

In 2012, Gabon made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government amended the Labor Code to include a list of activities prohibited for children under 16 to perform. However, the Interministerial Committee for the Fight Against Child Trafficking was inactive for half of 2012. Furthermore, there have been no programs to protect children employed as domestic servants and no convictions for child trafficking since the adoption of the 2004 anti-trafficking law. Finally, UNICEF reported an increase in the number of children engaged in the worst forms of child labor, including in domestic service. Children in Gabon are engaged in the worst forms of child labor, including in 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		Unavailable

Sources:

Primary completion rate: UNESCO Institute for Statistics, 2013.(1)

All other data: Understanding Children's Work Project's analysis, 2013.(2)

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Gabon are engaged in the worst forms of child labor, including in domestic service. UNICEF reported an increase in the number of children exploited in domestic service during the reporting period.(3) Children involved in domestic service, primarily girls, are isolated in private homes, where they are susceptible to physical and sexual abuse and where they may be required to work long hours, performing strenuous tasks without sufficient food or shelter.(4, 5) Orphans affected by HIV/AIDS in Gabon are reported to be particularly vulnerable to involvement in the worst forms of child labor.(4)

Children in Gabon are also involved in street vending.(3, 6-8) Evidence suggests that the children involved in street vending in Gabon are required to carry heavy loads.(9)

Children in Gabon are trafficked for work as domestic servants and as street vendors.(6, 10-13) Boys are also trafficked for forced labor in handicrafts workshops and as mechanics, and girls are trafficked into forced labor in restaurants and into commercial sexual exploitation.(6, 12, 14, 15) These children are often from other countries in central and west Africa.(15, 16) There is some evidence children are trafficked within Gabon as well.(6, 7)

Children are found in commercial sexual exploitation in Gabon, although the magnitude of the problem appears to be small.(3) Limited evidence suggests that children are engaged in forced labor on farms in rural areas, as well as in begging in urban areas, which may expose them to dangers such as crime.(12, 17)

Laws and Regulations on the Worst Forms of Child Labor

The Labor Code sets the minimum age for employment at 16. Younger children may be permitted to work with joint consent from the Ministries of Labor, Education, and Public Health.(18) In 2012, the Government amended the Labor Code to include specific types of work that are prohibited for children younger than 16.(15)

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International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	16
	Free Public Education	Yes

The Labor Code sets the minimum age for hazardous work at 18 and enables work inspectors to require medical exams for anyone under the age of 21 who may be asked to perform work that is considered “high risk.”(18) The Labor Code expressly prohibits children’s involvement in certain broad categories of hazardous work. The categories include work that exposes children to cruel physical, psychological, or sexual treatment; involves dangerous machines or tools or the transport of heavy loads; is carried out underground, underwater, at dangerous heights, or in confined spaces; or is conducted in harmful environments that might expose children to dangerous substances.(19) According to a 2012 amendment, 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 and issuing a decree to supersede the hazardous work list from 1962 that remains in force.(19) These Ministries did not begin updating the hazardous list to include prohibitions on certain types of work for children more specific than those currently in the Labor Code. This list would be independent from the restrictions on children under age 16 and would apply to all children up to age 18. Current legislation leaves children between ages 16 and 18 particularly vulnerable to exploitative labor.(20)

The Labor Code enables labor inspectors to question any child suspected of being involved in the worst forms of child labor, including in the informal sector.(7) However, the Labor Code gives the police the right to arrest children involved in such work, thereby punishing them for their involvement in exploitative labor.(7)

The Labor Code prohibits forced labor.(18) Law 09/04 prohibits the trafficking of children for labor and sexual exploitation.(15) The Penal Code prohibits the procurement of a minor for prostitution and pornography.(15, 21) The Code of Audiovisual, Cinematographic, and Written Communication also prohibits “public or private cinema enterprises” from the use of a child for pornography.(4)

Education is compulsory until age 16. The Constitution calls for the provision of free education; however, in practice, families must pay for supplies, including school uniforms.(22) The country also 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.(7) A 2010 report by UNICEF and other organizations suggests that some children, especially girls, are pressured by teachers to have sex in exchange for good grades.(23) The indirect costs of education and the lack of sufficient education opportunities may increase the likelihood that children will enter into the worst forms of child labor.

Information was not available on whether laws exist to protect children from engaging in illicit activities such as drug trafficking.

The minimum age for compulsory military recruitment is 18. There is no conscription in Gabon.(24)

Institutional Mechanisms for Coordination and Enforcement

The Interministerial Committee for the Fight Against Child Trafficking coordinates efforts against child trafficking and all worst forms of child labor by facilitating communication and coordinating enforcement actions among ministries.(3, 25) The Ministry of Economy, Employment and Sustainable Development leads the committee, which 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, and the head of the police unit for minors.(3, 25, 26) The Committee may refer children found during inspections to social services, including shelters run by

or coordinating closely with the Ministry of Family and Social Affairs. The Committee was inactive for half of 2012.(3)

Inspectors from the Ministry of Economy are responsible for receiving, investigating, and addressing child labor complaints, while the Ministry of Justice is responsible for the enforcement of child labor laws. The Ministry of Economy 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, 27) The Government does not maintain data on child labor investigations.(3) However, the Ministry of Family and Social Affairs reported that it repatriated seven trafficking victims in 2012: two to Togo, four to Benin, and one to Mali. Additionally, the assistant prosecutor for Tchibanga province reported removing eight Beninese children working as market vendors in November 2012.(3) As of the writing of this report, the children are in a shelter in Libreville and awaiting repatriation. A Beninese woman in Mouila was arrested and charged with trafficking five children from Benin in February 2012. However, the charges were dropped, the woman was released, and the children were ordered to be returned to her.(3)

