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### **Implementation of the International Covenant on Economic, Social and Cultural Rights**

#### **Initial reports submitted by States parties under articles 16 and 17 of the Covenant**

#### **Gabon\***

[26 October 2011]

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

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## I. Information relating to the articles of the Covenant

### Article 1

1. Firstly, it should be noted that a population can only be considered a “people” insofar as it presents both objective and subjective elements. Gabon, a multilingual country with about 60 language or ethnic groups, certainly meets the objective criteria, since these language or ethnic groups are clearly united by a common history, common religions and shared territories. The population groups in Gabon view themselves as one people who cherish a desire to live together based on their traditions. The Gabonese therefore constitute a people within the meaning of article 1 of the Covenant.

2. Gabon, a francophone country in Central Africa, is situated in the Gulf of Guinea and straddles the equator. It has a total surface area of 267,667 km<sup>2</sup>. It is bordered by Cameroon to the north, Equatorial Guinea to the north-west, the Republic of the Congo to the east and south and the Atlantic Ocean to the west. It has a population of approximately 1,448,000 people, with a population density of 5 inhabitants per km<sup>2</sup>.

3. Gabon has been independent since 17 August 1960; its capital is Libreville. The Gabonese Republic adopted its first Constitution on 21 February 1961. The first President of Gabon, Léon Mba, died on 28 December 1967, and was succeeded, in accordance with the provisions of the Constitution, by the Vice-President of the Republic, Omar Bongo Ondimba, who died on 8 June 2009. Again in accordance with the Constitution (art. 13), Rose Francine Rogombé, President of the Senate, became acting president and organized early presidential elections in August 2009. As a result of the voting, Ali Bongo Ondimba was elected President of Gabon. According to the Constitution (Act No. 3/91 of 26 March 1991, as amended by Act No. 01/94 of 18 March 1994, Act No. 18/95 of 29 September 1995 and Act No. 01/97 of 22 April 1997), the President of the Republic is the Head of State. He is the guarantor of territorial integrity, national independence and observance of the Constitution and international treaties. He is elected by direct universal suffrage for a seven-year term. He may be re-elected (Constitution, art. 9; Act No. 01/97 of 22 April 1997). The Constitution, as amended on 22 April 1997, established the post of Vice-President (Constitution, title II, art. 14 (a)). Article 14 (b), (c), (d) and (e) define the powers and functions of the Vice-President. The Prime Minister (Constitution, art. 15) is the Head of Government and as such directs and coordinates the Government’s action. Legislative power is vested in a two-chamber parliament: the National Assembly and the Senate. Deputies are elected for a five-year term by direct universal suffrage (Constitution, title III, art. 35). Senators are elected for a six-year term by indirect universal suffrage (Constitution, title III, art. 35). The judicial power is independent of the legislative and executive powers (Constitution, title V, art. 68).

4. Attention is drawn to the following provisions of the Constitution:

- Article 1 states that the Gabonese Republic recognizes and guarantees the inviolable and imprescriptible human rights by which the public authorities are bound;
- Article 1, paragraph 7, states that every citizen has the duty to work and the right to obtain employment, and that no one may suffer prejudice at work by reason of their origin, sex, race or opinion;
- Article 1, paragraph 8, stipulates that the State shall, to the extent possible, guarantee health protection, social security, the preservation of the natural environment, rest and leisure for all, including children, mothers, persons with disabilities, older workers and the elderly;

- Article 1, paragraph 9, ensures that all Gabonese citizens staying or residing abroad enjoy the protection and assistance of the State, under the conditions set out in domestic legislation and international agreements.

