
Penal, articles 170 and 173.

¹¹⁸⁶ U.S. Department of State, "Country Reports- 2007: El Salvador," section 6d.

¹¹⁸⁷ U.S. Embassy- San Salvador, *reporting*, December 4, 2007.

¹¹⁸⁸ *Ibid.*

¹¹⁸⁹ U.S. Embassy- San Salvador, *reporting*, March 5, 2007.

¹¹⁹⁰ Government of El Salvador, *Plan Nacional*, 41-44. See also ILO-IPEC, *Supporting the Time-bound Programme for the Elimination of the Worst Forms of Child Labour in El Salvador*, Technical Progress Report, Geneva, September 30, 2006.

¹¹⁹¹ ILO-IPEC, *Supporting the Time-bound Programme for the Elimination of the Worst Forms of Child Labour in El Salvador*, Technical Progress Report, Geneva, September 6, 2007, 14.

¹¹⁹² U.S. Embassy- San Salvador, *reporting*, December 4, 2007.

¹¹⁹³ ILO-IPEC, *El Salvador TBP, Technical Progress Report*, 11-13.

¹¹⁹⁴ ILO-IPEC, *Combating the Worst Forms of Child Labour in El Salvador 2002-2005*, Project Document, Geneva, July 2001. See also ILO-IPEC, *Supporting the Time-bound Programme for the Elimination of the Worst Forms of Child Labour in El Salvador- Phase II*, Project Document, Geneva, September 30, 2006.

¹¹⁹⁵ ILO-IPEC, *El Salvador Education Initiative*, Technical Progress Report, Geneva, August 30, 2007, 18.

¹¹⁹⁶ ILO-IPEC, "Stop the Exploitation" ("*Alto a la explotación*") *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, Project Document, RLA/02/P51-05/52/USA, San Jose, 2002, 2005, 1 and 63. See also ILO-IPEC, *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, Project Addendum, Geneva, September 2005, 1 and 22.

¹¹⁹⁷ CARE International, *Primero Aprendo Project: Combating Exploitive Child Labor through Education in Central America and the Dominican Republic*, Project Revision, April 19, 2007, 1-2. See also CARE International, *Primero Aprendo Project: Combating Exploitive Child Labor through Education in Central America and the Dominican Republic*, Project Revision, September 29, 2006.

¹¹⁹⁸ CARE International, *Primero Aprendo Project: Combating Exploitive Child Labor through Education in Central America (Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua) and the Dominican Republic*, Project Document, 2004, 5. See also ILO-IPEC, *Elimination of Commercial Sexual Exploitation of Children*, Project Addendum, 22-23.

¹¹⁹⁹ ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

Equatorial Guinea

Incidence and Nature of Child Labor

In Equatorial Guinea, working children can be found primarily on family farms, in auto mechanic workshops, and sometimes in the informal sector as street vendors, market vendors, and car washers.¹²⁰⁰ Reports on the nature and incidence of child trafficking are conflicting. While in the past, children from Nigeria, Benin, Cameroon, and Gabon were trafficked predominantly to the cities of Malabo and Bata, sometimes for commercial sexual exploitation, it is unclear whether such trafficking continues.¹²⁰¹ West African children were most vulnerable to trafficking by relatives or family acquaintances who required them to work in domestic service or in the informal, agricultural, and commercial sectors.¹²⁰² Recent reports have questioned the extent of trafficking in Equatorial

Guinea and noted a reduction in trafficking in past years.¹²⁰³

Child Labor Laws and Enforcement

Child labor laws in Equatorial Guinea are contradictory. The Labor Law sets the minimum age for employment at 14 years.¹²⁰⁴ Children under 16 years are specifically prohibited from work that might harm their health, safety, or morals.¹²⁰⁵ According to the labor law, children over 13 years can perform light work.¹²⁰⁶ A Government decree on child trafficking establishes that children under 10 years are specifically protected from child labor in street vending and other jobs in the informal and formal sectors during school and night hours.¹²⁰⁷ The criminal penalty for employing children under this law is a year in prison and a fine.¹²⁰⁸ USDOS

notes that during the reporting period, this law was enforced and parents of children working in occupations covered by the law were subject to fines.¹²⁰⁹

