



Gabon

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Gabon is a republic dominated by a strong presidency. Although opposition parties have been legal since 1990, a single party, the Gabonese Democratic Party (PDG), has remained in power since 1968 and has circumscribed political choice. PDG leader El Hadj Omar Bongo, President since 1967, was reelected for another 7-year term in 1998. The 1998 presidential election was marred by irregularities. Members of the PDG and allied parties held large majorities of seats in both chambers of the national legislature comprised of the directly elected National Assembly and the Senate, members of which were chosen by municipal and regional government officials. Following legislative elections in December 2001 that were marred by numerous irregularities, in April the Constitutional Court annulled the election results in 12 districts. In May legislative by-elections were held and resulted in 107 National Assembly seats for the PDG and allied parties and 13 for the opposition. The PDG won approximately 85 percent of the seats in nationwide municipal elections held, after several delays, in December. The municipal elections were marked by extremely low voter turnout. The judiciary was independent in principle but remained subject to government influence.

The national police, subordinate to the Interior Ministry, and the Gendarmerie, subordinate to the Defense Ministry, primarily were responsible for domestic law enforcement and public security. Elements of the armed forces and the "Republican Guard," an elite, heavily armed unit that protects the President, sometimes performed internal security functions; both were subordinate to the Defense Ministry. The anti-gang unit proposed in 2001 never became operational. During the year, security forces continued to conduct "sweep" operations intended to detain bandits. Members of the security forces occasionally committed human rights abuses.

The country's economy lacked diversity and was heavily dependent on foreign trade; its population was approximately 1.2 million. The Government dominated much of the economy through oil refining, telecommunications, and timber export parastatals; water, electric, railroad, and sugar parastatals have been privatized. Government financial mismanagement and corruption have contributed to significant arrears in domestic and external debt payments. The oil industry generated nearly half of recorded gross national product that gave the country's citizens a relatively high standard of living. A third of the country's citizens live in the capital, Libreville, along with many immigrants from poor African countries, who work chiefly in the informal and service sectors. Income distribution remained heavily skewed in favor of urban dwellers and a small economic elite, while the rural population continued to receive relatively few social services.

The Government's human rights record remained poor; and it continued to commit serious abuses. The Government continued to limit the ability of its citizens to change their government. Outstanding cases of extrajudicial killings by security forces remained unresolved. The security forces beat and tortured prisoners and detainees, prison conditions remained harsh and life threatening, arbitrary arrest and detention were problems, the judiciary remained subject to government influence, and authorities routinely infringed on citizens' privacy rights. The Government continued to restrict freedom of the press and movement. Violence and societal discrimination against women continued to be problems. Forced labor remained a problem, and there were reports of trafficking in children.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents during the year. Outstanding cases of extrajudicial killings committed by the security forces in previous years are unlikely to be resolved.

There was no action taken, nor is any likely to be, against a police officer who shot and killed an unarmed 16-year-old youth after an altercation between the boy and a taxi driver in April 2001.

Unlike in previous years, there were no reports that gendarmerie or regular army troops killed persons.

A small number of ritualistic killings reportedly were committed during the year. No official connection to the murders was established, and the Government publicly criticized the practice (see Section 1.c.).

In February a 17-year-old boy was mutilated and killed by nine acquaintances during a hunting trip in Tchibanga. The nine were arrested and reportedly accused a deputy in the National Assembly of having paid them to obtain the boy's body parts for ritualistic use to aid him in the April legislative elections. The suspects later were convicted and sent to prison. No charges were brought against the deputy. No further action was expected in the case.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices; however, security forces sometimes beat or tortured prisoners and detainees as punishment and to extract confessions. There were unconfirmed reports in the African immigrant community that police and soldiers occasionally beat noncitizen Africans during operations to round up and deport illegal immigrants (see Section 1.f.); however, there were no reports of rapes during the year.

Unlike in the previous year, police did not injure demonstrators; however, in December 2001, police injured strikers (see Section 6.b.).

Concerned organizations claimed that government officials employed trafficked foreign children as domestic workers and also alleged that government officials might be involved in facilitating trafficking in children (see Section 6.f.).

There were occasional incidents of violence in which practitioners of some traditional indigenous religions inflicted bodily harm on other persons (see Section 1.a.). However, the details of these incidents were uncertain. Such actions often appeared to occur in connection with elections. The Ministry of the Interior maintained that violence and bodily harm to others in the practice of a traditional religion was a criminal offense and was prosecuted vigorously, although most reported incidents did not result in arrests or prosecution.

