

In 2020, Gabon made minimal advancement in efforts to eliminate the worst forms of child labor. In November, the Ministry of Justice, in coordination with UNICEF, began operating a hotline to alert authorities to possible child abuse cases, including instances of child labor. However, despite new initiatives to address child labor, Gabon is receiving an assessment of minimal advancement because it continued to implement a 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 are subjected to 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 regarding minimum age for work provisions only applies 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 are subjected to 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, 2021. (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 (10,11)
Industry	Working in sand quarries† (1-3,11)
	Working in brick factories (10,11)
Services	Domestic work (4-7,10,11)
	Street vending, including windshield cleaning, cleaning market spaces at night, and carrying heavy loads† (1,7,10)
	Garbage scavenging (10,11)
	Working in restaurants (2,3)
	Working in transportation, including minibuses,† and as mechanics (1-3,10,11)

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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, gold mines, 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. (10,11,15,16) 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. (15,16) 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 they have closed. Reports also indicate that West African traffickers reportedly exploit children from their countries of origin to work in Libreville markets and in other urban centers, including Port-Gentil. (10,11,14,17)

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. (11,18) Rural areas lack schools and teachers, and education beyond primary school is often unavailable. (1,11,19,20) Research suggests that some children, especially girls, are sexually abused at school. (2,21) 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. (1,2,11)

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)

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

Standard	Meets International Standards	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 2, 3, and 5 of the Hazardous Work List (22,23,25)
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	Yes		Articles 3, 11–14, and 20 of Law N° 09/04 Preventing and Fighting Against Child Trafficking; Article 278 bis of the Penal Code; Articles 225 to 225-7 of Gabon's 2020 Revised Penal Code (26,27)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 260, 261, and 263 of the Penal Code; Articles 225 to 225-7 and Articles 281-3 to 281-5 of Gabon's 2020 Revised Penal Code (27,28)
Prohibition of Using Children in Illicit Activities	Yes		Article 281-1 of Gabon's 2020 Revised Penal Code (27)
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 340-6 of the Revised 2020 Penal Code (18,27,30)
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)

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)

Article 2 of Decree N° 065 I/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)

Articles 225 to 225-7 of the revised 2020 Penal Code prohibits the recruitment, transportation, transfer, harboring, and receipt of persons for the purposes of exploitation, and imposes stricter penalties for trafficking in children. In addition, Gabon's revised Penal Code now prohibits the use, procuring, and offering of children for prostitution, the production of pornography, and pornographic performances. (27)

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, gaps exist within the operations of enforcement agencies that may hinder adequate enforcement of their 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) Refers cases of child labor to the MSPNS. The shelters for referred children are run by or work in close coordination with MSPNS. (1,15)
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)

Labor Law Enforcement

In 2020, 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	2019	2020
Labor Inspectorate Funding	Unknown (10)	Unknown (11)
Number of Labor Inspectors	Unknown (10)	Unknown (11)
Inspectorate Authorized to Assess Penalties	No (22)	No (11)
Initial Training for New Labor Inspectors	No (10)	No (11)
Training on New Laws Related to Child Labor	N/A (10)	N/A (11)
Refresher Courses Provided	Yes (10)	No (11)
Number of Labor Inspections Conducted	0 (10)	0 (11)
Number Conducted at Worksite	N/A (10)	N/A (11)
Number of Child Labor Violations Found	0 (10)	0 (11)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (10)	N/A (11)
Number of Child Labor Penalties Imposed that Were Collected	N/A (10)	N/A (11)
Routine Inspections Conducted	Yes (10)	N/A (11)
Routine Inspections Targeted	Unknown (10)	Unknown (11)
Unannounced Inspections Permitted	Yes (22)	Yes (22)
Unannounced Inspections Conducted	Unknown (10)	No (11)
Complaint Mechanism Exists	Yes (10)	Yes (11)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (11)

In January 2020, officials collaborated with an international organization to train approximately 70 law enforcement, social welfare, and civil society actors on victim-centered trafficking investigations. (14)

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 conduct inspections and enforce labor laws throughout the country. (3,10,11,14,19) In addition, labor inspectors in Gabon are responsible for reconciling labor disputes, which may detract from their primary duty of inspection. (32)

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 since this is the purview of the court. (10)