5. Gabon has a legal framework and action plans in areas relating to economic, social and cultural rights. A number of laws have been adopted and decrees, ordinances and orders issued to promote and protect these rights (to give effect to the rights set out in the Covenant), including the following:

- Act No. 35/62 of 10 December 1962 on the establishment, role, organization and functioning of the National Interfaith Council;
- Act No. 16/66 on compulsory primary education;
- Act No. 919/95 of 3 July 1995 on social welfare for children with disabilities;
- Act No. 19/95 of 13 February 1996 on the organization of social welfare for persons with disabilities;
- Act No. 24/96 of 6 June 1996 on political parties, which does not differentiate between men and women in terms of their participation in public life;
- Act No. 7/96 of 12 March 1996 on political elections free of gender discrimination;
- Act No. 1/2000 of 18 August 2000 on health and social protection measures for women, mothers and children, repealing Ordinance No. 64/69;
- Act No. 09/2004 of 21 September 2005 on combating and preventing child trafficking in Gabon;
- Act No. 19/2005 of 3 January 2006 on the establishment and structure of the National Human Rights Commission;
- Act No. 0038/2008 of 29 January 2009 on combating and preventing female genital mutilation;
- Act No. 013/2010 ratifying Ordinance No. 0006/PR/2010 of 25 February 2010, amending and supplementing certain provisions of Act No. 002/2003 of 7 May 2003, which introduced a scheme to prevent and punish illicit enrichment in Gabon;
- Act No. 014/2010 ratifying Ordinance No. 021/PR/2010 of 25 February 2010, supplementing the provisions of article 15 of Act No. 003/2003 of 7 May 2003 on the establishment, organization and functioning of the National Commission against Illicit Enrichment;
- Act No. 27/2010 ratifying Ordinance No. 17/PR/2010 of 25 February 2010 on the establishment, role, organization and functioning of the Regulatory Agency for Drinking Water and Electricity in Gabon;
- Act No. 022/2010 ratifying Ordinance No. 018/PR/2010 of 25 February 2010, amending certain provisions of the Labour Code;
- Ordinance No. 59/76 of 1 October 1976 on child protection and a 9 p.m. curfew for children under 21 years of age;
- Ordinance No. 0022/PR/2007 of 21 August 2007 introducing a mandatory health insurance and social security scheme;
- Ordinance No. 0023/PR/2007 of 21 August 2007 establishing a family allowance scheme for economically disadvantaged Gabonese citizens;
- Ordinance No. 18/PR/2010 of 25 February 2010 amending certain articles of the Labour Code;

- Decree No. 00269/PR/SEAS/UNFG/CAB of 31 May 1971 on social welfare in Gabon;
- Decree No. 0003/PR/MTEFP of 8 January 2002 on preventing child labour;
- Decree No. 000152/PR/MNASBE of 4 February 2002 defining the role, organization and functioning of the National Centre for the Integration of Persons with Disabilities;
- Decree No. 00243/PR/MASSNBE of 12 April 2002 introducing the free distribution of school textbooks;
- Decree No. 000604/PR/MSNDSBE of 22 August 2002 adjusting the level of family allowances under the social security scheme for employees;
- Decree No. 000741/MTE/MEFBP of 22 September 2005 establishing the procedures for punishing violations in the areas of labour, employment, workplace health and safety, and social security;
- Decree No. 000024/PR/MTE of 6 January 2006 establishing the conditions for checks, investigations and searches to combat trafficking in children in Gabon;
- Decree No. 000855/PR/MTE of 9 November 2006 establishing the guaranteed minimum wage at 80,000 CFA francs per month;
- Decree No. 000873/PR/MFPEPF of 17 November 2006 on the establishment, role and functioning of a National Observatory for Children's Rights;
- Decree No. 303/PR/MCAEPRDH of 31 March 2008 establishing the procedure for appointing members of the National Human Rights Commission;
- Decree No. 304/PR/MCAEPRDH of 31 March 2008 on the establishment and organization of the Directorate-General of Human Rights;
- Decree No. 0386/PR/MENIC of 7 July 2009 determining the conditions and procedure for the allocation of an incentive bonus for teachers;
- Decree No. 00031/PR/MTEEFP of 8 June 2002 on combating child trafficking;
- Decree No. 298/PR/MFPF on the establishment, role and functioning of the National Commission for the Family and the Protection of Women;
- Decree No. 0126/PR/MTEPS 2010 adjusting the transport allowance to 35,000 CFA francs;
- Decree No. 0127/PR/MTEPS/MBCOFPRE of 23 April 2010 establishing the minimum monthly income in Gabon at 150,000 CFA francs;
- Decree No. 0128/PR/MTEPS/MBCFPRE of 23 April 2010 on the introduction of a solidarity allowance for all workers whose gross salary is lower than the minimum monthly income (the allowance is the difference between the minimum monthly income and the gross salary of the worker);
- Order No. 0012/MASSBE/DGAS of 5 November 1985 establishing a school for hearing-impaired children;
- Order No. 006/MTEPS of 12 April 2010 determining the membership and organization of the workplace health and safety committee in establishments with more than 50 employees;
- Decision No. 055/MASSNCRA/SG/DAS/SASS of 5 April 1992 on the establishment of an ad hoc commission on placements for abandoned children.

