

Equatorial Guinea

In 2011, Equatorial Guinea made a minimal advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the Government engaged in anti-trafficking training to enable its police force to better identify and provide services to victims. Despite these efforts, Equatorial Guinea lacks legislation to protect all children under age 18 from engagement in hazardous work, pornography and illicit activities. Additionally, the minimum age for compulsory education is lower than the minimum age for employment, leaving children age 13 particularly vulnerable to the worst forms of child labor, as they are no longer required to attend school but are not legally able to work. Further, the Government has not established a coordinating mechanism to combat all the worst forms of child labor, nor does it implement social programs to target the country's problems of child labor in street work, domestic service and prostitution. Children in Equatorial Guinea continue to engage in the worst forms of child labor, including in street work and domestic service.

Statistics on Working Children and Education

| Children | Age | Percent |
|---------------------------|-----------|-------------|
| Working | 5-14 yrs. | Unavailable |
| Attending School | 5-14 yrs. | Unavailable |
| Combining Work and School | 7-14 yrs. | Unavailable |
| Primary Completion Rate | | 52.4 |

Sources:

Primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2012.(1)

All other data: Understanding Children's Work Project's analysis.(2)

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Equatorial Guinea are engaged in the worst forms of child labor, including street work and domestic service.(3-6) Some children working on the streets transport water and wash cars. They also sell food, water and clothes as ambulatory vendors and in markets.(3-7) Children working on the streets are vulnerable to severe weather, traffic accidents and crime.(8)

Children are also employed in domestic work, some under forced conditions.(3, 4, 9, 10) Some evidence suggests that children in domestic service in Equatorial Guinea may be physically and psychologically abused by their employers.(4)



Although evidence is limited, some children are reportedly involved in prostitution, specifically girls working in urban centers such as Malabo and Bata.(4, 7, 9, 11)

Children are trafficked from neighboring countries for domestic servitude and street work. Trafficked children work as vendors in local markets and on streets in urban areas.(10, 12, 13) There is limited evidence indicating that children may also be trafficked to Equatorial Guinea for commercial sexual exploitation.(13) A limited number of children are trafficked internally, brought from rural areas to urban centers to work in domestic labor and local businesses.(14)

Laws and Regulations on the Worst Forms of Child Labor

The General Labor Code sets the minimum age for employment at 14. Children younger than age 16 are prohibited from employment in conditions that may endanger their health, security or morals.(15) Ministerial Order 4/2005 bans all children younger than age 17 from being on the streets after 11 p.m. and from specific forms of child labor. The Order also forbids parents and tutors from exploiting children for labor, such as street vending, car washing or work in bars and restaurants.(16) While the above protections exist, the laws do not cover children ages 16 and older with regard to hazardous work. Furthermore, the Government has not developed a list of hazardous occupations prohibited for children younger than age 18.(9)

| | | |
|---|---|-----|
|  | C138, Minimum Age | ✓ |
| | C182, Worst Forms of Child Labor | ✓ |
|  | CRC | ✓ |
| | CRC Optional Protocol on Armed Conflict | No |
| | CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography | ✓ |
|  | Palermo Protocol on Trafficking in Persons | ✓ |
|  | Minimum Age for Work | 14 |
| | Minimum Age for Hazardous Work | 16 |
|  | Compulsory Education Age | 12 |
| | Free Public Education | Yes |

Forced labor is forbidden by the General Labor Ordinances. The law states that the freedom of labor shall be subject to no restrictions other than “normal civic obligations and minor communal services.”(15) The specific language of the law has been the subject of comments from the ILO Committee of Experts, since normal obligations and minor services are not distinctly enumerated in the relevant legislation.(17)

Law 1/2004, or the Law on the Smuggling of Migrants and Trafficking in Persons, prohibits trafficking in persons and criminalizes parental child abuse and illegally engaging children in work. The Law defines parental child abuse as “the use of boys or girls by their relatives for street trading or other jobs during school times or at night.”(14, 18) It also sets penalties, including prison and fines, for those who employ children illegally, regardless of whether employers are family members or not.(14, 18)

Research suggests that Equatorial Guinean law does not address the use or procurement of children for prostitution, pornography or other illicit activities.(6, 9)

The minimum age for military recruitment in Equatorial Guinea is 18.(5, 19)

The General Education Law of 1995 makes primary education free and compulsory for all citizens and residents. Primary education institutions serve children ages 7 to 12.(20) Though education is mandatory until age 12, some rural children do not attend school.(3, 5) Girls are more likely to leave school early due to pregnancy or a need to help in the home.(6)

Further, children age 13 may be particularly vulnerable to the worst forms of child labor, as they are no longer required to attend school but are not legally able to work.

Institutional Mechanisms for Coordination and Enforcement

Research found no evidence that the Government of Equatorial Guinea has a coordinating mechanism to combat the worst forms of child labor.

