

# GABON

## MINIMAL ADVANCEMENT – Efforts Made but Continued Practice that Delayed Advancement

In 2023, Gabon made minimal advancement in efforts to eliminate the worst forms of child labor. The transition government, which took power in August 2023, drafted revisions to the Penal Code that would increase penalties for child trafficking, eliminated school fees through secondary school, and increased exponentially the budget allocation for education to improve access to free public education. However, despite new initiatives to address child labor, Gabon is assessed as having made only minimal advancement because 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 child labor. Gabon’s 2021 Labor Code decreased the minimum age for some forms of hazardous work from age 18 to 16 without providing the necessary safeguards to ensure children ages 16 and 17 performing dangerous tasks are protected. Gabonese laws regarding minimum age for work also 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, Gabon does not have a policy that addresses all relevant forms of child labor and lacks social programs to address the full scope of the problem, including child labor in domestic work and commercial sexual exploitation.



## PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

### Statistics on Children’s Work and Education

Children	Age	Percent of Population
Working	5 to 14	22.3% (83,073)
Hazardous Work by Children	15 to 17	Unavailable
Attending School	5 to 14	94.4%
Combining Work and School	7 to 14	23.3%

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.

### Overview of Children’s Work by Sector and Activity



#### Agriculture

Working in fishing.



#### Industry

Quarrying† and manufacturing of construction materials.



#### Services

Domestic work; street work, including windshield cleaning, street vending, and cleaning market spaces at night; garbage scavenging; working as microbus transportation assistants† and as mechanics.†



#### Categorical Worst Forms of Child Labor‡

Forced labor in markets, restaurants, handicraft shops, quarries, mining, farming, animal husbandry, fishing, domestic work, begging, and as mechanics. Commercial sexual exploitation, sometimes as the result of human trafficking.

† 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.



## **SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR**

The suggested government actions below would close gaps USDOL has identified in Gabon’s implementation of its international commitments to eliminate the worst forms of child labor.

### **Legal Framework**

Ensure that minimum age protections are extended to all children regardless of employment relationship.

Ensure that children under age 18 who are engaged in hazardous work receive adequate training in the type of work being done and that the health, safety, and morals of the child are protected in accordance with international standards.

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.

Establish criminal prohibitions for the recruitment of children under age 18 for use in armed conflict by non-state armed groups.

### **Enforcement**

Conduct worksite inspections, including routine and unannounced inspections in both the formal and informal sectors, to identify child labor violations.

Publish complete information on civil law enforcement efforts to address child labor, including the funding level for the labor inspectorate, the number of labor inspectors employed, the number of inspections conducted, the number of child labor violations found, and the number of penalties imposed and collected.

Employ at least 49 labor inspectors to ensure adequate coverage for the labor force of approximately 740,000 people.

Ensure sufficient funding is allocated to the labor inspectorate, labor inspector salaries are paid regularly, and inspectors have the material resources they need to fulfill their mandate.

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.

Establish a mechanism to receive child labor complaints from the public.

Ensure that the government conducts an adequate number of criminal investigations into alleged child labor crimes and publish data on criminal law enforcement efforts.

Ensure that criminal law enforcement bodies, including the courts, have sufficient resources and training to investigate, prosecute, and impose penalties for violations related to the worst forms of child labor.

### **Coordination**

Ensure the Interministerial Committee for the Fight Against Child Trafficking has the funding, capacity, and mandate to operate as intended and coordinate efforts to address the worst forms of child labor in Gabon.

### **Government Policies**

Adopt a policy that addresses all relevant worst forms of child labor, including forced labor and commercial sexual exploitation.

### **Social Programs**

Ensure that children have access to education by increasing the number of teachers and schools in rural areas.

Expand efforts to ensure all children have access to identity documentation, including by expanding birth registration opportunities for children born in rural areas and providing opportunities for undocumented migrant children to obtain identity documentation.

Expand programs to address the scope of the country’s child labor problem, including in domestic work and commercial sexual exploitation.

Ensure that the government provides adequate support to survivors of child labor, including sufficient shelter space and services.



