Summary:
A compilation of extracts featuring child-rights issues from the reports submitted to the first Universal Periodic Review. There are extracts from the 'National Report', the 'Compilation of UN Information' and the 'Summary of Stakeholder's Information'. Also included is the 'Final Report' and 'Conclusions and Recommendations' from the Review.

Gabon – 2nd Session – 2008
Date of consideration: Monday 5th May 2008 - 10.00 a.m. - 13.00 p.m.

National Report

Gabon is a predominantly urban and very young population. 45 per cent of the population is under the age of 15, and 47.6 per cent is under 18.


In order to promote human rights, Gabon has focused on awareness-raising and education initiatives. This has involved:
- An awareness-raising campaign on child rights in primary and secondary schools across the whole of the country from 10th May – 16th June 2004.
- A campaign promoting child rights in Franceville and Port-Gentil, from 22nd May – 2nd June 2006.

Gabon believes children are the future and so the government has been especially concerned about the physical and mental health of children. With this in mind, the government has worked with the World Health Authority and UNICEF to launch a massive awareness-raising campaign about health, infant mortality and maternal mortality. From this campaign came the Integrated Initiative on Child Mortality (PCIME) in 2004.

Gabon has been active in its work to combat the trafficking and exploitation of children. There is a committee who provide information and awareness-raising seminars on this subject, in the hope of stemming the tide of the problem in the country, which has already reached worrying levels. It is worth nothing that the traffickers are not Gabonese, but from neighbouring countries.

In order to avoid mother-to-child transmission of Sexually Transmitted Diseases and HIV/AIDS, numerous initiatives have been undertaken on the ground, including the promotion of voluntary testing, awareness-raising, information and education campaigns amongst the most vulnerable groups and those living with HIV/AIDS.

In terms of minorities, the government have been promoting the registration of new births among minority groups. 100 per cent of minority groups in 29 villages were informed of and made aware of the need to register their children at birth.

In terms of health, 60 per cent of health workers in Libreville and Owendo received training in maternal health and breastfeeding; infant nutrition; infant inoculation; the use of iodised salt in cooking; and hygienic measures to prevent diarrhoea. This has allowed each community to control childhood illnesses and has provided data on what the most common illnesses are.

In terms of child trafficking and exploitation, the primary concern has been the training of those involved in the government’s plan of action to combat this. This includes security forces, work inspectors, NGOs, judges, social workers, members of the committee for the detection of exploitation, municipal councillors, professional organisations, local leaders, foreign communities, religious communities and young people.

The committee organised several seminars for training, awareness-raising and capacity-building, including:
- A seminar in October 2003 for the security forces, work inspectors and judges on the fight against the trafficking and exploitation of children, which was supported by UNICEF.
Gabon is committed to the protection of the rights of the child. The government has been especially concerned with vaccination programmes to prevent childhood illnesses. They have started the Extended Vaccination Programme (PEV) in collaboration with UNICEF to protect children under five from tuberculosis, diphtheria, tetanus, whooping cough, polio and measles.

Education is available to all children without exception. In accordance with law no. 25/59 of 22 June 1959, school is compulsory for all children aged from 6 to 16. Law no. 16/66 of 9th June 1966 reinforces this, saying education is free and compulsory from 6 to 16.

The fight against trafficking in children reached a peak on 9th February 1994, after the World Summit for Children, which had the theme of “a world fit for children”. It was at this point that the Gabonese government decided to get involved in the protection of children, to ensure a worthy and prosperous future for the country, and ratified the Convention on the Rights of the Child. Although children are protected and their exploitation is outlawed, the offence of child trafficking has not been integrated into domestic legislation and instruments. It is therefore urgent to implement these measures. With the Technical Workshop on the Trafficking of Children in Western and Central Africa, which took place in Cotonou in 1998, Gabon started its fight against child trafficking.

This was followed in 2000 by an inter-regional conference, organised by the government in partnership with UNICEF, on “Developing strategies to fight the trafficking of children for exploitation in Western and Central Africa.” An inter-ministerial commission was also set up to examine the communal platform of action on this issue. The aim of the Commission was to push for co-ordination in policy and action for prevention initiatives in the fight against child trafficking. In June 200, the Commission out forward a framework of eight priorities for action. These included:
- Effective judicial remedies, with the creation of a committee within the Ministry of Justice to examine the changes in the law that would be necessary to expressly outlaw the trafficking in children.
- The creation of a focal point within each ministry concerned with this issue.