6. Title 1, article 2, of the Constitution addresses the main concerns expressed in article 1 of the Covenant by explicitly proclaiming the secular, democratic and social nature of Gabon. Owing to the separation of the State and religion, Gabon recognizes all faiths, subject to respect for public order. In addition, all citizens are guaranteed equality before the law, without distinction as to origin, sex, opinion or religion.

7. In the preamble to the Constitution, the Gabonese people solemnly undertakes to fully respect the human rights and fundamental freedoms set forth in the Universal Declaration of Human Rights of 1948, and recognized by the African Charter on Human and Peoples' Rights of 1981 and the National Charter of Freedoms of 1990. At the same time, the people of Gabon have always been very attached to their strong, traditional social values, their cultural, material and spiritual heritage, and respect for the freedoms, rights and duties of citizens.

## Article 2

8. The promotion and protection of children's rights has long been a priority in Gabon and is a cross-cutting issue in its development cooperation activities. The situation of children's rights is at the centre of bilateral discussions with other African countries, especially those in West and Central Africa.

9. Combating trafficking in children rose to prominence following the special session of the General Assembly on children with the general theme of "A world fit for children". This led the Government to develop an appropriate legal framework.

10. Subregional consultations were organized between 22 and 24 February 2000, in partnership with the United Nations Children's Fund (UNICEF) and the International Labour Organization (ILO), on "Developing strategies to combat trafficking in children for the purposes of labour exploitation in West and Central Africa". In the same vein, an interministerial committee was set up to consider the common platform for action produced at the consultations and to monitor its implementation. The findings of a survey conducted in 2009 by the NGO SIFOS and funded by UNICEF on trafficking in children in the province of Estuaire, home to the administrative and political capital, revealed that 30.6 per cent of Gabonese children were victims of trafficking.

11. With a view to bringing domestic legislation into line with the principles of the Convention on the Rights of the Child, the Government adopted, in accordance with article 177 of the Labour Code, Decree No. 0031/PR/MTEFP on child labour and Act No. 09/2004 on preventing trafficking in children and combating trafficking.

12. The established procedure for providing assistance to child victims of trafficking covers removal, administrative and psychosocial support, board and lodging, and return to the country of origin or resettlement in Gabon (paragraphs 7–12 concerning civil rights).

13. It should, however, be pointed out that child traffickers in Gabon are not Gabonese, but nationals of other African countries.

14. The *Trafficking in Persons Report 2011* notes that Gabon was removed from the Tier 2 Watch List and placed in the Tier 2 category. This improvement is evidence of the effectiveness of the Government's efforts to combat trafficking.

