

In 2019, Gabon made a minimal advancement in efforts to eliminate the worst forms of child labor. The government convicted two individuals of child trafficking and successfully extradited from the Republic of Congo a prominent businessman and parliamentarian accused of trafficking children for commercial sexual exploitation. However, despite new initiatives to address child labor, Gabon is receiving an assessment of minimal advancement because it continued a regression in practice that delayed advancement to eliminate child labor. The government failed to provide evidence it conducted worksite inspections during the reporting period. Labor inspections are a key tool for identifying child labor violations, and their absence makes children more vulnerable to the worst forms of child labor. Children in Gabon engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in domestic work. Gabonese law 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, which does not conform to international standards that require all children to be protected by the minimum age for work. In addition, labor inspectors do not have the authority to assess penalties, and they lack the basic resources 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, sometimes as a result of human trafficking. Children also engage in child labor in domestic work. (1-7) 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, 2020. (8)

Source for all other data: International Labor Organization’s analysis of statistics from Deuxième Enquête Démographique et de Santé au Gabon (EDSG-II), 2012. (9)

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 (10)
Industry	Working in sand quarries† (1-3)
	Working in brick factories (10)
Services	Domestic work (4-7,10)
	Street vending, including windshield cleaning, cleaning market spaces at night, and carrying heavy loads† (1,7,10)
	Garbage scavenging (10)
	Working in restaurants (2,3)
	Working in transportation† and as mechanics (1-3,10)

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Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	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 (6,7,11,13,14)

† 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.







Gabon is primarily a destination and transit country for victims of child trafficking from other countries in Central and West Africa. (10,13,15-17) 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. (13,17) While data on child labor have not been collected in Gabon since 2012, there are reports that child victims of forced labor mainly work in the informal sector as street vendors, often selling beauty products and fruits. Boys often work in fishing, microbus transportation, mechanics shops, and cleaning market spaces after hours. (10,13)

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. (18) Rural areas also lack schools and teachers, and education beyond primary school is often unavailable. (1,19,20) Reports suggest that some children, especially girls, are sexually abused at school. (2,11,21) 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 the Decree on Establishing Individual Exceptions to the Minimum Age for Admission to Employment (22-24)
Minimum Age for Hazardous Work	Yes	18	Article 1 of the Hazardous Work List (22,23,25)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 2, 3, and 5 of the Hazardous Work List (22,23,25)

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

Standard	Meets International Standards	Age	Legislation
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 (22,26)
Prohibition of Child Trafficking	No		Articles 3, 11–14, and 20 of Law N° 09/04 Preventing and Fighting Against Child Trafficking; Article 278 <i>bis</i> of the Penal Code; Articles 342-350 of Gabon’s Revised Criminal Code (26-28)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 260–261 and 263 of the Penal Code (28)
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 (29)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 17 of the Law on the Organization of National Defense and Public Security (29)
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 (18,28,30)
Free Public Education	Yes		Articles 1.18 and 1.19 of the Constitution; Article 2 of Act N° 21/2011 on General Education (18,30)

* No conscription (31)

In July 2019, the president signed Gabon’s revised penal code into law, which explicitly included a trafficking in persons offense for the first time. Articles 342-350 of the revised penal code prescribed penalties of up to seven years’ imprisonment and a fine of one million Central African francs (CFA) (\$1,730) for trafficking offenses involving adult victims and up to 15 years imprisonment and a fine of up to 100 million CFA (\$172,970) for those involving child victims. However, the new anti-trafficking provisions only criminalized some forms of sex trafficking and labor trafficking. (22,26-28) Specifically, the penal code limited the definition of trafficking in persons to crimes involving an “exchange for remuneration or any other advantage or the promise of remuneration or other advantage,” thereby not encompassing all forms of trafficking. (22,26-28)

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, determine the activities in which light work may be permitted, prescribe the number of hours per week for light work, or specify the conditions in which light work may be undertaken. (24) 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. (3,22)

The law does not criminally prohibit the use of children for prostitution, or the use, procuring or offering of a child for the production of pornography or pornographic performances. (3,22)

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 may have impeded the enforcement of child labor laws.

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Employment, Public Function, Labor and Professional Training	Receives, investigates, and addresses child labor complaints through its inspectors. (19) 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 for prosecution. (10,19) The Ministry of Interior through the police refers cases of child labor to the MSPNS. The shelters for referred children are run by or work in close coordination with MSPNS. (1,13)
Ministry of Justice	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. (1,13) MSPNS can also refer cases to the Ministry of Justice, who may pursue criminal charges. (10,13)

Labor Law Enforcement

In 2019, the absence of worksite inspections conducted at the national level in Gabon may have impeded the enforcement of child labor laws. (Table 6)

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown (1)	Unknown (10)
Number of Labor Inspectors	Unknown (1)	Unknown (10)
Inspectorate Authorized to Assess Penalties	No (22)	No (10)
Initial Training for New Labor Inspectors	No (1)	No (10)
Training on New Laws Related to Child Labor	N/A (1)	N/A (10)
Refresher Courses Provided	Yes (19)	Yes (10)
Number of Labor Inspections Conducted	0 (1)	0 (10)
Number Conducted at Worksite	N/A	N/A (10)
Number of Child Labor Violations Found	0 (19)	0 (10)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (1)	N/A (10)
Number of Child Labor Penalties Imposed that Were Collected	N/A	N/A (10)
Routine Inspections Conducted	No (1)	Yes (10)
Routine Inspections Targeted	N/A	Unknown (10)
Unannounced Inspections Permitted	Yes (32)	Yes (10)
Unannounced Inspections Conducted	No (1)	Unknown (10)
Complaint Mechanism Exists	Yes (1)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (10)