A Committee was set up in August 2000 for the implementation of a common platform of action against child trafficking. There is also a structure to assist victims of trafficking and exploitation to return to their families. There are also committees designed to get the victims of trafficking out of their exploitative situation. This involves the removal of the child from the situation; housing and offering psychosocial support to the child; and either returning the child to the country of origin or integrating them into Gabon.

In terms of the rights of minorities, with the assistance of UNICEF, the government has set up a development plan for the integration of the minority communities. The main areas of focus are:
- The introduction of birth certificates amongst minority groups.
- The vaccination of children.
- The introduction of services including education, health, literacy etc.

The results of this plan have been:
- 90 per cent of births in minority community villages are registered.
- 80 per cent of minority children under the age of five have been vaccinated.

The introduction of birth certificates took place in four stages:
- awareness-raising among minority groups about the reasons to register their children.
- the registration of births.
- The establishment of local judicial measures to allow birth certificates in these communities.
- The introduction of birth certificates.

For the victims of child trafficking, there remains insufficient help; a lack of long-term support, in terms of cost; insufficient trained personnel to deal with them; and great difficulties integrating them into Gabonese society and life, due to the pressure from the traffickers.

There are insufficient structures within schools for children with disabilities, resulting in illiteracy for many.

There is a low rate of school attendance among the minority communities.

The government plans to meet various aims in the future, including:
- a plan for the integration of minority children and children with disabilities into the school system, with the support of UNESCO and Education Populaire.
- supporting a national school for deaf children.

Compilation of UN Information

Gabon was encouraged by CRC in 2002 to sign up to CRC-OPSC, which it did in 2007. CRC also recommended ratifying the Palermo Protocol. CRC welcomed the ratification of ILO Convention No. 182 concerning the Elimination of the Worst Forms of Child Labour.

CRC welcomed the adoption of the Ordinance on Health Policy (1995); the Act on social welfare for disabled children (1996); the Act on general organisation of education (1996); the Act on general measures for health and social welfare (2000); the Act enacted in 2001, which establishes the offence of trafficking of children. CRC remained concerned at the weak implementation of legislation and
encouraged the State to take all necessary measures to ensure that its domestic legislation, including customary law, conforms fully to the principles and provisions of the Convention. UNICEF informed that in 2004 the National Assembly ratified an anti-trafficking law that protects children under 18 against all forms of trafficking and provides for prison sentences of five to 15 years and fines. It also noted that forced labour, slavery, abduction, and pimping are outlawed by the Penal Code.

CRC expressed concern at the lack of clarity between the role of the NCHR and the National Committee for Children, a body under the authority of the Minister of Justice, which is, inter alia, in charge of monitoring the implementation of the CRC Convention. CRC also welcomed the adoption of the Children’s Parliament.

CRC welcomed the 20/20 initiative for budgeting and the national Plan of Action against Poverty. The 20/20 initiative calls for the allocation of, on average, 20 per cent of the budget of developing countries, and 20 per cent of official development assistance to basic social services (health, sanitation, education, nutrition, water).


UNICEF informed that in 2007 the Government launched a campaign for the survival of the child throughout the country, and referred to the national policy and standards on the mother to child transmission of HIV adopted in 2006, and that a new national strategy in Gabon is to be finalised in early 2008.

The HR Committee, CRC and CEDAW were concerned that polygamy was still practiced in Gabon. The HR Committee referred to its general comment no. 28, which states that polygamy is incompatible with equality of treatment with regard to the right to marry and recommended that polygamy be abolished and article 252 of the Civil Code repealed. CRC recommended the State to undertake an in-depth study on the impact of polygamy on the upbringing of the child.

CEDAW expressed concern at forced and early marriages, while CRC was concerned at the difference between the minimum legal ages for marriage of boys (18 years) and girls (15 years), which is gender discriminatory and allows for the practice of early marriages. CRC recommended that the State set the same minimum age for marriage by increasing the minimum age for girls, and develop sensitisation programs to curb the practice of early marriage.