## CHILDREN AT HIGHER RISK

Undocumented migrant children who come to Gabon from other African countries, including Benin, Togo, Cameroon, Mali, Guinea, and Nigeria, are at increased risk of child labor. Whether they are travelling with their families or alone, their lack of identity documentation makes them vulnerable to exploitation.



## BARRIERS TO EDUCATION ACCESS

While public education in Gabon is free, there are insufficient teachers and schools to serve all children, especially in rural areas. In addition, children living in rural areas where government officials do not operate may not receive birth certificates, which are required for school enrollment.





## LEGAL FRAMEWORK FOR CHILD LABOR

Gabon has ratified all key international conventions concerning child labor. However, Gabon's laws do not meet international standards on the minimum age for work, since protections only cover children in formal employment relationships; on hazardous work since the country fails to ensure that the health, safety, and morals of children aged 16 and 17 are protected; or on the prohibition of the recruitment of children for use in armed conflict by non-state armed groups.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, <b>16 Years</b>		Articles 7, 214, and 233 of the Labor Code; Article 2 of the Decree Establishing Individual Exceptions to the Minimum Age for Admission to Employment
Minimum Age for Hazardous Work, <b>16 Years</b>		Article 214 of the Labor Code; Articles 1-3 and 5 of the Hazardous Work List
Identification of Hazardous Occupations or Activities Prohibited for Children		Articles 2, 3, and 5 of the Hazardous Work List
Prohibition of Slavery, Debt Bondage, and Forced Labor		Articles 225 to 225-6 of the Penal Code; Articles 3, 12, and 13 of the Law Preventing and Fighting Against Child Trafficking; Articles 4 and 5 of the Labor Code
Prohibition of Child Trafficking		Articles 3, 11–14, and 20 of the Law Preventing and Fighting Against Child Trafficking; Articles 225 to 225-7 of the Penal Code
Prohibition of Commercial Sexual Exploitation of Children		Articles 225 to 225-6, 260, 261, 263, and 281-3 to 281-5 of the Penal Code
Prohibition of Using Children in Illicit Activities		Article 281-1 of the Penal Code
Minimum Age for Voluntary State Military Recruitment, <b>16 Years</b>		Article 97 of the Child Code; Article 185 of the Order on the Particular Status of Members of the Military
Prohibition of Compulsory Recruitment of Children by (State) Military		Article 97 of the Child Code
Prohibition of Military Recruitment by Non-state Armed Groups		

**Legal Framework for Child Labor (Cont.)**

Child Labor Laws and Regulations	Meets International Standards	Legislation
Compulsory Education Age, <b>16 Years</b>		Article 1 of the Constitution; Article 2 of the Law on General Education; Article 340-6 of the Penal Code
Free Public Education		Articles 1.18 and 1.19 of the Constitution; Article 2 of the Law on General Education

\* Country has no conscription

Although Gabon’s Labor Code prohibits employment of children under age 16, 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. In addition, the minimum age of 16 for hazardous work is not in compliance with international standards because Gabon fails to ensure that children receive adequate training and fails to protect the health, safety, and morals of the child in accordance with international standards. Furthermore, Gabon’s light work provision permits children under age 16 to perform light work with parental permission, but it does not set a minimum age, determine the activities in which light work may be permitted, or specify the conditions in which light work may be undertaken.



**ENFORCEMENT OF LAWS ON CHILD LABOR**

In 2023, criminal law enforcement agencies in Gabon took actions to address child labor. However, the absence of worksite inspections conducted at the national level and insufficient resource allocations to both civil and criminal enforcement agencies hindered the enforcement of child labor laws.

**Agencies Responsible for Child Labor Law Enforcement**

**Ministry of Labor and Fight Against Unemployment:** Responsible for receiving, investigating, and addressing child labor complaints. Includes special inspection units for mining and agriculture. According to the Labor Code, local labor inspectors are required to submit periodic reports on their activities, and the central authority is required to publish annual labor inspection reports. However, the government has yet to collect the required statistics and publish such a report.