Conditions in most prisons were harsh and life threatening. Sanitation and ventilation were poor, and medical care was almost nonexistent. Prisons provided inadequate food for inmates. Women were held separately from men, juveniles were held separately from adults, and pretrial detainees were held separately from convicted prisoners. There were no known visits by human rights monitors to prisons during the year, although the Government was not known to have impeded such visits in past years.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention; however, the Government did not observe these prohibitions. The law provides for up to 48 hours of initial detention, during which period police must charge a detainee before a judge. However, in practice police rarely respected this provision. Charges often were not filed expeditiously, and persons often were detained arbitrarily for long periods. Bail may be set if there is to be a further investigation. Pretrial detainees have the right to free access to their attorneys, and this right was not restricted in practice. Detainees have the right to an expeditious trial, as defined by the law. Pretrial detention was limited to 6 months for a misdemeanor and to 1 year for a felony charge. These periods may be extended for 6 months by the examining magistrate. Prolonged pretrial detention was common. A local attorney estimated that approximately 40 percent of persons in custody are pretrial detainees.

Members of the security forces frequently detained individuals at roadblocks under the guise of checking vehicle

registration and identity papers of occupants. The security forces generally used such operations to extort money.

The law prohibits forced exile, and the Government did not use it.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, while the judiciary generally was independent in principle, it remained subject to government influence.

The judicial system includes the regular courts, a military tribunal, and a civilian High Court of Justice. The regular court system includes trial courts, appellate courts, and the Supreme Court. The Constitutional Court is a separate body charged with examining constitutional questions, including the certification of elections. In some areas, minor disputes may be taken to a local chief, but the Government does not recognize such decisions. The High Court of Justice, last convened in 1990, is constituted by the Government as required to consider matters of state security.

There were systemic resource and personnel shortages in the judiciary, which often contributed to prolonged pretrial detention (see Section 1.d.). After striking for most of 2001, court clerks returned to work in October 2001 and did not strike during the year.

The Constitution provides for the right to a public trial and the right to legal counsel. These rights generally were respected in criminal cases. Nevertheless, procedural safeguards were lacking, particularly in state security trials, where a judge may deliver an immediate verdict of guilty at the initial hearing if the Government presents sufficient evidence.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such actions; however, the Government did not respect these prohibitions in practice. As part of criminal investigations, police may request search warrants from judges, which they obtained easily, sometimes after the fact. The Government has used them in the past to gain access to the homes of opposition figures and their families.

Police and security forces conducted warrantless searches (sweeps) for illegal immigrants and criminals (see Section 1.c.). Soldiers stopped and searched vehicles at roadblocks, and soldiers and police conducted house-to-house searches in impoverished neighborhoods. Police frequently stopped vehicles to extort bribes.

In July the Government destroyed makeshift houses in a fishing village near Libreville and deported approximately 720 West Africans. Although some occupants had a legal right to reside in the country, the Government characterized its actions as a fight against insecurity and increasing crime in the country. The village was targeted after incidents in which small boats attacked and robbed merchant vessels anchored in Libreville's port.

Government authorities routinely monitored private telephone conversations, personal mail, and the movements of citizens.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, although citizens generally continued to speak freely and criticize the Government, the Government continued to restrict press freedom. Legislators in the National Assembly openly criticized government policies, ministers, and other officials.

The only daily newspaper published was the state-affiliated L'Union. Approximately nine privately owned weekly or monthly publications in newspaper format, which represented independent views and those of various political parties, appeared during the year; however, most appeared irregularly due to financial constraints and, in two cases, to government suspension of their publication licenses. All newspapers--including the state-affiliated L'Union--actively criticized the Government and political leaders of all parties. Most also criticized the President.

Journalists are subject to the Communications Code, a law that specifies their rights and responsibilities. Libel can be either a criminal offense or a civil matter. The law authorizes the Government to initiate criminal libel prosecution against persons for libeling elected government officials; it also authorizes the State to criminalize civil libel suits. In previous years, the Government used prosecutions for civil and criminal libel against journalists to restrict freedom of expression, especially criticism of the Government; however, there were no reports that the Government targeted individual journalists during the year.