15. The Government has become noticeably more effective in tackling this issue, particularly during the investigation carried out in Libreville and Port-Gentil into trafficking in persons. The investigation contributed to the rescue and protection of a large number of victims in the period covered. Moreover, it led to prosecution in certain cases, even though no convictions were handed down in 2010. The Government has continued to offer assistance to victims of trafficking by providing shelters for them. The Ministry of Foreign

Affairs and the interministerial committee, in cooperation with certain embassies in Libreville, have sent delegations to source countries to determine victims' needs and raise awareness. Recommendations have been put forward in this regard, particularly on strengthening the legislation on the prosecution, conviction and punishment of traffickers by allocating resources to convene the High Court of Justice; adopting provisions prohibiting trafficking in adults; further enhancing cooperation between the law enforcement agencies, the immigration services and the gendarmerie in their dealings with victims of trafficking; developing a system to identify cases of trafficking; and providing manpower as well as statistics on the protection of victims.

16. As far as prosecutions are concerned, the *Trafficking in Persons Report 2011* states that the Government has made great strides in taking tougher action against trafficking in persons, even though the existing laws do not yet prohibit all forms of trafficking in persons. Act No. 09/04 on action against trafficking in children in Gabon, promulgated in September 2004, prohibits trafficking in children for the purposes of economic and sexual exploitation, and provides for a prison term of between 5 and 15 years, accompanied by a fine of between US\$ 20,000 and US\$ 40,000. These penalties are sufficiently tough, and commensurate with the penalties in place for serious crimes such as rape.

17. Title I, article 40, of the Labour Code (Act No. 3/94) criminalizes all forms of forced labour, but the penalties prescribed, which range from 1 to 6 months' imprisonment, with or without a fine of between US\$ 700 and US\$ 1,400, are not stiff enough. The High Court of Justice is required to investigate cases of trafficking in persons, since it is a crime comparable to murder. Unfortunately, the High Court of Justice has a backlog of cases dating back to 2001 and has not met for three years, which is hindering the prosecution of crimes of trafficking in persons. It has therefore been proposed at a meeting of the Council of Ministers that these cases should be heard by a lower court while the internal discussion continues and other ways to solve the problem are studied. Notwithstanding the arrest of more than 68 persons suspected of trafficking between 2003 and 2010, and the investigation carried out by the Government in December 2010 into possible perpetrators under the law of 2004 on trafficking in children, there have been no convictions under this law. Consequently, the Government asked for assistance from the International Criminal Police Organization (INTERPOL) in a joint initiative called Operation Bana. This led to the identification and rescue of 20 child victims of trafficking and the arrest of 38 suspected traffickers. During Operation Bana, the Government also worked with UNICEF, various ministries and, particularly, the security services of the countries of origin to verify the documents and identities of the victims and the suspects. Prior to Operation Bana, the chief of the Gabonese police, in cooperation with INTERPOL, had organized three days of training for 133 persons, including the heads of the law enforcement agencies and social services, justice officials, judges and representatives of NGOs.

18. In collaboration with officials in the countries of origin, the Government organized the repatriation of 16 victims. In a case like this, the Ministry of Foreign Affairs usually brings together the ambassadors of the countries of origin of suspected victims to share information with them and invites them to visit the children and participate in their repatriation. Additionally, members of the interministerial committee travel to the countries of origin to discuss action to combat trafficking in persons and establish official bilateral partnerships for the repatriation of victims. Benin and Gabon have already introduced bilateral procedures to this end, and discussions are under way between Gabon and Mali, and Gabon and Togo.

### Article 3

19. Gabon works tirelessly to promote and observe economic, social and cultural rights. Most of the action it has taken falls under activities aimed at achieving the Millennium Development Goals. Its engagement takes the form of projects and programmes that allow the issue of human rights to be clearly taken into account in all anti-poverty policies in Gabon.

20. Article 170 of the Labour Code is explicit on the contents of article 3 of the Covenant. It states that women have the same rights and the same obligations under labour legislation, subject to the special provisions in the law.

21. On 1 July 1974, the Office of the High Commissioner for the Advancement of Women was founded, with a mandate to address issues relating specifically to women. In 1983, the Office became the State Secretariat for the Advancement of Women, tasked with introducing and implementing gender policy. In February 1999, the State Secretariat became the Ministry for the Family and the Advancement of Women (Decree No. 000013/PR/MFPF of 7 January 2002). This then became the Ministry of Health, Social Affairs, Solidarity and the Family in 2009.