CRC recommended the State to take all necessary measures to immediately put an end to torture or violence against children by law enforcement personnel, and to prevent the recurrence of these acts through, inter alia, the establishment of an independent mechanism to investigate reports of torture to bring to justice the persons responsible, and the systematic training of the police forces, prison staff and the judiciary on the rights of children.

CRC was also concerned about the increasing number of child victims of commercial sexual exploitation, including prostitution and pornography, and recommended the State to implement appropriate policies and programs to prevent this practice and for the rehabilitation and recovery of child victims.

In 2002, CRC was deeply concerned at the high incidence of child abuse within family and recommended the State, inter alia, to: 1) take necessary steps to introduce the legal prohibition of the use of corporal punishment in schools, other institutions and at home; 2) properly investigate cases of violence and apply sanctions to perpetrators; 3) provide services for the physical and psychological recovery and social reintegration of the victims of rape, abuse, violence or exploitation; 4) take measures to prevent the criminalisation and stigmatisation of victims.

CRC expressed concern at the increasing number of children who live and work on the streets, at the lack of specific mechanisms and measures to address this situation. In addition to providing those children with adequate assistance, CRC recommended that the State establish a comprehensive strategy with the aim of preventing and reducing this phenomenon.

CRC was concerned by the fact that child labour is still widespread and recommended that the State: 1) adopt and implement the national plan of action to prevent and combat it; 2) provide adequate resources and training to the labour inspectorate and other law enforcement agencies in order to effectively monitor the implementation of child labour legislation. Another CRC concern was the large number of trafficked children, particularly children coming from abroad, who are still exploited, mostly in the informal labour market, or enslaved. The Committee encouraged the State to pursue its efforts to, inter alia, set up a comprehensive program to prevent and combat this phenomenon.

In 2002, CRC was concerned at the absence of juvenile courts and juvenile judges, and the limited number of social workers working in this field. In addition, CRC was deeply concerned at the failure to separate children from adults in jails, with the exception of the central jail in the capital, and other shortcomings affecting the administration of juvenile justice. CRC recommended that the State reform the legislation concerning minors, in line with the CRC Convention, and other relevant United Nations standards.

While noting the establishment of a National Health Plan of Action, CRC remained concerned at the high infant and under-5 mortality rates and low life expectancy. CRC was also concerned that the survival of children continue to be threatened by early childhood diseases and the regular outbreaks of epidemics of diseases such as the Ebola virus, and at the situation of children with physical and mental disabilities and recommended the State to develop policies and programs and allocate resources to strengthen services for these children. CRC recommended that the State reinforce its efforts to allocate appropriate resources and develop programs to improve the health situation of children, particularly in rural areas, and pursue additional avenues for cooperation and assistance with, among others, WHO and UNICEF.

CRC was concerned at the insufficient attention given to adolescent health issues, and at a high per centage of teenage pregnancy and its
consequences. The State should formulate adolescent health policies and programs with particular attention to the prevention of early pregnancies, and strengthen mental health and counselling services.

CRC noted the existence of the National Anti-AIDS Programme and the efforts of the State in that respect (e.g. agreement with pharmaceutical companies to secure access to low-priced AIDS drugs). CRC and CEDAW91 remained extremely concerned at the high incidence and increasing prevalence of HIV/AIDS amongst adults and children and the resulting number of children orphaned by HIV/AIDS. In this regard, CRC was concerned at the lack of alternative care for these children and recommended the State, inter alia, to prevent and urgently consider ways of minimizing the impact upon children of the HIV/AIDS-related deaths.

UNICEF pointed to evidence of structural poverty, and noted the estimation that a little less than 40 per cent of the population live under the threshold of poverty. In its 2003 report on progress towards the Millennium Development Goals, the Government noted progress while also indicating that the authorities are conscious of existing inequalities and that more than 60 per cent of the population live on less than $2 per day. UNICEF informed that the lack of adequate housing and sanitation affects poor households in urban areas, while the rural poor suffer from the lack of clean and potable water. CRC was concerned at the poor situation of sanitation and insufficient access to safe drinking water and at the increasingly high number of children who do not enjoy their right to an adequate standard of living. CRC recommended that the State provide support and material assistance to economically disadvantaged families, notably in suburban and rural areas, and to guarantee the right of children to an adequate standard of living; provide financial resources to the social security system to restore free access to health services for children.