In December 2001, the Government promulgated a new Communications Code proposed by the National Communications Council (CNC), a government agency subordinate to the Communications Ministry. The Code further restricts press freedom by expanding the scope of criminal libel laws in the name of protecting "dignity of the person." It stipulates that penalties for libel and other offenses include a 1- to 3-month publishing suspension for a first offense and a 3- to 6-month suspension for repeat offenses. Editors and authors of libelous articles can be jailed for 2 to 6 months and fined \$700 to \$7,000 (500,000 to 5 million CFA francs). In September the CNC suspended publication of two independent, satirical newspapers, Misamu and Gabaon, for stories alleging the theft of \$5 million (3 billion CFA francs) from the public treasury and criticizing the Senate president, respectively. Three other independent newspapers, La Lowe, Nganga, and Le Scribouillard, were given official warnings by the CNC for the lack of respect for citizens' privacy and attacks on the integrity of members of the Government.

La Griffes, a Libreville-based satirical weekly newspaper remained closed during the year, and Dorothee Nguoni, an editor at La Griffes who left the country in 1999 after she was convicted of defamation, remained abroad. Raphael Ntoutoume Nkoghe and Michel Ongoundou Loundah both were able to practice journalism.

In November 2001, Germain Ngoyo Moussavou, the editor-in-chief of L'Union newspaper, was fired after he published editorials criticizing the Minister of Interior's handling of preparations for the 2001 legislative elections; however, in February he was appointed as a political adviser to the President.

The Government owned and operated two radio stations that broadcast to all areas of the country. Much of their news coverage concerned the activities of government officials; however, their editorials sometimes were critical of specific government policies and of specific government ministers.

Financial considerations and election preparations resulted in fluctuations in the number of radio stations that operated. At year's end, approximately six privately owned radio stations operated in the country; most were apolitical. The Government owned and operated two television stations, RTG-1 and RTG-2. There were three privately owned television stations.

The Government did not interfere with domestic reception of broadcasts of international radio stations, including Voice of America. Radio France International broadcast locally. Foreign newspapers and magazines were available widely.

The Government did not restrict access to or use of the Internet. At year's end, there were three Internet service providers in the country, one state-owned and the others privately owned. In urban areas, there were public facilities that provided relatively affordable access to the Internet.

The Government did not restrict academic freedom, including research; however, the Government shut down the country's only State-funded universities because of strikes. The universities officially reopened in December (see Section 6.b.).

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly and association, and the Government generally respected these rights in practice. The law requires that groups obtain permits for public gatherings in advance, and the Government usually granted them.

Unlike in the previous year, police did not forcibly disperse demonstrations.

c. Freedom of Religion

The Constitution provides for religious freedom, and the Government generally respected this right in practice.

Some Protestants alleged that the government television station accorded free air time to the Catholic Church but not to minority religious groups. Others alleged that the armed forces favored Roman Catholics and Muslims in

hiring and promotions.

The Ministry of the Interior maintained an official registry of religious groups; however, it did not register traditional religious groups. The Government did not require religious groups to register but recommended that they do so in order to assemble with full constitutional protection. No financial or tax benefit was conferred by registration. The Government has refused to register approximately 10 religious groups, including Jehovah's Witnesses. A 1983 decree banning Jehovah's Witnesses, which the Government promulgated on the grounds that Jehovah's Witnesses allegedly do not protect adequately individuals who might dissent from the group's views, remained in effect; however, in practice the Government allowed members of Jehovah's Witnesses to meet and practice their religion. The Government has made uncorroborated claims that it permits Jehovah's Witnesses to proselytize.

For a more detailed discussion see the 2002 International Religious Freedom Report.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights; however, the Government frequently restricted them in practice. There were no legally mandated restrictions on internal movement. Police and gendarmes continued to stop travelers frequently to check identity, residence, or registration documents, and members of the security forces regularly harassed expatriate Africans working legally as merchants, service sector employees, and manual laborers (see Section 1.f.). They extorted bribes and demanded services with the threat of confiscation of residency documents or imprisonment. Residency permits cost up to \$150 (100,000 CFA francs), and first time applicants also must provide the cost of a one-way air ticket to their country of origin. In theory, but usually not in practice, the Government refunds the cost of the air ticket when the individual departs the country permanently.

The government agency that controls immigration intermittently enforced an internal regulation requiring married women to have their husbands' permission to travel abroad. An exit visa was not required for citizens to travel abroad; however, noncitizens resident in the country must obtain a visa in order to leave and return. There were reports by citizens that government authorities with no explanation regularly refused to issue passports for travel abroad.