<i>Selected Statistics and Indicators on Child Labor¹²¹⁰</i>	
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	14
Compulsory education age:	11
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	122
Net primary enrollment rate (%), 2003:	87
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2001:	33
ILO-IPEC participating country:	No
* Must pay for miscellaneous school expenses	

Another Government decree bans all children under the age of 17 years from being on the streets after 11 p.m.¹²¹¹ The decree forbids parents or tutors from exploiting children in labor such as street vending, car washing, or working in bars or restaurants. Under the decree, youth found in the above situations will be automatically arrested, and businesses that employ minors, including family businesses, are subject to a fine or may be closed.¹²¹² USDOS reports that the Government of Equatorial Guinea regularly enforced these laws through street-level police patrols who fine individuals employing child workers, especially in markets.¹²¹³

Forced or compulsory child labor is forbidden.¹²¹⁴ The law prohibits the smuggling of migrants or trafficking in persons, and the law stipulates a penalty of 10 to 15 years imprisonment and a fine for trafficking offenses.¹²¹⁵ The Government has provided training on trafficking in persons to over 160 military and police officials on trafficking in

persons through a Government-funded local NGO.¹²¹⁶ The Government also began distributing procedural manuals for police and military outposts that include measures for processing suspected traffickers and provides wallet cards to help identify and care for trafficking victims.¹²¹⁷ During the reporting period the Government of Equatorial Guinea increased the monitoring of trans-border movement of minors and has regularly patrolled open-air markets to deter child labor and identify potential child trafficking victims.¹²¹⁸ However, USDOS reports that Government efforts to combat trafficking have seldom resulted in prosecutions and convictions.¹²¹⁹

Equatorial Guinea was 1 of 24 countries to adopt the Multilateral Cooperative Agreement to Combat Trafficking in Persons and the Joint Plan of Action against Trafficking in Persons, Especially Women and Children, in West and Central African Regions.¹²²⁰ As part of the Multilateral Cooperative Agreement, the governments agreed to use the child trafficking monitoring system developed by the USDOL-funded ILO-IPEC LUTRENA project; to assist each other in the investigation, arrest, and prosecution of trafficking offenders; and to protect, rehabilitate, and reintegrate trafficking victims.¹²²¹

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

The Government of Equatorial Guinea is currently implementing its 5-year National Plan of Action to Combat Child Trafficking.¹²²² Under this National Plan the Government has conducted activities to raise awareness, including public workshops and media campaigns about the trafficking law and trafficking issues.¹²²³ The Government also provides funding to a local NGO that trains military and police officials on trafficking in persons and security issues.¹²²⁴

¹²⁰⁰ U.S. Department of State, "Equatorial Guinea," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100479.htm>. See also European Union Fund for Development official, Interview with USDOL consultant, May 22, 2007. See also Ministry of Labor and Social Security official, "La Explotación Laboral y Sexual de la Niña"

(paper presented at the Conferencia Nacional sobre la Situación de la Mujer y la Niña en Guinea Ecuatorial, Bata, February 7-8, 2005).

¹²⁰¹ U.S. Department of State, "Equatorial Guinea (Tier 3)," in *Trafficking in Persons Report- 2007*, Washington, DC, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also Government of Equatorial Guinea, *Plan de Acción Contra el Tráfico*, 10. See also U.S. Department of State, "Country Reports- 2007: Equatorial Guinea," section 5.

¹²⁰² Government of Equatorial Guinea, *Plan de Acción Contra el Tráfico*, 10-11.

¹²⁰³ U.S. Embassy- Malabo, *reporting*, March 5, 2008, para 1a. See also U.S. Department of State, "Country Reports- 2007: Equatorial Guinea," section 5.