22. National Women's Day is celebrated every year in Gabon.

23. Equal rights and opportunities for men and women are a major concern of the public authorities; Gabon recognizes gender equality and equity. In 2010, members of both chambers of the Gabonese parliament organized a march to promote and defend the rights of Gabonese women in cooperation with the United Nations Population Fund (UNFPA), and signed a Solemn Declaration of Commitment to the Observance and Promotion of Women's Rights. This initiative is aimed at accelerating the Government's progress in promoting women and their rights, and therefore at building an equal society.

24. The Government founded the Observatory for Women's Rights and Parity to protect the rights of women, children and families. In 2010, the Observatory organized lectures and debates at various venues as part of an awareness-raising campaign.

25. Campaigns to raise awareness of the importance of gender equality are planned for staff of the national security forces, the judiciary and the civil service, as well as the general public.

26. Substantial progress has been made in the area of gender equality, particularly with regard to women's access to health care, education and senior posts in the civil service or other decision-making bodies. Women are represented at all levels of decision-making: the Government, the National Assembly, the Senate, the Constitutional Court, the Economic and Social Council, the National Media Council, etc.

27. A network of female deputies set up in 2004 allows them to meet for consultations and exchanges, with a view to encouraging Gabonese women to play their part, alongside men, in the development of Gabon. On 12 and 13 October 2010, the network organized a capacity-building seminar for female members of parliament on two themes: discriminatory provisions in the law, particularly in the Civil Code, the Criminal Code, the Labour Code and the Nationality Code; and women and policy. The following proposals received particular attention: funding for political parties tied to the position of women; funding for women's political campaigns; strategies for gender equality in parliamentary committees; and the establishment of a parliamentary committee on gender.

28. An Office for the Coordination of Women's NGOs and Associations (CORFEM) helps ensure that the rights of women, children and families are respected.

29. A Gabonese NGO came second in the global Millennium Development Goals Award competition organized by NGOs in consultative status with the Economic and Social Council in July 2010. The prize was awarded to the Centre national d'appui aux organisations des femmes au Gabon (National Centre for Women's Organizations in Gabon), which works to support women's organizations. The NGO was praised for its training activities for women, which are aimed at empowering them. The Centre, which regroups five women's networks, has trained 1,309 people — including 1,255 women — on women's rights, the culture of peace, environmental protection, agriculture, fishing, fish-processing and many other topics, with the aim of improving Gabon's progress towards the Millennium Development Goals, particularly Goal 3 (gender equality and women's empowerment).

30. The First Lady of Gabon, Sylvia Bongo Ondimba, founded Akassi, founded the first microcredit fund in Gabon specifically for women. She also established training courses on not-for-profit associations and business management for women.

31. As part of the implementation of the Gabon-UNICEF cooperation programme (2007–2011), a study was conducted on the situation of women and children to support calls for decision makers, donors, local authorities and communities to implement social policies allocating substantial resources to women and children in order to achieve the Millennium Development Goals in 2015. Capacity-building seminars were also organized for the key stakeholders involved in promoting and protecting the rights of children and families. Examples include the seminar organized on 22 and 23 May 2010 by the United States Department of Justice in cooperation with the ministerial departments responsible for human rights, which focused on the International Criminal Investigative Training Assistance Program, and a seminar organized by INTERPOL from 6 to 8 December 2011 on training the Gabonese security services to combat organized trafficking.

32. On 16 April 2011, the First Lady founded the Sylvia Bongo Ondimba Foundation to support families and facilitate the implementation of the activities she had initiated to help women and their children.