**Ministry of the Interior’s Police Force:** Enforces laws, investigates violations of the worst forms of child labor, and refers cases to the Ministry of Justice for prosecution. Refers survivors of child trafficking to the Ministry of Health and Social Affairs, which connects them to government-supported, NGO-operated shelters for vulnerable children to receive medical and psychosocial services, legal assistance, and education. Enforcement was hindered by a lack of financial resources, including for judicial personnel.

**Enforcement Mechanisms and Efforts**

Has a Labor Inspectorate	<b>Yes</b>	Has a Complaint Mechanism	<b>No</b>
Able to Assess Civil Penalties	<b>Yes</b>	Imposed Penalties for Child Labor Violations	<b>N/A</b>
Routinely Conducted Worksite Inspections	<b>No</b>	Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	<b>Unknown</b>
Unannounced Inspections Permitted	<b>Yes</b>	Imposed Penalties for Worst Forms of Child Labor Crimes	<b>N/A</b>

In 2023, an **unknown** number of labor inspectors conducted **0** worksite inspections, thereby finding **0** child labor violations. It is **unknown** whether investigations into suspected cases of the worst forms of child labor were conducted, prosecutions were initiated, or perpetrators were convicted.

While a labor inspectorate does exist in Gabon, the government again failed to provide evidence it conducted worksite inspections during the reporting period. Research suggests that irregular pay undermines inspectors’ ability and willingness to perform their duties. Without an active practice of conducting worksite inspections, Gabon allows employers to exploit child laborers with impunity.



## COORDINATION, POLICIES, AND PROGRAMS

<p><b>Key Mechanism to Coordinate Government Efforts on Child Labor</b></p> <p>Gabon established a mechanism to coordinate its efforts to address child labor. However, the mechanism’s inactivity has hindered the efficacy of the government’s coordination efforts.</p>	<p><b>Interministerial Committee for the Fight Against Child Trafficking:</b> Created in 2001 to serve as the key reporting, referral, and coordinating mechanism for cases involving the worst forms of child labor. Includes representatives from all relevant ministries, including Justice, Interior, Family, Foreign Affairs, and Labor, as well as local NGOs. Due to its inactive status since 2019, the Ministries of Justice and Health have been coordinating the government’s child labor efforts on a <i>de facto</i> basis.</p>
<p><b>Key Policies Related to Child Labor</b></p> <p>Gabon established a policy related to child labor. However, the policy does not cover all worst forms of child labor in the country, including commercial sexual exploitation and forced labor.</p>	<p><b>United Nations Sustainable Development Cooperative Framework for Gabon (UNSDCF) 2023–2028:</b> Comprehensive framework for advancing sustainable development goals. Adopted in 2022 and includes the aim of improving access to education for the most vulnerable children by increasing government spending on education, increasing the proportion of schools with separate sanitation facilities, and ensuring a safe learning environment. In 2023, the transition government substantially increased the education budget for the next fiscal year, announced the elimination of all school fees through secondary school, and capped the price of uniforms.</p>
<p><b>Key Social Programs to Address Child Labor</b></p> <p>Gabon participated in programs that may contribute to preventing child labor. However, these social programs are inadequate to address the full scope of the problem.</p>	<p><b>Shelters for Children in Need:</b> Provide social services to survivors of child trafficking. Children receive medical care, literacy training, and reintegration support. The government provides in-kind assistance, including government social workers and medical supplies, to shelters run by civil society organizations. However, research indicates that shelter space and funding are insufficient to accommodate all victims of the worst forms of child labor.</p> <p><b>UNICEF Programs:</b> Include support for birth registration, education access, child protection, and population data collection and analysis. In 2023, with the support of UNICEF, the government received technical assistance in data collection on child poverty to improve service planning and provision, substantially increased budget allocations for education, and issued birth certificates to children in 5,621 stateless families.</p>

For information about USDOL’s projects to address child labor around the world, visit [dol.gov/ILABprojects](https://dol.gov/ILABprojects)  
 For references, please visit [dol.gov/ChildLaborReports](https://dol.gov/ChildLaborReports)