While the government did not provide information on labor inspectorate funding or the number of labor inspectors, research indicates inadequate resources, including an insufficient number of inspectors, may hamper the labor inspectorate's capacity to adequately enforce labor laws throughout the country. (3,10,19) In addition, labor inspectors in Gabon are responsible for reconciling labor disputes, which may detract from their primary duty of inspection. (33)

Although inspectors have the authority to propose penalties to the court in accordance with legal guidelines, they do not have the authority to impose penalties. This is the purview of the court. (10)

Criminal Law Enforcement

In 2019, 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	2018	2019
Initial Training for New Criminal Investigators	No (1)	No (10)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (10)
Refresher Courses Provided	Yes (34,35)	Unknown (10)
Number of Investigations	0 (1)	1 (10)
Number of Violations Found	50 (19)	28 (10)
Number of Prosecutions Initiated	0 (36)	3 (10)
Number of Convictions	0 (1)	2 (10)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (1)	Yes (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (10)

In 2019, the Ministry of Justice successfully convicted two individuals for child trafficking and exploitation under Gabon’s 2004 child trafficking law. One defendant received a 10-year sentence, the other 8 years. (10) With the assistance of The International Criminal Police Organization, authorities extradited from the Republic of Congo a prominent businessman and politician accused of trafficking minors for sex. On January 9, 2020, prosecutors charged the defendant with trafficking minors for sex and running a child trafficking ring. (10,37) Police, embassies, and neighbors referred 28 children to social services for allegations related to the worst forms of child labor. All 28 children received services. (10)

Despite these efforts, however, a lack of resources, training, infrequent convening of the Criminal Court, a backlog of cases, and weak coordination among enforcement agencies hampered criminal enforcement efforts. In addition, 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. (7,13)

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 efficacy in accomplishing mandates.

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 the Ministry of Labor, includes representatives from four other ministries and civil society. (1,19) Removes children from exploitative labor situations, provides social services, and repatriates victims when appropriate. (13,19) 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. (35) Due to changes in the penal code, the CNSLTE became inactive during the reporting period. (10)
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. Establishes and oversees committees to protect children’s rights in all provinces. (38)
Local Vigilance Committees	Administered by CNSLTE and located in provincial capitals, identify potential cases of child trafficking, intercept victims, and assist children at risk of child trafficking. (39)

Due to changes in the penal code criminalizing all forms of trafficking, the Inter-ministerial Committee for the Fight Against Child Trafficking (CNSLTE) was inactive pending corresponding changes to the 2004 law on child trafficking. Instead, the Ministries of Justice and Interior were charged with coordinating action to enforce criminal laws against the worst forms of child labor, including child trafficking. (10) Research also indicates that the CNSLTE lacked sufficient funding, and members sometimes used their own funds to support trafficking victims. (1,35) The National Observatory for Children’s Rights and Local Vigilance Committees were also inactive during the reporting period. (1)

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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
Economic Recovery Plan (2017–2019)	Aimed to balance public finances, diversify the economy, and reduce poverty. Included the goals of improving the quality of public education, addressing the teacher deficit, and accelerating the construction of classrooms. (40) This plan was not implemented during the reporting period. (36)

The government has not included child labor elimination and prevention strategies in the UNDAF (2018–2022) or the Education Policy (2010–2020). (5,41,42) Research found no evidence of an active policy to address child labor during the reporting period. (10)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, 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 provides in-kind support to shelters run by civil society organizations. (1,5,13,16,32) Victims receive medical care, literacy training, and reintegration support. (1) In 2019, provided services to 28 victims of child trafficking and repatriated 13 victims. (10)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (35)

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. (1,5,13,14,39)

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 – 2019
	Establish criminal prohibitions for child trafficking = even when not done in exchange for remuneration or other advantage	2015 – 2019
	Establish criminal prohibitions for the use, procurement, and offering of children for the production of pornography and pornographic performances, and the use of children in prostitution.	2015 – 2019
	Establish criminal prohibitions for using children in illicit activities, including both producing and trafficking of drugs.	2009 – 2019
	Establish criminal prohibitions for the recruitment of children under age 18 for use in armed conflict by non-state armed groups.	2016 – 2019
	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 – 2019

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Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
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, training, and resources to carry out inspections and investigations.	2009 – 2019
	Strengthen the labor inspectorate by having inspectors to assess penalties and conduct routine and unannounced inspections, including in the informal sector.	2014 – 2019
	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 – 2019
	Ensure that the government conducts an adequate number of labor inspections and criminal investigations.	2018 – 2019
Coordination	Ensure that coordinating bodies have sufficient funds to carry out their mandates and that all coordinating bodies are active.	2013 – 2019
Government Policies	Adopt a policy that addresses all relevant forms of child labor, including in activities such as domestic work and work in transportation.	2015 – 2019
	Integrate child labor elimination and prevention strategies into existing relevant policies.	2014 – 2019
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 – 2019
	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; and make efforts to provide all children with birth registration.	2010 – 2019
	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 – 2019

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