33. The legal status of Gabonese women has evolved over the years. Although initially viewed as mothers and wives, women have come to be seen in a different light by society at large, which recognizes their importance and fundamental role as a driving force in the development of Gabon. The legal status of women has gradually improved through the adoption and ratification of international and regional instruments protecting women's rights, and through similar legal provisions. At the international level, on 22 July 1982 Gabon ratified the Convention on the Elimination of All Forms of Discrimination against Women, which entered into force for Gabon on 21 January 1983. Gabon also adopted the Solemn Declaration on Gender Equality in Africa and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. On the domestic front, the 1990 Constitution introduced the principle of the equality of all citizens without distinction based on sex, and Act No. 3/94 of 21 November 1994 established the Labour Code, which in articles 1 and 9 specifies that all workers are equal before the law and enjoy the same guarantees.

34. A 1997 study on the social and legal aspects of the status of Gabonese women identified provisions that discriminate against women. Act No. 0001/2000 set out certain general health and social protection measures for women, mothers and children. At the policy level, the Government is continually introducing reforms; for example, Act No. 7/96 of 12 March 1996 on political elections guarantees citizens of both sexes equality in the exercise of their political rights and equal access to all political bodies and institutions. With the adoption of Act No. 24/96 of 6 June 1996 on political parties, the Government encouraged women to be involved in politics and condemned discrimination against women. In the economic sphere, the Government has adopted and implemented several

policies and initiatives to fight poverty and boost female empowerment in low-income groups. The initiatives include a competition sponsored by the President to encourage women's socioeconomic activity; a programme to help women in not-for-profit organizations to access microcredit; and funding for a large number of income-generating activities at an interest rate of 4 per cent a year for amounts of between 500,000 and 5,000,000 CFA francs. Finally, in the social sphere, the Government, together with civil society and development partners, has taken practical steps to help men and women understand the need to combat certain attitudes and cultural practices that hinder the social advancement of Gabonese women. The process of institutionalizing a gender-based approach involved organizing a number of training seminars for members of civil society, public officials, human resource managers, etc. In addition to this initiative, and in cooperation with the United Nations Development Programme (UNDP), the Observatory for Women's Rights and Parity and the Office for the Coordination of Women's NGOs and Associations were founded, as referred to above (political rights).

35. One of the areas for action that remain a focus of Government attention is the protection of widows and orphans. Since these two categories cannot be separated, we will look at the measures for each group together. As the problems faced by widows and orphans are taken seriously in Gabon, the right of succession is regulated by Part Two of the Civil Code, which draws on Part One, regulating marriage and its effects – for example in article 696, which states that brothers and sisters of the deceased inherit only if the deceased leaves behind no children.

36. The Association des veuves et orphelins du Gabon (Association of Widows and Orphans of Gabon), founded in 2001, carries out activities to promote the rights of widows and orphans. In July 2010, at a workshop in Libreville, experts approved draft legislation on the rights of widows and orphans; this concerned chiefly amendments to Act No. 19/89 of 30 December 1989, adopting Part Two of the Civil Code, and Act No. 6/75 of 25 November 1975 on the Social Security Code.

37. Legislation was brought before the Government for amendment, including Part Two of the Civil Code and the Social Security Code, article 79 of which discriminates against women who receive a deceased spouse's private-sector pension. As for Part Two of the Civil Code, the Council of Ministers, at its meeting on 1 June 2011, adopted the bill amending and repealing certain provisions of Act No. 19/89 of 30 December 1989. Pursuant to the provisions of article 47 of the Constitution, the new text, amending articles 647, 651, 683, 691, 692, 696, 698–706, 710, 747 and 906 of the Act, eliminates the phenomenon of dispossession of widows and orphans by, on the one hand, reinforcing provisions for their protection and, on the other, enhancing the powers and rights of the surviving spouse and orphans vis-à-vis family heirs, and reorganizing the Family Council into the "Inheritance Council".

38. On 16 February 2011, in accordance with article 47 of the Constitution, the Council of Ministers adopted a bill amending and abrogating certain provisions on the rights of widows and orphans of Act No. 6/75 of 25 November 1975 on the Social Security Code. The new article 79, paragraph 2, of the bill stipulates that only a widow or a widower can be considered a survivor, provided that the marriage was contracted before a registrar. Regarding survivors' pensions, the draft decree stipulates in the new article 81, paragraph 1 (a), that 60 per cent of the pension shall, in the event of death, be transferred to the widow or widower, provided that the marriage was contracted before a registrar. Where there is more than one widow, the sum is divided among them equally; the decision on distribution is final, even if one of the widows remarries or dies.