UNICEF submitted that, despite being a high priority of Government in terms of expenditures, the Gabonese education system is in general characterised by poor performance as measured in terms of high repetition rates and low examination success rates at all levels. CRC was concerned at the high illiteracy rate, which affects more women than men, the low quality of education, the low enrolment in early childhood education, the high teacher-pupil ratio, the very low per centage of children that complete primary education and the important regional disparities. CEDAW urged the State to raise awareness of the importance of education as a fundamental human right and as a basis for the empowerment of women; to ensure equal access of girls and young women to all levels of education and to increase their rates of enrolment and retention.

CRC was concerned about the poor situation of indigenous children and their limited access to social services, including health care, immunisation and education, the violation of their rights to development and to enjoy their own culture. It urged the State to assess the needs of indigenous children and to elaborate a plan of action to protect their rights. UNICEF informed of Government plans to establish new budget lines for indigenous children and families, and a solid knowledge base is being established on issues affecting health and education to reach these villages.

CRC noted, also highlighted by UNHCR, the adoption of the Act on the status of refugee and the creation of the National Commission for Refugees and welcomed the State’s policy with regard to refugee children.

CRC, in 2002, acknowledged that the external debt and the limited availability of skilled human resources have had a negative impact on the social welfare and on the situation of children. Furthermore, the coexistence of customary law and statutory law does also affect the implementation of the CRC Convention where traditional practices are not conducive to children’s rights.

UNICEF referred to the HIV/AIDS situation as a formidable challenge for Gabon, and that girls are five times more affected than boys. It considered that limited access to treatment drugs and lack of effective educational campaigns remain serious challenges.

CRC recommended that Gabon expedite the activities aiming at the establishment of an office, e.g. within the NCHR, to monitor and evaluate progress in the implementation of the Convention at the national and local level in accordance with the Paris Principles and to seek technical assistance from, among others, OHCHR and UNICEF. It also recommended that, with regard to child abuse, Gabon seek technical assistance from, among others, UNICEF and WHO; with regard to juvenile justice to seek technical assistance from, among others, OHCHR, the United Nations Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the United Nations Coordination Panel on Technical Advice and Assistance on Juvenile Justice; with regard to refugee children, to continue its cooperation with international agencies such as UNHCR and UNICEF; and with regard to the struggle against AIDS/HIV pandemics, to seek technical assistance from, among others, UNAIDS.

Summary of Stakeholders' Information

The Global Initiative to End All Corporal Punishment of Children (GIEACPC) indicated that corporal punishment is lawful in the home. The Global Initiative further noted that corporal punishment is reportedly prohibited in schools, but that it had been unable to obtain details of applicable legislation. GIEACPC stated that it has been unable to ascertain the legal status of corporal punishment in the penal system, as a sentence for crime or as a disciplinary measure in penal institutions, and in alternative care settings. Finally, IECAPC strongly recommended that Gabon introduce legislation as a matter of urgency to prohibit corporal punishment of children in all settings, including in the home.

The Society for Threatened Peoples Indigenous (STPI) said that minority children are completely ignored in matters of health and schooling.

Final Report

- Gabon ratified the Convention on the Rights of the Child in 1994 and recently launched a campaign, with the assistance of WHO and UNICEF, to raise awareness of health, child and maternal mortality. A number of projects, including one on the transmission of AIDS from mother to child, are now being carried out throughout the country. UNICEF and Gabon are cooperating for the vaccination of all
children under five against tuberculosis, poliomyelitis and tetanus and other transmissible diseases.

- With regard to the exploitation of children, Gabon has since 1994 set up a comprehensive legal framework, which includes a number of laws and decrees concerning trafficking in children, child labour and the establishment of an observatory to ensure cooperation with international organisations. Special institutions were created to assist children victims of trafficking and abuse: the Centre d’Appel des Arcades, the Centre d’Angondjé and, together with ILO, the watchdog committees which have been formed throughout the country.

- In cooperation with UNICEF, Gabon is currently implementing a development project, which includes a census of the minority population, measures aimed at children and the improvement of health services.

