

# Gabon

## Incidence and Nature of Child Labor

Statistics on the number of working children under age 15 in Gabon are unavailable.<sup>1849</sup> Children are trafficked into the country from Benin, Guinea, Nigeria, and Togo, mostly to work in Libreville.<sup>1850</sup> Trafficked boys are subjected to forced labor in small workshops and as street vendors.<sup>1851</sup> Children from Benin and Togo, particularly girls, are found working as domestic servants and in the informal commercial sector, including in roadside restaurants and market vending.<sup>1852</sup> There are reports of children who are trafficked to Gabon for domestic labor and are then sexually abused and exploited in prostitution when they escape from their employers.<sup>1853</sup> Nigerian children are found working as mechanics. In general, trafficked children worked long hours for no pay and were subject to physical abuse.<sup>1854</sup> Children who are purchased in Benin, Togo and Mali may be sold to commercial farms in Gabon and Côte d'Ivoire.<sup>1855</sup>

Education is compulsory for children ages 6 to 16 years under the Education Act,<sup>1856</sup> but prohibitive costs for items such as books, uniforms, and school supplies prevent many from attending school.<sup>1857</sup> The government has used oil revenue for school construction, paying teachers' salaries, and promoting education, including in rural areas. However, maintenance of school structures, as well as teachers' salaries, has been declining.<sup>1858</sup> In 2002, the gross primary enrollment rate was 132 percent, and, in 2000,

---

<sup>1849</sup> This statistic is not available from the data sources that are used in this report. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms, such as the use of children in the illegal drug trade, prostitution, pornography, and trafficking. As a result, statistics and information on children's work in general are reported in this section. Such statistics and information may or may not include the worst forms of child labor. For more information on the definition of working children and other indicators used in this report, please see the "Data Sources and Definitions" section of this report.

<sup>1850</sup> U.S. Department of State, *Trafficking in Persons Report*, Washington, DC, June 3, 2005; available from <http://www.state.gov/g/tip/rls/tiprpt/2005/46613.htm>.

<sup>1851</sup> *Ibid.*

<sup>1852</sup> U.S. Department of State, *Country Reports on Human Rights Practices- 2004: Gabon*, Washington, DC, February 28, 2005, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2004/41604.htm>. See also U.S. Department of State, *Trafficking in Persons Report*.

<sup>1853</sup> ECPAT International, *Gabon*, in ECPAT International, [database online] n.d. [cited June 15, 2005]; available from [http://www.ecpat.net/eng/Ecpat\\_inter/projects/monitoring/online\\_database/countries.asp?arrCountryID=61&CountryProfile=facts,affiliation,humanrights&CSEC=Overview,Prostitution,Pornography,trafficking&Implement=Coordination\\_cooperation,Prevention,Protection,Recovery,ChildParticipation&Nationalplans=National\\_plans\\_of\\_action&orgWorkCSEC=orgWorkCSEC&DisplayBy=optDisplayCountry](http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/countries.asp?arrCountryID=61&CountryProfile=facts,affiliation,humanrights&CSEC=Overview,Prostitution,Pornography,trafficking&Implement=Coordination_cooperation,Prevention,Protection,Recovery,ChildParticipation&Nationalplans=National_plans_of_action&orgWorkCSEC=orgWorkCSEC&DisplayBy=optDisplayCountry). See also Integrated Regional Information Networks, "GABON: Laws fail to curb child trafficking racket", IRINnews.org, [online], February 4, 2005 [cited June 9, 2005]; available from <http://irinnews.org/print.asp?ReportID=45400>.

<sup>1854</sup> U.S. Department of State, *Country Reports- 2004: Gabon*, Section 5. See also U.S. Department of State, *Trafficking in Persons Report*.

<sup>1855</sup> UN Wire, *Ship Carrying 250 Children Forced to Return to Benin*, United Nations Foundation, [online] April 13, 2001 [cited June 29, 2005]; available from [http://www.unwire.org/unwire/20010413/14230\\_story.asp](http://www.unwire.org/unwire/20010413/14230_story.asp).

<sup>1856</sup> United Nations, *Gabon Presents Initial Report to Committee on Rights of Child*, press release, January 17, 2002; available from <http://www.unhchr.ch/huricane/huricane.nsf/view01/537A47397C7C5527C1256B4500378EC9>. See also U.S. Department of State, *Country Reports- 2004: Gabon*, Section 5.

<sup>1857</sup> U.S. Department of State, *Country Reports- 2004: Gabon*, Section 5.