The Interministerial Committee receives a budget to fund investigations and coordinate actions against child exploitation. The Minister of Justice has noted that the Interministerial Committee's budget for fighting child exploitation is limited.(3) The Committee and its member ministries employ about 2,000 people involved in various activities to combat trafficking and other worst forms of child labor, some of whom are engaged in enforcement activities. The Government did not provide any training to investigators or members of the Committee, although some officials and social workers received trainings from organizations such as UNICEF on many topics, including enforcement of laws on human trafficking and identifying and referring victims of child exploitation.(3)

Local vigilance committees exist to monitor potential cases of child exploitation and trafficking.(20, 28) However, government-wide statistics on trafficking arrests and convictions are unavailable. A lack of systems for information sharing between the Ministry of Interior and the Ministry of Justice contributes to this problem.(12) The UNICEF Regional Office has reported that weak enforcement and coordination pose challenges to combating trafficking in Gabon.(7) Research found no evidence of efforts to enforce laws against child domestic service and other worst forms of child labor.

Gabon's Criminal Court, where trafficking cases are currently heard, does not routinely meet and has a backlog of cases dating back to 2001.(15) Although the President approved a special session of the Criminal Court to hear trafficking cases, the most recent available information is that the Ministry of Justice is determining its budget needs for the session.(27) The United Nations Country Team in Gabon noted that due to a lack of knowledge of the law, officials continue to try minors as adults or treat child trafficking victims as undocumented immigrants.(29)

During the reporting period, the Government continued to maintain a task force against sex trafficking through the 2012 Africa Nations Cup in January and February.(12) The Government also continued to conduct maritime surveillance of the country's entire coastline to thwart human trafficking.(14)

Government Policies on the Worst Forms Child Labor

The Government has a 2013 Plan of Action to address the worst forms of child labor. The Interministerial Committee is responsible for executing the plan in cooperation with Economic Community of Central African States, ECOWAS, and other regional partners.(3, 20) The plan focuses on identifying and prosecuting those who use child labor. However, because the Committee was inactive for half of 2012, implementation of the plan was limited.(3, 20) The new president of the Committee is overseeing the preparation of a new system for implementing the plan in 2013.(3)

The Government continued to implement an action plan on child labor and trafficking during 2012. The plan focuses on building government capacity to enforce laws against trafficking and encouraging civil society to participate in "Vigilance Committees," a number of which have been established in urban areas.(8, 14) The Government made plans in 2011 to undertake a survey on trafficking victims in 2012 but did not do so.(12, 20) The survey was intended to include children trafficked into domestic service and street work.(4, 26) It is unclear whether this survey will be carried out.

The Government continued to repatriate trafficking victims, including some victims of Operation Bana.(12, 15) 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. Informal agreements to cover the costs of repatriating trafficking victims are in place with Benin, as well as other countries in the region, such as Mali, Nigeria, and Togo.(8, 12)

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

The Government does not have programs in place specifically to eliminate or prevent the worst forms of child labor.

However, the Gabon Emergent Plan, which outlines President Ali Bongo Ondimba's vision for the country's development, includes a component for improving work conditions and eliminating child labor.⁽³⁾ The impact of this plan on child labor has not been evaluated.

The Government operates shelters for children in need, providing them with health, education, financial, and reintegration services. These shelters are part of provincial vigilance committees in key provinces.⁽³⁾ The Government

budgeted approximately \$270,000 to run these shelters; however, in some cases, the amount allocated to individual shelters was not adequate.⁽³⁾ For example, the Agondje shelter did not have enough funds to cover transportation costs for the eight Beninese children recovered in Tchibanga to travel to Libreville; private individuals covered these costs.⁽³⁾

The Government continued to maintain an anti-trafficking task force for the 2012 Africa Nations Cup, as well as a telephone hotline for trafficking.⁽²⁰⁾

Existing government services offered to victims of child trafficking have been focused on children trafficked into street work, excluding children trafficked into domestic service.

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

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Develop and issue a decree laying out the complete, updated list of hazardous types of work and enterprises prohibited to children under age 18.	2009, 2010, 2011, 2012
	Enact comprehensive legislation protecting children from all forms of commercial exploitation, including pornography.	2010, 2011, 2012
	Ensure that children are protected and are not penalized for their involvement in the worst forms of child labor.	2010, 2011, 2012
	Take steps to address abuse in schools, costs of school materials, and numbers of schools and teachers	2010, 2011, 2012
	Ensure that the laws protect children from engaging in illicit activities, such as drug trafficking.	2011, 2012
Coordination and Enforcement	Conduct child labor inspections outside of urban areas.	2011, 2012
	Gather, analyze, and disseminate child labor enforcement information.	2009, 2010, 2011, 2012
	Investigate cases of child domestic service and withdraw children from such situations.	2010, 2011, 2012
	Improve the sharing of trafficking enforcement information among government ministries.	2011, 2012
	Provide the Criminal Court with the resources needed to decide trafficking cases.	2011, 2012
	Educate officials to ensure that minors are not tried as adults and child trafficking victims are not treated as criminals.	2012

Area	Suggested Actions	Year(s) Action Recommended
Policies	Ensure that the proposed surveys on child trafficking, including child domestic servants and street children, are carried out.	2011, 2012
Social Programs	Institute programs focused on worst forms of child labor in domestic service.	2010, 2011, 2012

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