- In order to face the numerous financial and human constraints still affecting the human rights situation, the Government has adopted a plan of action, which primarily tries to increase human rights awareness throughout the country and among its citizens, with special regard for victims, especially children, and for law enforcement officials. Education for vulnerable groups, including human rights training, remains a priority. Gabon urges the United Nations to provide financial, institutional and material support for the implementation of this plan of action.

(ii) Interactive dialogue and responses by the State under Review

- Pakistan asked about Gabon’s strategy to involve neighbouring States in activities to deal with child trafficking and exploitation.

- Algeria recommended that the international community provide technical and financial assistance with an additional effort from the Gabonese authorities, to raise school attendance rate and develop facilities at the various levels of education, while favouring gender equality in the access to education.

- The Democratic Republic of the Congo wanted to know whether trafficking and exploitation of children was limited to within the country or if children were trafficked abroad, and in that case, which were the main countries of destination.

- The Philippines commended Gabon for its efforts to strengthen national measures to protect the rights of women and children, in particular with regard to health standards, combating the spread of HIV/AIDS and fighting human trafficking.

- Tunisia noted with interest efforts made to promote children’s rights in the area of health, through the proliferation of health services institutions, such as the national technical commission responsible for providing vaccinations in all areas of the country. Tunisia also welcomed measures related to the right to education, such as the free and obligatory schooling until the age of 16, and Gabon’s commitment to curbing child trafficking.

- China welcomed the adoption of a series of laws to protect the right to health, rights of the child and right to education and to prevent trafficking of human beings, as well as the establishment of a ministry for human rights.

- Congo asked how Gabon undertook the census of the Pygmy population given that this is a highly mobile population. It also enquired about the type of pressure put by traffickers on the national authorities. Finally, Congo requested information on the legislation regarding adoption.

- Latvia hoped that Gabon will receive the visit of the Special Rapporteur on education.

- Mexico recommended that the criminalisation of child trafficking be brought in line with international standards, and recommended the legal prohibition of the worst forms of corporal punishment of children in all places.

- The Czech Republic asked Gabon on the measures aimed at eliminating the practice of forced and early marriage. It also recommended that Gabon submit regular reports to the treaty bodies, in particular to the Committee on the Rights of the Child.

- Hungary recommended that Gabon allow the Special Rapporteur on the right to education to visit the country. Recalling the concern of the Committee on the Rights of the Child on the issue, Hungary recommended that further steps be taken to ensure that juvenile courts are set up and that children be separated from adults in detention facilities.

- On the issue of child trafficking, the Netherlands noted that the Committee on the Rights of the Child remained concerned about the weak implementation of legislation in this area. Therefore, it recommended that domestic legislation be amended to conform to the principles of Convention of the Rights of the Child.

- Malaysia noted with encouragement Gabon’s emphasis on the promotion and protection of children’s rights. It requested information on whether Gabon planned to establish a juvenile court and if so, what is the envisaged timeframe for this.

- The Russian Federation asked which agencies would participate in the study on child labour and whether civil society would be invited to participate.

- Morocco recognised the specific steps taken by Gabon to ensure the promotion and protection of the rights of children, women, disabled persons and minorities.

- The United Kingdom of Great Britain and Northern Ireland recommended that the Government accept the requested visit of the Special Rapporteur on the right to education.

- Italy noted that particular challenges may relate to children’s rights and special attention may be given to juvenile justice. Italy recommended that Gabon create a judicial system for minors and improve their situation including the separation of minors from adults in prisons.
- Nigeria noted the efforts made by the Gabonese Government to implement international instruments, including awareness-raising and training campaigns to ensure children’s health, to combat trafficking and exploitation of children as well as protecting women’s rights. Nigeria supports the steps taken by the Government to integrate the minority population into the mainstream society and recommended Gabon to redouble its efforts in this important endeavour, particularly in the area of educational development and provision of other basic amenities.

- The United States of America noted that international news media have reported a recent sharp increase in ritual killings, including of young children, with suggestions that these ritual killings may be tied to the recent local and municipal elections. The United States asked whether the Government could confirm these reports and if so, would Gabon clarify the nature of these killings, and what action is the Government taking to address this problem and bring the perpetrators to justice.