<sup>1858</sup> *Ibid.*

the most recent year for which data are available, the net primary enrollment rate was 78 percent.<sup>1859</sup> 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. Primary school attendance statistics are not available for Gabon.<sup>1860</sup> As of 2001, 69 percent of children who started primary school were likely to reach grade 5.<sup>1861</sup> Problems in the education system include poor management and planning, lack of oversight, a shortage of teaching material, poorly qualified teachers, overcrowded classrooms, and a curriculum that is not always relevant to students' needs.<sup>1862</sup>

## 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. Children between 14 and 16 years may work as apprentices with permission from the Ministry of National Education.<sup>1863</sup> The employment of children in jobs that are unsuitable for them due to their age, state, or condition, or that interfere with their education is also prohibited. According to Decree No. 31/PR/MTEFP of January 8, 2002, children under 16 years who have been removed from exploitative 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.<sup>1864</sup> Children under 18 years are prohibited from working at night in industrial establishments, except in family enterprises.<sup>1865</sup> The minimum age for voluntary recruitment into the military is 20 years.<sup>1866</sup>

Although there is no law specifically prohibiting the worst forms of child labor in Gabon, there are statutes under which the worst forms can be prosecuted. The Labor Code imposes fines and prison sentences for violations of minimum age laws.<sup>1867</sup> Forced labor is forbidden by the Labor Code.<sup>1868</sup> The Penal 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 100,000 to 2,000,000 CFA francs (approximately USD 184 to

---

<sup>1859</sup> UNESCO Institute for Statistics, <http://stat.uis.unesco.org/TableViewer/tableView.aspx?ReportId=51> (Gross and Net Enrolment Ratios, Primary; accessed December 2005). For an explanation of gross primary enrollment rates that are greater than 100 percent, please see the definition of gross primary enrollment rates in the "Data Sources and Definitions" section of this report.

<sup>1860</sup> This statistic is not available from the data sources that are used in this report. Please see the "Data Sources and Definitions" section for information about sources used.

<sup>1861</sup> UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=55> (School life expectancy, % of repeaters, survival rates; accessed December 2005).

<sup>1862</sup> 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 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, paras. 216, 217.

<sup>1863</sup> Government of Gabon, *Code du travail*, Loi no 3/94, (November 21, 1994), Articles 82, 177; available from <http://natlex.ilo.org/txt/F94GAB01.htm>.

<sup>1864</sup> *Ibid.*, Article 6. See also ILO, *The effective abolition of child labour*, 2003, 72; available from <http://www.ilo.org/public/english/standards/decl/download/review03/childlabour.pdf>.

<sup>1865</sup> Children over 16 years can work in certain industries that, by their nature, must be continued at night. See *Code du travail*, Articles 167, 168.

<sup>1866</sup> Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report 2004*, November 17, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=774](http://www.child-soldiers.org/document_get.php?id=774).

<sup>1867</sup> U.S. Department of State, *Country Reports- 2004: Gabon*, Section 6d.

<sup>1868</sup> *Code du travail*, Article 4.

3,683).<sup>1869</sup> Since 1999, the Government of Gabon has submitted to the ILO a list or an equivalent document identifying the types of work that it has determined are harmful to the health, safety or morals of children under Convention 182 or Convention 138.<sup>1870</sup>

In September 2004, the Government of Gabon passed comprehensive legislation to prevent and combat child trafficking in Gabon.<sup>1871</sup> The law outlines measures to protect children under 18 years from trafficking and stipulates fines of CFA 10 million to 20 million CFA francs (approximately USD 18,414 to USD 36,828) and imprisonment of 5 to 15 years for perpetrators. An inter-ministerial council housed within the ministry responsible for human rights is charged with enforcement of the law.<sup>1872</sup> Following passage of the law, 26 alleged child traffickers were arrested in January and March 2005, representing the country's first trafficking arrests. The intercepted children, from Benin, Ghana, Niger, Nigeria, and Togo, were placed in resettlement centers.<sup>1873</sup> The Penal Code also prohibits child trafficking, along with forced labor, slavery, abduction, and pimping.<sup>1874</sup> The National Police and Gendarmes enforce strict passport and visa requirements at the airport so that children without proper documentation may not enter the country,<sup>1875</sup> but many trafficking victims are transported to Gabon by boat or over land.<sup>1876</sup>

Minimum age laws were strictly enforced in urban areas for the protection of Gabonese children, but rarely were in rural areas.<sup>1877</sup> Although the Labor Code is intended to cover all children, abuses involving foreign-born children were rarely reported.<sup>1878</sup> 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. However, the U.S. Department of State reported that the number of labor inspectors was inadequate, complaints were not routinely investigated, and violations were not effectively addressed.<sup>1879</sup>

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

The government has undertaken several measures to raise awareness of trafficking issues and the new anti-trafficking law, including the organization of town hall meetings by the Ministry of Justice, extensive coverage of trafficking stories by the government-controlled media, and placement of anti-trafficking posters in government-run schools and other public venues by the Ministry of Education and UNICEF.<sup>1880</sup>

---

<sup>1869</sup> Government of Gabon, *Penal Code*, Articles 260, 261; available from <http://209.190.246.239/protectionproject/statutesPDF/GabonF.pdf>. Currency conversion at FX Converter, [online] [cited June 29, 2005]; available from <http://www.oanda.com/convert/classic>.