Individuals alleged that they encountered unreasonable delays in obtaining passports.

Police and security forces conducted warrantless searches (sweeps) for illegal immigrants and criminals (see Section 1.f.). There were unconfirmed reports that police occasionally beat and raped noncitizen Africans during operations to assemble and deport illegal immigrants.

In July the Government destroyed makeshift houses in a fishing village near Libreville and deported approximately 720 West Africans (see Section 1.f.).

Dozens of victims of child trafficking were repatriated with assistance from nongovernmental organizations (NGOs) and the embassies of their countries of origin (see Section 6.f.).

The law provides for the granting of asylum and refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government generally cooperated with the office of the U.N. High Commissioner for Refugees (UNHCR) and also provided first asylum. The Government strictly controlled the process of refugee adjudication. At year's end, approximately 12,000 refugees remained in the country. In September 2001, representatives of the Government, the Government of the Republic of the Congo, and the UNHCR signed a tripartite repatriation agreement providing for the return of Congolese refugees from the country. By year's end, 180 Congolese refugees had been repatriated with UNHCR assistance. During the year, some refugees from the Republic of the Congo voluntary repatriated themselves.

There were no reports of the forced returned of persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully; however, mismanagement and serious irregularities in both the 1998 presidential elections and the December 2001 legislative elections limited severely this right in practice. A single party, the PDG, has remained in power since its creation by President Bongo in 1968, and political choice has remained limited in practice despite the legalization of opposition parties in 1990.

The country is dominated by a strong Presidency. The President can veto legislation, dissolve the national legislature, call new elections, and issue decrees while the legislature is not in session that have the force of law. The legislature generally has approved legislation presented to it by the President but on occasion has not done so. The President appoints and can dismiss judges through the Ministry of Justice, to which the judiciary is responsible. The President appoints ministers of government, provincial governors, prefects and subprefects, and the heads of parastatal firms.

President Bongo, who has been President since 1967, was reelected for another 7-year term in a December 1998 election marred by irregularities that generally favored his incumbency, including incomplete and inaccurate electoral lists and the use of false documents to cast multiple votes.

Elections for the National Assembly, the lower house of the bicameral legislature, are held every 5 years. The December 2001 National Assembly elections were marred by numerous irregularities, including the boycotting of the first round by nine opposition parties. International observers reported that the elections were marked by organizational flaws and "insufficient and dysfunctional" application of the electoral law. The Constitutional Court in April annulled the election results in 12 districts, citing candidates or their representatives for stuffing ballot boxes, falsifying results documents, and bribing or threatening voters. In May legislative by-elections were held to fill the affected seats, which resulted in the PDG and allied parties holding 107 and the opposition holding 13 seats in the National Assembly.

The ability of citizens to choose their subnational governments remained limited in practice. Among subnational officials, provincial governors, prefects, and subprefects are officers of the central Government responsible to the President. Mayors and municipal councils were elected; however, municipal governments have limited financial autonomy and depend heavily on funding from the central Government.

After three delays prompted primarily by the Government's lack of funds, country-wide municipal elections were held in December. Though the ruling PDG party won some 85 percent of all seats, the level of voter abstention was extreme, reaching 100 percent in some precincts.

The Senate, the upper house of the bicameral national legislature, was created in 1996, with first elections for Senators in 1997. Municipal and regional government officials elect all 91 senators, who serve 6-year terms. The next senatorial elections were scheduled for February 2003.

Major opposition parties included the National Lumberjack Assembly-Gabonese People's Assembly (RNB-RPG) and the Gabonese Progressive Party (PGP). The RNB-RPG's political base was in the northern province of Woleu-Ntem inhabited chiefly by members of the Fang ethnic group, and in Libreville neighborhoods with many Fang residents, although the party attracted some support from other regions and ethnic groups. The PGP enjoyed strong support in Port Gentil, the center of the country's petroleum industry, and among the Myene ethnic group. Ideological splits and rivalries limited the effectiveness of the PGP.

There were no restrictions on the participation of women and minorities in politics. At year's end, 11 of 120 members of the National Assembly, 12 of 91 senators, and 5 of 43 government ministers were women. Indigenous Pygmies rarely participate in the political process, and the Government has made only limited efforts to include them (see Section 5).