The Ministry of Labor (MOL) is responsible for enforcing child labor laws in businesses and on construction sites.(3) It employs approximately 100 inspectors who monitor these facilities for labor violations including breaches of minimum age laws.(3, 5) The Ministry of Works and Social Security monitors the streets, market places and small businesses for child labor violations.(5)

During the reporting period, the MOL began tracking labor inspections and collecting and compiling statistics on resulting labor violations, including those related to child labor. However, this information has not yet been made publicly available.(5) Research did not uncover the number of child labor inspections conducted or violations cited during the reporting period. Furthermore, research found no evidence that the Government tracks and publicizes statistics on prosecutions and convictions related to child labor.

The Ministry of National Security is responsible for enforcing criminal laws related to the worst forms of child labor.(3, 5) The Ministry of Justice is responsible for the prosecution and punishment of violators of laws related to the worst forms of child labor.(3, 5) Research did not find any statistics on the number of investigations or prosecutions concerning the worst forms of child labor conducted during the reporting period.

The Inter-institutional Committee to Combat the Illicit Trafficking of Migrants, the Trafficking of Persons and the Exploitation of Children coordinates actions taken and government efforts to address human trafficking.(9, 10) The committee is chaired by the Minister of Justice, Religion and Prisons and includes representatives from the office of the Attorney General and from the Ministries of Health, Interior, National Security and Women’s Affairs.(9, 10, 13) However, research indicates that the Commission did not meet during the reporting period and is no longer active.(13, 21)

The Ministry of Women’s and Social Affairs takes the lead on identification and care of child labor and trafficking victims. The Ministry also provides training to other agencies that work on human trafficking issues.(5)

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Government Policies on the Worst Forms of Child Labor

In 2007, the Government of Equatorial Guinea launched a long-term development plan, Horizonte 2020, to address poverty and direct the country's progress toward reaching the Millennium Development Goals. Among Horizonte 2020's principal goals are the strengthening of economic growth and the promotion of social policy actions and programs. (5, 22) The Government also established a National Plan for Education for All (2002-2015). The policy prioritizes universal basic education, including pre-school and primary school, as well as girl's education.(23) The question of whether Horizonte 2020 and the National Plan for Education for All have an impact on child labor does not appear to have been addressed.

A National Action Plan Against Human Trafficking exists, which aims to educate the public, punish offenders and provide benefits and care to victims.(10) However, key components of the plan have not been implemented.(11, 13)

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

Although the Government has implemented programs to combat trafficking in persons, research found no evidence that the Government of Equatorial Guinea has social programs that

address other worst forms of child labor, including street work, domestic service and commercial sexual exploitation.

During the reporting period, the Government held trainings to professionalize its police force. The sessions included anti-trafficking in persons components, including instruction on how to identify and deal with trafficking victims.(5, 6) However, there is no evidence that the training included components on the worst forms of child labor.

In 2009, the Ministry of Social Affairs' submitted a proposal to the Social Development Fund (SDF) to establish a network of shelters to service women and children, including victims of trafficking. SDF has not yet approved funding for the proposal.(13)

The Government has committed \$100 million toward a 10-year program to improve elementary education. The long-term goals of the program, which is partially funded by private sector partners, include bolstering school attendance and graduation rates.(3) Specific projects have included continuing a partnership with a foreign oil company to renovate schools and reform and update curriculum materials.(6) The question of whether the Government's education programs have an impact on the worst forms of child labor does not appear to have been addressed.

Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Equatorial Guinea:

| Area | Suggested Actions | Year(s) Action Recommended |
|------------------------------|---|----------------------------|
| Laws and Regulations | Raise the minimum age for all hazardous work to 18. | 2010, 2011 |
| | Develop a list of hazardous occupations and activities prohibited for all children younger than age 18. | 2010, 2011 |
| | Amend the General Labor Ordinance to define what types of compulsory labor fall under the "normal civic obligations and minor communal services" exception. | 2010, 2011 |
| | Enact legislation to protect children younger than age 18 from all worst forms of child labor, including pornography and involvement in illicit activities. | 2010, 2011 |
| | Enact legislation to raise the age of compulsory education to equal or exceed the minimum age for employment. | 2010, 2011 |
| Coordination and Enforcement | Establish a coordinating mechanism to combat all the worst forms of child labor. | 2010, 2011 |

| Area | Suggested Actions | Year(s) Action Recommended |
|------------------------------|--|--------------------------------|
| Coordination and Enforcement | Reactivate the Inter-Institutional Committee to Combat the Illicit Trafficking of Migrants, the Trafficking of Persons and the Exploitation of Children and ensure regular meetings and the fulfillment of its mandate. | 2011 |
| | Increase transparency of enforcement efforts by: <ul style="list-style-type: none"> Making information on inspections and labor violations related to child labor publicly available. Tracking and making publicly available information on prosecutions and convictions related to child labor. | 2010, 2011 2009, 2010, 2011 |
| Policies | Assess the impact Horizonte 2020 and the National Plan for Education for All may have on child labor. | 2010, 2011 |
| | Fully implement the National Action Plan Against Human Trafficking. | 2011 |
| Social Programs | Implement programs that target all relevant worst forms of child labor, particularly street work, domestic service and prostitution. | 2009, 2010, 2011 |
| | Approve funding for shelters and services targeted at child trafficking victims. | 2011 |
| | Assess the impact that the Government's education programs may have on the worst forms of child labor. | 2010, 2011 |

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