<sup>1870</sup> ILO-IPEC, email communication to USDOL official, November 14, 2005.

<sup>1871</sup> Government of Gabon, *Loi n° 9/2004 du 21 septembre 2004 relative à la prévention et à la lutte contre le trafic des enfants en République gabonaise*, (September 21, 2004).

<sup>1872</sup> *Ibid.*, Articles 5, 6, 10, 20. See also U.S. Department of State, *Trafficking in Persons Report*. Currency conversion at FX Converter.

<sup>1873</sup> U.S. Department of State, *Trafficking in Persons Report*. See also ILO-IPEC, *Combating the trafficking in children for labour exploitation in West and Central Africa (LUTRENA)*, TPR, technical progress report, Geneva, March 1, 2005, 3. See also Integrated Regional Information Networks, "GABON: Laws fail to curb child trafficking racket."

<sup>1874</sup> CEACR, *Observation, Worst Forms of Child Labour Convention, 1999 (No. 182) Gabon (ratification: 2001)*, Geneva, 2004; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/index.cfm?lang=EN>. See also U.S. Department of State, *Trafficking in Persons Report*.

<sup>1875</sup> U.S. Department of State, *Trafficking in Persons Report*.

<sup>1876</sup> ILO-IPEC, LUTRENA, National & Cross-Border Trafficking Routes in West and Central Africa, 4<sup>th</sup> ed., March 2005, (map). See also Human Rights Watch, *Borderline Slavery: Child Trafficking in Togo*, 15 no. 8(A), April 2003, 19-20.

<sup>1877</sup> U.S. Department of State, *Country Reports- 2004: Gabon*, Section 6d.

<sup>1878</sup> *Ibid.*

<sup>1879</sup> *Ibid.*

<sup>1880</sup> U.S. Department of State, *Trafficking in Persons Report*.

The government has also established a National Programme of Action to combat child trafficking and a National Plan to Fight against Child Labor.<sup>1881</sup>

The Government of Gabon participates in a regional USDOL-funded ILO-IPEC project to combat the trafficking of children for exploitative labor in West and Central Africa.<sup>1882</sup>

UNICEF has worked to raise awareness on child trafficking through workshops and seminars, radio and television messages, and posters.<sup>1883</sup>

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 funds and operates a shelter for trafficking victims that provides

educational, medical and psychological services,<sup>1884</sup> and has created a regional law enforcement hub to share information on trafficking in persons.<sup>1885</sup> The government has an inter-ministerial committee to combat trafficking in persons, but reports indicate that the committee's progress has stalled.<sup>1886</sup>

| 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 (Child Trafficking)               |           | ✓ |

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.<sup>1887</sup>

<sup>1881</sup> ILO-IPEC, *LUTRENA, March 2005 technical progress report*, 3. See also ECPAT International, *Gabon*.

<sup>1882</sup> The regional child trafficking project covers Benin, Burkina Faso, Côte d'Ivoire, Gabon, Mali, and Togo. The project began in July 2001 and is scheduled for completion in June 2007. See International Child Labor Program U.S. Department of Labor, *Combating Trafficking in Children for Labor Exploitation in West and Central Africa, Phases 1 & 2 (LUTRENA), Project Summary*, 2004.

<sup>1883</sup> UNICEF, *At a glance: Gabon*, in UNICEF, [online] [cited June 29, 2005]; available from <http://www.unicef.org/infobycountry/gabon.html>.

<sup>1884</sup> U.S. Department of State, *Trafficking in Persons Report*. See also U.S. Department of State, *Country Reports- 2004: Gabon*, Section 5.

<sup>1885</sup> The government has allocated office space, furniture, and staff for the operation of the hub. See U.S. Department of State, *Trafficking in Persons Report*.

<sup>1886</sup> *Ibid.* See also U.S. Department of State, *Country Reports- 2004: Gabon*, Section 5.

<sup>1887</sup> 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](http://portal.unesco.org/education/en/file_download.php/48c38af334423915b665b87385315c63GabonEPT.doc).