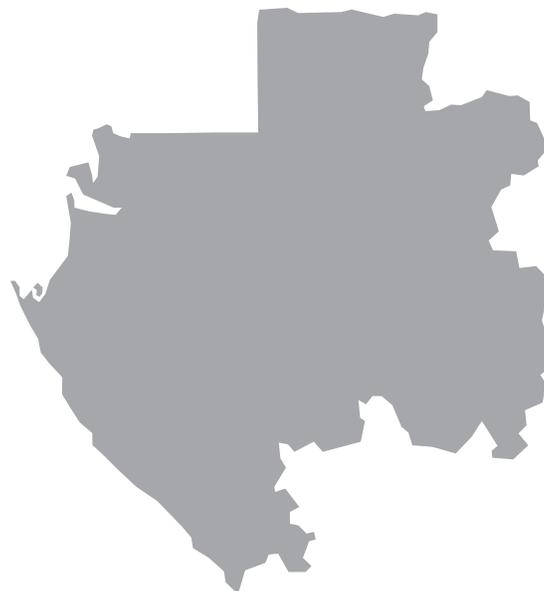


In 2018, Gabon made a minimal advancement in efforts to eliminate the worst forms of child labor. The government investigated 16 individuals for forced child labor and signed bilateral agreements with Benin and Togo to combat child trafficking. The Senate also approved amendments to the Penal Code that increased penalties for human trafficking. Despite new initiatives to address child labor, Gabon is receiving an assessment of minimal advancement because it failed to conduct worksite inspections during the reporting period. Children in Gabon engage in the worst forms of child labor, including in commercial sexual exploitation. Children also engage in child labor in domestic work. The government also lacks prohibitions against the use of children in illicit activities and the minimum age for work provisions only apply to children in formal employment relationships, excluding children who work in the informal sector. In addition, labor inspectors do not have the authority to assess penalties, and they lack the basic resources, such as transportation, fuel, and office supplies, necessary to conduct investigations.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Gabon engage in the worst forms of child labor, including in commercial sexual exploitation. Children also engage in child labor in domestic work. (1-8) Table 1 provides key indicators on children’s work and education in Gabon. Data on some of these indicators 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 to 14	22.3 (83,073)
Attending School (%)	5 to 14	94.4
Combining Work and School (%)	7 to 14	23.3
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2019. (9)

Source for all other data: International Labor Organization’s analysis of statistics from Deuxième Enquête Démographique et de Santé au Gabon (EDSG-II), 2012. (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
Agriculture	Fishing, including the production and sale of smoked fish (1)
Industry	Working in sand quarries† (1-3)
	Working in brick factories (1)
Services	Domestic work (1,4-7)
	Street vending, including cleaning market spaces at night and carrying heavy loads† (1,7)
	Garbage scavenging (1)
	Working in restaurants (2,3)
Categorical Worst Forms of Child Labor‡	Working in transportation† and as mechanics (1-3,8)
	Forced labor in markets, restaurants, handicraft shops, sand quarries, farming, animal husbandry, fishing, domestic work, and as mechanics, each sometimes as a result of human trafficking (1,5,11,12)
	Commercial sexual exploitation, sometimes as a result of human trafficking (6,7,11,13-15)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

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

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Gabon is primarily a destination and transit country for victims of child trafficking from other countries in Central and West Africa. (4,6,8,13,14,16,17) Some parents entrust their children to intermediaries who promise education and safe work opportunities; instead, these children are sometimes subjected to child trafficking for labor exploitation. However, there is limited evidence of child trafficking occurring within Gabon. (14,17) Data on child labor have not been collected in Gabon since 2012. (18)

Although the Law on General Education guarantees the right to free and compulsory education, in practice students must pay for supplies and school fees, which may be prohibitive. (8,19) Rural areas also lack schools and teachers, and education beyond primary school is often unavailable. (1,8,20,21) Reports suggest that some children, especially girls, are sexually abused at school. (2,8,11,22) In addition, children living in remote areas may not receive birth certificates, which are often required for school enrollment, and children who do not attend school are more vulnerable to child labor. (1,2)

II. LEGAL FRAMEWORK FOR 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 laws and regulations related to child labor (Table 4). However, gaps exist in Gabon's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Article 177 of the Labor Code; Article 2 of Decree N° 0651/PR/MTEPS Establishing Individual Exceptions to the Minimum Age for Admission to Employment (23-25)
Minimum Age for Hazardous Work	Yes	18	Article 1 of the Hazardous Work List (23-26)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 2, 3, and 5 of the Hazardous Work List (23-26)
Prohibition of Forced Labor	Yes		Article 4 of the Labor Code; Articles 3, 11–13, and 20 of Law N° 09/04 Preventing and Fighting Against Child Trafficking (23,27)
Prohibition of Child Trafficking	No		Articles 3, 11–14, and 20 of Law N° 09/04 Preventing and Fighting Against Child Trafficking; Article 278 bis of the Penal Code (27-29)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 260–261 and 263 of the Penal Code (29)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes*	18	Article 17 of the Law on the Organization of National Defense and Public Security (18,30)

Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 17 of the Law on the Organization of National Defense and Public Security (18,30)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 1 of the Constitution; Article 2 of Act N° 21/2011 on General Education; Article 344.8 of the Penal Code (19,29,31)
Free Public Education	Yes		Articles 1.18 and 1.19 of the Constitution; Article 2 of Act N° 21/2011 on General Education (19,31)

* No conscription (32)

In December 2018, the Senate approved amendments to the Penal Code, which would criminalize all forms of human trafficking and increase penalties. However, the president has yet to sign these amendments, which is required for promulgation. (1,33) Furthermore, laws related to child trafficking are not in line with international standards, because they do not prohibit child trafficking for the purpose of sexual exploitation. (23,27,29)

Article 2 of Decree N° 0651/PR/MTEPS Establishing Individual Exceptions to the Minimum Age for Admission to Employment permits children under age 16 to perform light work with parental permission. However, it does not set a minimum age for light work or specify the kinds of light work that are allowed. (25) In addition, although the Labor Code prohibits work by children under age 16, the minimum age protections do not apply to children outside of formal work relationships, which does not conform to international standards that require all children be protected under the law. (3,23)

The law also does not criminally prohibit producing child pornography or procuring or offering children for pornographic performances. (12,29)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, the absence of worksite inspections conducted at the national level in Gabon impeded the enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Public Administration, Innovation, Public Services, and Labor (MOL)	Receives, investigates, and addresses child labor complaints through its inspectors. (20) Refers cases of child trafficking to the Ministry of the Interior's Police Force for investigation and the Ministry of Health, Social Protection and National Solidarity (MSPNS) for social services. (1)
Ministry of the Interior's Police Force	Enforces laws, investigates child labor violations, and refers cases to the Ministry of Justice and Human Rights for prosecution. (1,20)
Ministry of Justice and Human Rights	Enforces child labor laws by prosecuting child labor cases. Assists in supporting victims of child trafficking while prosecutors and investigators prepare their cases. (1)
Ministry of Health, Social Protection and National Solidarity (MSPNS)	Provides social services and assistance to vulnerable children, assists in repatriation or resettlement processes for victims of child trafficking, and operates shelters for victims of child trafficking. (1,14)

Labor Law Enforcement

In 2018, the absence of worksite inspections conducted at the national level in Gabon may have impeded the enforcement of child labor laws. (Table 6)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown (34)	Unknown (1)
Number of Labor Inspectors	Unknown (34)	Unknown (1)
Inspectorate Authorized to Assess Penalties	No (23,34)	No (23)
Initial Training for New Labor Inspectors	Yes (34)	No (1)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (35)	Yes (20)
Number of Labor Inspections Conducted	Unknown (34)	0 (1)
Number Conducted at Worksite	Unknown (34)	N/A
Number of Child Labor Violations Found	1 (34)	0 (20)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (34)	0 (1)
Number of Child Labor Penalties Imposed that Were Collected	N/A (34)	N/A
Routine Inspections Conducted	No (34)	No (1)
Routine Inspections Targeted	N/A (34)	N/A
Unannounced Inspections Permitted	Yes (36)	Yes (36)
Unannounced Inspections Conducted	No (34)	No (1)
Complaint Mechanism Exists	Yes (34)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (34)	Yes (1)

Inspectors lack the resources, including transportation, fuel, and office supplies, necessary to conduct inspections. (1,3,20) Inadequate resources, including an insufficient number of inspectors, may also hamper the labor inspectorate's capacity to adequately monitor the informal sector. (20) Labor inspectors in Gabon are responsible for reconciling labor disputes, which may detract from their primary duty of inspection. (37) The government did not provide information on labor inspectorate funding or the number of labor inspectors for inclusion in this report. (1)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Gabon took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	No (34)	No (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (34)	N/A
Refresher Courses Provided	Yes (34)	Yes (37,38)
Number of Investigations	1 (14)	0 (1)
Number of Violations Found	65 (14)	50 (20)
Number of Prosecutions Initiated	0 (14)	0 (33)
Number of Convictions	0 (14)	0 (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (14)	No (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (34)	Yes (1)

During the reporting period, the Ministry of Justice, with the support of UNICEF, organized a training for immigration officials on identifying and investigating trafficking cases. (14,37) However, like labor inspectors, police investigators lack resources, such as transportation, fuel, and office supplies, and coordination among enforcement agencies is weak. (1,12,14)

In general, the prosecution of child trafficking cases in Gabon can be difficult due to a lack of training, infrequent convening of the Criminal Court, a failure to prioritize cases involving children, and a backlog of cases. (12,14,15)