- Regarding the sexual exploitation of children, Japan requested information on the legal and administrative measures taken so far and on the course of action Gabon will take on this issue. Finally, regarding child trafficking and child labour, the Japanese delegation asked Gabon to elaborate on the current situation of the development of the comprehensive programme to address these issues as suggested by the Committee on the Rights of the Child.

- In Gabon, school is mandatory and free until the age of 16, however, the Committee on the Rights of the Child has expressed concern by the lack of access to education of Pygmy children. Sweden wished to know what measures the Gabonese government was taking to ensure the right to education to all children.

- The Republic of Korea stated that the national report was mainly focused on the rights of women and children without taking stock of other civil and political rights.

- Mauritania drew attention to several positive aspects of the national report, notably measures taken to strengthen the human rights of women and of children. The rights of the child are considered to be very important by Gabon, which is seeking to eliminate trafficking of children and to strengthen measures to ensure obligatory schooling.

- Following the discussion/dialogue, the representatives of Gabon responded. Ritual killings are a new trend in Gabon. Along with the international community, Gabon deplores them, while noting that statistics are not clearly established. As this is a new trend for which Gabon’s legislation does not provide, this scourge has been brought before Parliament and an Inter-Ministerial Commission has been set up to examine the possibility of new legislation on this issue.

- The representative of Gabon highlighted that although children are protected, that labour laws regulate their work, and that child exploitation is forbidden, trafficking and exploitation of children are recurrent issues. Gabon recalled that regional consultations and technical workshops on the work of children have taken place and there have been attempts at developing guidelines against exploitation of children in Western and Central Africa. As a result of these consultations, a number of institutions, committees and other structures have been set up. Ultimately, care of these children is carried out in three different stages: withdrawal, administrative and psycho-social care, food and housing, as well as return to the country of origin or reinsertion in Gabon.

- Regarding juvenile justice, a project for the revision of the Penal Code has been undertaken to establish special courts for minors, and the Government has decided to build a prison for minors outside of the capital, which will automatically lead to the creation of a juvenile tribunal to ensure compliance with international standards.

- Regarding the issue of Pygmies, the representative noted that the Government has drawn up a plan of action to promote the rights of Pygmies, including a census and to ensure them birth certificates. Other measures taken were vaccination and education programmes, as well as the introduction of basic social services, with the support of UNICEF and UNESCO, whose efforts are relayed by national and international NGOs. The Government representative recognised that the steps taken were limited, but also highlighted the successes, such as identifying where Pygmies live, a difficult exercise because of their nomadic lifestyle, which also complicates the setting up of sanitary and educational structures. Another representative noted that Pygmies were part and parcel of the Gabonese society. While they are a minority, they live in harmony and are fully integrated: they are free to send their children to schools, free to marry with Bantu, have access to justice, can participate in elections and be elected. As a people, however, they would like to live in their natural environment, which may create obstacles to the efforts made by the Government, because the measures taken may be considered as a violation of their rights and an attempt to make them live otherwise.

**Conclusion and Recommendations**

In the course of the discussion, the following recommendations were made to Gabon:

- To raise the school attendance rate and develop facilities at the various levels of education, while favouring gender equality and access to education, with technical and financial assistance provided by the international community (Algeria);

- To consider the request of the Special Rapporteur on the right to education favourably and allow the Special Rapporteur’s visit (Hungary, United Kingdom of Great Britain and Northern Ireland);

- To adopt as a matter of priority legislative and other measures to guarantee gender equality and strengthen efforts to eradicate customs and traditions that discriminate women, and that the minimum legal age for marriage of girls is increased to 18 years (Czech Republic);

- To bring the criminalisation of child trafficking in line with international standards (Mexico);
- To prohibit by law the worst forms of corporal punishment of children in all places (Mexico);

- To take further steps to ensure that juvenile courts are set up and that children are separated from adults in detention facilities (Hungary);

- To amend domestic legislation to conform to the principles of Convention of the Rights of the Child (The Netherlands);

- To create a judicial system for minors and improve their situation, including the separation of minors from adults in prisons (Italy);

- To redouble efforts to integrate the Pygmy population in the mainstream society, particularly in the area of educational development and provision of other basic amenities (Nigeria);