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government officially allowed the existence of independent human rights groups, and the few that are active advocate mostly on behalf of women, children, persons with disabilities, and the homeless. In January the Government created a Ministry of Human Rights and appointed an opposition leader as minister of state to head it.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution forbids discrimination based on national origin, race, gender, or opinion; however, the Government did not enforce these constitutional provisions uniformly, and there was considerable discrimination against women, especially in domestic affairs. The Government also has provided a lower level of health care and educational services to children of families of other African nationalities than it provided to citizens.

Women

Domestic violence against women was believed to be common, especially in rural areas; however, there were few reports during the year. Although rape is not known to be a chronic problem, government and NGO workers reported cases of minor female domestic workers (often victims of trafficking) who were sexually molested by employers. Police rarely intervened in such incidents, and women virtually never filed complaints with civil authorities. Only limited medical and legal assistance was available.

Female genital mutilation (FGM) occurred among the resident population of expatriate Africans. There were no laws against FGM, but according to local women's groups, it was not practiced on Gabonese girls.

The law provides that women have rights to equal access in education, business, and investment. Women owned businesses and property, participated in politics, and worked throughout the government and the private sector. Nevertheless, women continued to face considerable societal and legal discrimination, especially in rural areas.

By law couples must stipulate at the time of marriage whether they intend to adhere to a monogynous or a polygynous relationship; polygynous marriages were more common. For monogynous married couples, a common property law provides for the equal distribution of assets after divorce. In a polygynous marriage, a husband is obligated to give all wives the same level of financial support; however, he may marry additional wives without permission from his existing wives. Wives who leave polygynous husbands receive half of their existing support as a one-time payment. In inheritance cases, the husband's family must issue a written authorization before his widow can inherit property. Common law marriage, which was accepted socially and practiced widely, affords a woman no property rights.

A regulation requires that a woman obtain her husband's permission to travel abroad; however, this requirement was not enforced consistently.

Children

The Government has used oil revenue to build schools, pay teachers' salaries, and promote education, even in rural areas; however, the upkeep of schools and payment of teachers has declined in recent years. Education is compulsory until age 16 and generally is available through sixth grade. However, fewer than half of secondary school-age children attended school. Secondary school attendance rates for immigrant children were likely to be lower, although public schools accepted immigrant children, and the Government encouraged them to attend. Education was free except for miscellaneous expenses such as books and other school supplies. According to a U.N. agency, 64 percent of women were literate in 1998, compared with 78 percent of men.

The country has a relatively high infant mortality rate, and only approximately 16 percent of children have been vaccinated. Although international donors worked to improve the situation, the Government allocated few resources for vaccines and the logistical support necessary to administer them. Children remained the responsibility of the extended family--including aunts, grandmothers, and older siblings. There was little evidence of physical abuse of children, although there were some reports that girls were sexually abused by family members after reaching puberty. The law provides for protection against child labor and sexual and physical abuse.

FGM was performed on girls in the resident population of expatriate Africans (see Section 5, Women).

There was concern about the problems facing the large community of children of African noncitizens. Almost all enjoyed far less access to education and health care than did children of citizens; some were victims of child trafficking and abuses (see Sections 6.d. and 6.f.).

Persons with Disabilities

There are no laws that prohibit discrimination against persons with disabilities or that provide for access to buildings or services; however, there were no reports of official discrimination against persons with disabilities. There was no known societal discrimination against persons with disabilities.

Indigenous People

The Baka (Pygmies) are the earliest known inhabitants of the country. Several thousand Pygmies live in the country, most in large tracts of still-intact rain forest in the northeast. The law grants them the same civil rights as other citizens. Pygmies largely were independent of formal authority, keeping their own traditions, independent communities, and local decision-making structures. Pygmies did not participate in government-instituted programs

that integrated many small rural villages into larger ones along major roads. Pygmies suffered societal discrimination, often lived in extreme poverty, and did not have adequate access to public services. There were no specific government programs or policies to assist or hinder Pygmies.

In 2001 a local NGO conducted a study, funded by UNICEF, of the Bukoya Pygmy population in the northeastern part of the country. NGO workers visited more than a dozen villages and found that most Pygmies there lived in conditions tantamount to slavery, working on plantations for "masters" for one plate of rice and a few cents per day. The NGO described the children born to Pygmy families in these situations as the "property" of the master. A typical family lives on 13 cents per day. Pygmies who complained about their situations often were beaten.

