raising activities on child trafficking, including workshops and seminars, radio and television messages, and posters,¹⁶⁴⁹ and has trained police officers and labor inspectors on identifying child trafficking victims and traffickers.¹⁶⁵⁰ The government regularly hosts regional conferences on cross-border child trafficking.¹⁶⁵¹

Selected Child Labor Measures Adopted by Governments	
Ratified Convention 138	
Ratified Convention 182	3/28/2001 ✓
ILO-IPEC Member	✓
National Plan for Children	
National Child Labor Action Plan	
Sector Action Plan	

¹⁶⁴¹ U.S. Department of State, *Country Reports- 2003: Gabon*, Section 6f.

¹⁶⁴² ILO, *Compilation of annual reports by the International Labour Office - Effective abolition of child labour*, Geneva, 2002.

¹⁶⁴³ UNICEF, *At a glance: Gabon*, in UNICEF, [online] [cited March 25, 2004]; available from <http://www.unicef.org/infobycountry/gabon.html>.

¹⁶⁴⁴ U.S. Department of State, *Country Reports- 2003: Gabon*, Section 6d.

¹⁶⁴⁵ *Ibid.*

¹⁶⁴⁶ *Ibid.*

¹⁶⁴⁷ *Ibid.*

¹⁶⁴⁸ The regional child trafficking project covers Benin, Burkina Faso, Cameroon, Côte d'Ivoire, Gabon, Ghana, Mali, Nigeria, and Togo. The project began in July 2001 and is scheduled for completion in June 2007. See ILO-IPEC, *Combating the Trafficking in Children for Labor Exploitation in West and Central Africa (Phase II)*, project document, RAF/01/P53/USA, Geneva, July 2001, 1, as amended. See also ILO-IPEC, *Combating the trafficking in children for labour exploitation in West and Central Africa (LUTRENA/Phase II)*, technical progress report, Geneva, March 1, 2004, 1.

¹⁶⁴⁹ UNICEF, *At a glance: Gabon*.

¹⁶⁵⁰ U.S. Embassy- Libreville, *unclassified telegram no. 649*, October 2004.

¹⁶⁵¹ ECPAT International, *Gabon*.

The government, in collaboration with UNICEF, operates a toll-free hotline for child trafficking victims. The call center provides trafficking victims with free transportation to a shelter. The government also operates a shelter for trafficking victims, and an inter-ministerial committee works to combat trafficking in persons.¹⁶⁵²

In January 2004, representatives from Gabon participated in a regional workshop held in Kinshasa on children's rights. The workshop addressed topics including international legal standards, recruitment of children by armed groups, and unaccompanied and separated children.¹⁶⁵³

The government has adopted a National Plan of Action for Education for All to improve access and quality of education, and a subsequent plan to reduce repetition rates, particularly among girls.¹⁶⁵⁴ In June 2004, Gabon participated in a meeting in Nairobi that focused on ways to scale up good practices in girls' education in Africa.¹⁶⁵⁵

¹⁶⁵² The inter-ministerial committee is comprised of representatives from the Ministries of Labor, Justice, Foreign Affairs, and Family Ministries. See U.S. Department of State, *Country Reports- 2003: Gabon*, Section 6f.

¹⁶⁵³ Integrated Regional Information Networks, "DRC: Interview with Christina Linner, UNHCR Senior Coordinator for Refugee Children", IRINnews.org, [online], March 11, 2004 [cited March 12, 2004]; available from <http://www.irinnews.org/print.asp?ReportID=39983>.

¹⁶⁵⁴ UNICEF, *At a glance: Gabon*. See also République Gabonaise, *Plan d'Action National: Education Pour Tous*, Libreville, November 2002, 41; available from http://portal.unesco.org/education/en/file_download.php/48c38af334423915b665b87385315c63GabonEPT.doc.

¹⁶⁵⁵ UNICEF, *Ministers of Education and technical experts meet in Nairobi to discuss scaling up what works for girls' education in sub-Saharan Africa*, press release, June 24, 2004; available from http://www.unicef.org/media/media_21926.html.