¹²⁰⁴ U.S. Department of State official, E-mail communication to USDOL official, July 14, 2008.

¹²⁰⁵ Government of Equatorial Guinea, *Ordenamiento General del Trabajo*, 2/1990, (January 4, 1990), article 11.

¹²⁰⁶ *Ibid.*

¹²⁰⁷ Government of Equatorial Guinea, *Sobre el Tráfico Ilícito de Migrantes y la Trata de Personas*, 1/2004, (September 14, 2004), article 4. See also Alicia Campos Serrano and Plácio Micó Abogo, *Labor and Trade Union Freedom in Equatorial Guinea*, Fundación Paz y Solidaridad Serafín Aliaga de Comisiones Obreras, Madrid, 2006, 48.

¹²⁰⁸ Government of Equatorial Guinea, *Tráfico Ilícito de Migrantes y la Trata de Personas*, article 5.

¹²⁰⁹ U.S. Department of State, "Country Reports- 2007: Equatorial Guinea," section 6d.

¹²¹⁰ For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Equatorial Guinea and UNICEF, *El Tráfico y la Explotación de los Niños Están Prohibidos*, [hard copy on file]. See also Government of Equatorial Guinea, *Plan de Acción de Lucha Contra el Tráfico y la Trata de Niños 2005-2009*, 2005, 14. See also Government of Equatorial Guinea, *Constitution of the Republic of Equatorial Guinea*, (1991), article 23; available from <http://www.ceiba-guinea-ecuatorial.org/guineeangl/indexbienv1.htm>. See also

Government of Equatorial Guinea, *Reformado el Decreto-Ley sobre Educación General en Guinea Ecuatorial*, (January 9, 1995), article 3.

¹²¹¹ Government of Equatorial Guinea, *Regulación Sobre la Circulación de Menores de Edad Durante Determinadas Horas Nocturnas, así como su Explotación para Actividades con Fines Lucrativos*, 4/2005, (June 20, 2005), article 1.

¹²¹² *Ibid.*, articles 2-3.

¹²¹³ U.S. Embassy- Malabo, *reporting*, March 5, 2008, para 2a,e.

¹²¹⁴ Government of Equatorial Guinea, *Ordenamiento General del Trabajo*, article 3.

¹²¹⁵ Government of Equatorial Guinea, *Tráfico Ilícito de Migrantes y la Trata de Personas*, article 3. See also U.S. Embassy- Malabo, *reporting*, March 5, 2008, para 2a.

¹²¹⁶ U.S. Embassy- Malabo, *reporting*, March 5, 2008, para 2g.

¹²¹⁷ *Ibid.*, para 3d.

¹²¹⁸ U.S. Embassy- Malabo, *reporting*, September 27, 2007. See also U.S. Embassy- Malabo, *reporting*, March 5, 2008, para 2a.

¹²¹⁹ U.S. Embassy- Malabo, *reporting*, March 5, 2008.

¹²²⁰ Catholic Relief Services official, E-mail communication to USDOL official, October 2, 2006. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical Progress Report, Washington, DC, September 1, 2006, 2.

¹²²¹ ECOWAS and ECCAS, *Multilateral Cooperation Agreement to Combat Trafficking in Persons, Especially Women and Children, in West and Central Africa*, Abuja, July 7, 2006, 5-7. See also ILO-IPEC, *Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)*, Technical progress Report, 10-11.

¹²²² Government of Equatorial Guinea, *Plan de Acción Contra el Tráfico*, 2.

¹²²³ U.S. Department of State, "Trafficking in Persons Report 2007: Equatorial Guinea." See also Ministry of Labor and Social Security official, "La Explotación Laboral". See also Government of Equatorial Guinea, *Plan de Acción Contra el Tráfico*, 19-40. See also U.S. Embassy- Malabo, *reporting*, March 5, 2008, para 2g.

¹²²⁴ U.S. Embassy- Malabo, *reporting*, March 5, 2008, para 4g.