National/Racial/Ethnic Minorities

The country's citizen population included several ethnic groups, each of which generally speaks a distinct primary language and is concentrated in an identifiable area of the country. There was no majority ethnic group; the largest ethnic group was the Fang, which makes up more than 30 percent of the population and is concentrated in the north. Other major ethnic groups included the Myene, the Bapunu, the Bakwele, the Obamba, and the Nzebi.

There was some correlation between ethnic and political divisions. Support for the ruling party was stronger among persons from southern ethnic groups, including President Bongo's Bateke ethnic group, than among the northern Fang group or the coastal Myene group (see Section 3).

The Government generally fostered ethnic balance in the public sector, throughout which persons from all major ethnic groups continued to occupy prominent positions. However, there was evidence that members of the President's Bateke ethnic group and other ethnic southerners held a disproportionately large number of key positions in the military and security forces (see Section 3).

Section 6 Worker Rights

a. The Right of Association

The Constitution places no restrictions on the right of association and recognizes the right of citizens to form trade and labor unions. Virtually the entire private sector workforce was unionized. Unions must register with the Government in order to be recognized officially. Public sector employees may unionize, although their right to strike is limited if it could jeopardize public safety. There were many independent unions, including powerful unions of teachers, civil servants, transport workers, and communications workers. Some independent unions have associated to form the Gabonese Confederation of Free Unions (CGSL). The Gabonese Labor Confederation (COSYGA) continued to be affiliated with the Government but has criticized publicly some government policies it perceived as contrary to labor interests. The Labor Code provides extensive protection of worker rights.

While no laws specifically prohibit antiunion discrimination, the court may require employers who are found guilty by civil courts of having engaged in such discrimination to compensate employees.

Unions and confederations were free to affiliate with international labor bodies and participate in their activities. COSYGA was affiliated with the Organization of African Trade Union Unity, while the CGSL was affiliated with the International Confederation of Free Trade Unions. Both COSYGA and CGSL had ties with numerous other international labor organizations.

b. The Right to Organize and Bargain Collectively

The Labor Code provides for collective bargaining by industry, not by firm; collectively bargained agreements set wages for whole industries. Labor and management meet to negotiate differences, and the Ministry of Labor provides an observer. This observer does not take an active part in negotiations over pay scales, working conditions, or benefits. Agreements also apply to nonunion workers.

Strikes are legal if they are held after an 8-day notice advising that outside arbitration has failed. The Labor Code prohibits direct government action against individual strikers who abide by the arbitration and notification provisions. It also provides that the Government cannot press charges against a group for criminal activities committed by individuals.

In November 2001, the Libreville city hall workers union, Solidarity, went on strike to protest poor management,

inadequate working materials, and discriminatory pay. In December 2001, the police attempted forcibly to disperse the strike and injured four workers. In February the Government ended the strike through mediation, offering compensation and agreeing to revisit other grievances at a later date.

In November 2001, the National Union of Teachers and Researchers organized the union's first coordinated strike in Libreville and Franceville to demand salary increases and improved working conditions in the country's two universities. Approximately 12,000 university students in both cities joined the union in protest. In January the Government shut down both state-funded universities and placed union members on paid suspension. The universities officially reopened in December.

In March workers at the Cora Wood company in Port Gentil staged a 3-day strike to protest the non-payment of indemnities promised them after the buyout of their former company, Gabon Forest. The strikers erected barricades and blocked all other lumber companies from shipping timber through the city harbor. The police monitored the strike but did not intervene. The Prime Minister mediated an agreement between workers and company that included payment of indemnities.

There were no export processing zones.

c. Prohibition of Forced or Bonded Labor

The law prohibits forced or bonded labor; however, there were reports that such practices occurred, including by children. Some Pygmies reportedly lived in conditions tantamount to slavery (see Section 5).

Forced child labor was a problem. Children--in particular immigrant children--were forced to work as domestic servants or in the informal commercial sector (see Sections 6.d. and 6.f.).

The Government cooperated with UNICEF and the International Labor Organization (ILO) to combat forced child labor and child trafficking (see Section 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment

Children below the age of 16 may not work without the express consent of the Ministries of Labor, Education, and Public Health. These ministries rigorously enforced this law with respect to citizen children, and there were few citizens under the age of 18 working in the modern wage sector. However, a significant number of foreign children worked in marketplaces or performed domestic duties. These children generally did not go to school, received only limited medical attention, and often were the victims of exploitation by employers or foster families. Laws forbidding child labor theoretically extended protection to foreign children as well, but abuses often were not reported. A 2001 ILO study estimated that the number of economically active children between the ages of 10 and 14 years was 19,000 to 20,000, but the actual number was difficult to quantify since most children worked in the informal sector.