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There are currently 17 pending cases of child trafficking, but no prosecutions were initiated during the reporting period. (38) Research indicates that some child trafficking perpetrators falsified documents to make victims appear older than age 18 to avoid punishment under Gabon’s child trafficking laws. (7,14)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including a lack of adequate funding.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Inter-ministerial Committee for the Fight Against Child Trafficking (CNSLTE)	Coordinates national efforts against child trafficking and other worst forms of child labor. Led by MOL, includes representatives from four other ministries and civil society. (1,20) Removes children from exploitative labor situations, provides social services, and repatriates victims when appropriate. (8,14,20) Disseminates the National Manual of Procedures for the Care of Child Victims of Trafficking, which establishes a series of procedures to return victims of child trafficking to their country of origin or facilitate their integration into Gabon. (38) Operated on an ad hoc basis in 2018 to respond to victim needs. (1)
National Observatory for Children’s Rights	Coordinates the implementation of the UN CRC, including the promotion of children’s right to education and protection against all forms of exploitation and abuse. (8) Establishes and oversees committees to protect children’s rights in all provinces. (39)
Local Vigilance Committees	Administered by the CNSLTE and located in provincial capitals, identifies potential cases of child trafficking, intercept victims, and assist children at risk of child trafficking. (8,18)

Research indicates that the Inter-ministerial Committee for the Fight Against Child Trafficking (CNSLTE) lacked sufficient funding, and members sometimes used their own funds to support trafficking victims. (1,38) In addition, both the National Observatory for Children’s Rights and Local Vigilance Committees were inactive during the reporting period. (1)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including failure to implement a policy covering all relevant forms of child labor.

Table 9. Key Policies Related to Child Labor

Policy	Description
CNSLTE’s 2017–2018 Plan of Action	Aims to address the worst forms of child labor, with a focus on increasing prosecution of offenders and shortening the length of time victims spend at shelters. (1,38)
Economic Recovery Plan (2017–2019)	Aims to balance public finances, diversify the economy, and reduce poverty. Includes the goal of improving the quality of public education, addressing the teacher deficit, and accelerating the construction of classrooms. (40) This plan was not implemented in 2018. (33)

In 2018, the Government of Gabon signed bilateral agreements with Benin and Togo to combat child trafficking. (41,42) However, research found no evidence of an active policy to address child labor, and implementation of the CNSLTE’s Plan of Action was limited due to funding constraints and strikes by civil servants. (1,38)

The government has not included child labor elimination and prevention strategies in the UNDAF (2018–2022), the National Youth Policy of Gabon, and the Education Policy (2010–2020). (5,43,44)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government participated in programs that may contribute to preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Shelters for Children in Need	Shelters that provide social services to victims of child labor and child trafficking. The government provided in-kind support to shelters run by civil society organizations. (1,5,14,16,36) Victims receive medical care, literacy training, and reintegration support. (1) In 2018, provided services to 50 victims of child trafficking and signed an agreement with a local hospital to procure medical care for children. (38)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (38)

Although Gabon has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem. (1) Research also indicates that shelter space is insufficient to accommodate all victims, and the government decreased funding for shelters and NGOs that provide social services to human trafficking victims and other vulnerable children. (1,5,14,15,15,18)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Gabon (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that minimum age protections are extended to children working outside of formal employment relationships.	2017 – 2018
	Establish criminal prohibitions for child trafficking for the purpose of sexual exploitation	2015 – 2018
	Establish criminal prohibitions for producing child pornography and procuring or offering children for pornographic performances.	2015 – 2018
	Establish criminal prohibitions for using children in illicit activities, including both producing and trafficking of drugs.	2009 – 2018
	Establish criminal prohibitions for the recruitment of children under age 18 for use in armed conflict by non-state armed groups.	2016 – 2018
	Ensure that the legal framework for light work establishes a minimum age no younger than age 13, determines activities that are considered light work, and specifies the conditions under which light work may be undertaken.	2013 – 2018
Enforcement	Publish information on the funding level for the labor inspectorate and number of labor inspectors, and ensure both inspectors and investigators receive adequate funding and resources to carry out inspections and investigations.	2009 – 2018
	Strengthen the labor inspectorate by authorizing inspectors to assess penalties, and conduct routine and unannounced inspections, including in the informal sector.	2014 – 2018
	Ensure that the government conducts an adequate number of labor inspections and criminal investigations.	2018
	Ensure that labor inspectors are not tasked with conciliation or arbitration duties, and that they can carry out their primary duties of inspection and monitoring throughout the country.	2009 – 2018
	Ensure that prosecutions related to criminal violations of child labor laws are carried out and that perpetrators are punished in accordance with the law.	2016 – 2018
Coordination	Ensure that coordinating bodies have sufficient funds to carry out their mandates and that all coordinating bodies are active.	2013 – 2018
Government Policies	Adopt a policy that addresses child labor, including in activities such as domestic work and work in transportation, and ensure that existing policies have sufficient resources to be implemented.	2015 – 2018
	Integrate child labor elimination and prevention strategies into existing policies.	2014 – 2018
Social Programs	Conduct a national child labor survey or similar research to determine the specific activities carried out by working children to inform policies and programs.	2014 – 2018
	Ensure that children have access to education by eliminating school fees, increasing the number of teachers and schools in rural areas, and ensuring that schools are free from sexual abuse; make efforts to provide all children with birth registration.	2010 – 2018
	Expand existing programs to address the scope of the child labor problem and ensure that the government continues to provide adequate support to victims of child labor, including sufficient shelter space for victims.	2010 – 2018

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