Criminal Law Enforcement

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	No (10)	No (11)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (10)	N/A (11)
Refresher Courses Provided	Unknown (10)	N/A (11)
Number of Investigations	1 (10)	Unknown (11)
Number of Violations Found	28 (10)	Unknown (11)
Number of Prosecutions Initiated	3 (10)	20 (17)
Number of Convictions	2 (10)	2 (17)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (10)	Unknown (11)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (11)

In November 2020, the Ministry of Justice, in coordination with UNICEF, started operating a hotline, the Supermwana line, to alert authorities to possible child abuse cases; these cases include instances of child labor. In addition, the government removed 80 children from exploitative settings and provided social services to all of them. (11)

In 2020, 16 people were arrested for forced labor or sex trafficking; they have been jailed while awaiting prosecution at the next special criminal session. (17) One of these investigations involved a Togolese woman exploiting children and adults which ended with her arrest. The other investigation involved a 15-year-old girl who had been trafficked from Togo. (11)

Authorities reported 20 cases for prosecution during the year, according to the Ministry of Justice. UNICEF stated the government prosecuted 18 Beninese and Togolese traffickers in 2019. Research found that Gabonese authorities do not have a consistent mechanism to report human trafficking statistics to Post. (14)

Despite these efforts, research has shown that a lack of resources, insufficient training, infrequent convening of the Criminal Court, a backlog of cases, and weak coordination among enforcement agencies hampered criminal enforcement efforts. In addition, evidence 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, 11, 15)

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)	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. (15, 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. (33) Due to changes in the penal code, the CNSLTE became inactive during the reporting period. (10)
Ministry of Justice and Ministry of Interior	Coordinate national efforts against child trafficking and other worst forms of child labor. (1, 19)
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. (34)
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. (35)
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, 15) MSPNS can also refer cases to the Ministry of Justice, which may pursue criminal charges. (10, 15)

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Due to changes in the penal code criminalizing all forms of human trafficking, the Inter-Ministerial Committee for the Fight Against Child Trafficking became inactive pending corresponding changes to the 2004 law on child trafficking. Instead, the Ministries of Justice and Interior were charged with coordinating action against the worst forms of child labor, including child trafficking. (10)

Research also indicates that the other coordinating committees lacked sufficient funding and members sometimes used their personal funds to support human trafficking victims. (1,11,33) All coordination committees were inactive during the reporting period. (11)

V. GOVERNMENT POLICIES ON CHILD LABOR

Research found no evidence that the government has established policies to address child labor.

The government has not included child labor elimination and prevention strategies in the United Nations Development Assistance Framework (UNDAF) (2018–2022) or the Education Policy (2010–2020). (5,38,39)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, the government funded and participated in programs that may contribute to preventing child labor (Table 9). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 9. Key Social Programs to Address Child Labor

Program	Description
Shelters for Children in Need	Shelters provide social services to victims of child labor and child trafficking. The government provided in-kind support to shelters run by civil society organizations. (1,5,15,40) Victims received medical care, literacy training, and reintegration support. (1) In 2020, provided services to 80 children who were rescued from exploitative settings. (11)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (33)

Although Gabon has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem. (1,11) Research also indicates that shelter space is insufficient to accommodate all victims of human trafficking and other vulnerable children due to the government repeatedly decreasing funding for shelters and NGOs in previous years. (1,5,11,13,15,35)

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 10).

Table 10. 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 – 2020
	Establish criminal prohibitions for the recruitment of children under age 18 for use in armed conflict by non-state armed groups.	2016 – 2020
	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 – 2020
Enforcement	Publish information on the funding level for the labor inspectorate, number of inspections, and number of labor inspectors, and ensure both inspectors and investigators receive adequate funding, training, and resources to carry out inspections and investigations.	2009 – 2020
	Strengthen the labor inspectorate by having inspectors to assess penalties and conduct routine and unannounced inspections, including in the informal sector.	2014 – 2020

Table 10. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that labor inspectors are not tasked with conciliation or arbitration duties so that they can carry out their primary duties of inspection and monitoring throughout the country.	2009 – 2020
	Ensure that the government conducts an adequate number of labor inspections and criminal investigations.	2018 – 2020
Coordination	Ensure that coordinating bodies are sufficiently funded to carry out their mandates, remain active, and report on their activities.	2013 – 2020
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 – 2020
	Integrate child labor elimination and prevention strategies into existing relevant policies.	2014 – 2020
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2014 – 2020
	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 – 2020
	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 – 2020

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