The Legal Code stipulates fines and prison sentences for violations of the minimum age for working. The Ministry of Justice was responsible for implementing and enforcing child labor laws and regulations. Inspectors from the Ministry of Labor were responsible for receiving, investigating, and addressing child labor complaints; however, the inspection force was inadequate, complaints were not investigated routinely, and violations were not addressed adequately.

The Government prohibits forced and bonded child labor; however forced child labor was a problem (see Section 6.f.).

e. Acceptable Conditions of Work

The Labor Code governs working conditions and benefits for all sectors and provides a broad range of protection to workers. Traditionally representatives of labor, management, and the Government met annually to examine economic and labor conditions and to recommend a minimum wage rate within government guidelines to the President, who then issued an annual decree. This procedure has not been followed since 1994, in part because the Government was pursuing a policy of wage austerity recommended by international financial institutions. The monthly minimum wage was approximately \$91 (60,000 CFA francs); government workers received an additional monthly allowance of \$30 (20,000 CFA francs). Government workers also received transportation, housing, and family benefits; however, the law does not mandate housing or family benefits for private sector workers. In view of the high cost of living, the minimum wage does not provide a decent standard of living for a worker and family.

The code stipulated a 40-hour workweek with a minimum rest period of 48 consecutive hours. Employers must compensate workers for overtime work. All companies in the modern wage sector paid competitive wages and granted generous fringe benefits required by law, including maternity leave and 6 weeks of annual paid vacation.

The Ministry of Health established occupational health and safety standards, but it did not enforce or regulate them effectively. The application of labor standards varied greatly from company to company and between industries. In the formal sector, workers may remove themselves from dangerous work situations without fear of retribution.

The Government reportedly did not enforce Labor Code provisions in sectors where the bulk of the labor force was foreign. Foreign workers, both documented and undocumented, may be obliged to work under substandard conditions; may be dismissed without notice or recourse; or may be mistreated physically, especially in the case of illegal aliens. Employers frequently required longer hours of work from noncitizen Africans and pay them less, often hiring on a short-term, casual basis in order to avoid paying taxes, social security contributions, and other benefits.

f. Trafficking in Persons

No law specifically prohibits trafficking in persons; however, trafficking in children was a serious problem. The Government did not actively investigate cases of trafficking and has not prosecuted any cases against traffickers. There were reports that some trafficked women and children were sexually abused.

In August 2001, the Council of Ministers proposed a law that would prohibit the trafficking and exploitation of children. In April the National Assembly refused to vote on the law for technical reasons and returned it to the Government for correction and resubmission. At year's end, it had not been resubmitted. Although the Government maintained that existing laws provided adequate legal grounds, no one was prosecuted for trafficking by year's end.

In January the Government used child labor laws to prosecute a Malian woman for brutally and repeatedly beating a child-trafficking victim who was working for her. The perpetrator was fined \$200 (120,000 CFA francs), ordered to pay \$600 to a trafficking victim's shelter, and sentenced to 1 year in prison. The woman was believed to have fled the country before the sentence could be enforced.

Children (especially girls) were trafficked into the country, primarily from Benin and Togo, for use as domestic servants or in the informal commercial sector. Some of the children suffered sexual abuse. Nigerian children were trafficked to the country primarily to work in the informal commercial sector.

Concerned organizations claimed that government officials employed trafficked foreign children as domestic workers, and also alleged that government officials might be involved in facilitating child trafficking.

In March the Government, the European Union, and an Italian NGO established a shelter for trafficking victims. Although in October UNICEF offered to establish a nationwide help line for victims, the Government had not provided employees to staff the telephones at year's end. Trafficking victims were not detained or deported. The Government had an informal cooperative relationship with NGOs providing services to victims.

An interministerial committee comprised of representatives from the Labor, Justice, Foreign Affairs, and Family Ministries was involved in antitrafficking efforts. The Government cooperated with UNICEF programs aimed at discouraging trafficking.

In March the Government, UNICEF, and the ILO hosted a second regional crossborder trafficking conference at which attendees from 14 countries agreed to a list of "General Principles" as a basis for future discussions and bilateral agreements. In May the Government and the ILO launched a 3-year project on the prevention of child trafficking and child labor in the country.