39. Between 15 and 22 April 2011, a visual arts exhibition in Libreville illustrated the situation of widows and orphans, who are often the victims of ill-treatment following the death of their husband or father.

40. In March 2011, the Association gabonaise des épouses des personnels des forces de défense (the Gabonese Association of Military Spouses) organized a talk for widows of military personnel to raise awareness of the First Lady's activities in support of military widows. It should also be noted that the United Nations celebrates International Widows' Day and has welcomed the national roll-out of the Akassi microcredit scheme.

41. The introduction of an advice centre for widows was announced in March 2011, in a press release from the Office of the First Lady. The centre will welcome, counsel, guide and assist widows. The other associations working to help widows and orphans in Gabon are mainly the Association des veuves et orphelins du Gabon, the Groupement pilote des veuves de Libreville (Libreville Widows' Pilot Group), the Association pour la défense des droits de la femme et de l'enfant (Women's and Children's Rights Association), the Association Etoile brillante du matin pour la veuve (Bright Morning Star Association for Widows), the Association pour la préservation des droits des successibles (Association for Succession Rights) and SOS femmes et enfants en détresse et enfants orphelins démunis, abandonnés (SOS Women and Children in Distress and Destitute and Abandoned Orphans).

42. On 25 June 2011, the First Lady expressed her satisfaction at the introduction of a legal mechanism to protect widows. In fact, several legislative proposals that would prohibit the expulsion of a surviving spouse from the family home have been introduced. Other proposals have been adopted by the Council of Ministers and are being considered by parliament. The following reforms are under consideration: abolition of the Family Council; criminalization of assaults against widows, by establishing the offence of dispossession and illegal appropriation of inheritance; amendments to the procedure for dividing up the lump-sum death benefit; the abolition of the rules on the order of devolution of property to family members; the establishment of a governmental body to take the place of the Family Council; and, finally, the establishment of a Family Code.

43. For its twentieth anniversary, the Association pour la défense des droits de la femme et de l'enfant organized a meeting on 9 April 2011, at which its president presented a report on the changes in the status of women and children between 1990 and 2011. According to her, the ongoing struggle for gender equality and the emancipation of Gabonese women, not to mention childcare, had real support from the public authorities, from President Bongo Ondimba downwards.

44. Today, Gabonese women are present in all spheres of decision-making, both within the machinery of State (Government, parliament, senior administration, the security and defence forces), and in local assemblies, civil society, business and production units. Nonetheless, much remains to be done. Gabonese women and children still find themselves facing certain problems, including the underrepresentation of women in some centres of political and economic decision-making, underachievement at school, infant mortality, poverty and the lack of easy access to credit.

45. According to the Minister for the Family, the Government intends to revise all laws that discriminate against women and to further publicize the various conventions ratified by Gabon in the sphere of women's and children's rights, including the Convention on the Political Rights of Women, which Gabon ratified in 1996.

46. The gender gap has decreased over the years. Women now represent only 50 per cent of the population, and men are now in the majority in cities as a result of the rural exodus of adult men.

47. One result of the Gabonese Government's sympathetic consideration of the social situation of women was a notable diplomatic success in 2011 when it persuaded the United Nations General Assembly to endorse the idea of an international day for widows and orphans, to encourage international recognition of the inheritance rights so frequently denied them around the world. This day is marked annually on 23 June.

48. On 25 June 2011, a symposium was held in Libreville to review the conclusions of an information and public awareness seminar on the issue of widows in Gabon, with a view to the establishment of a national agency for surviving spouses, with provincial and departmental branches; the organization of public awareness campaigns on the rights of widows; and the dissemination of the international legal instruments ratified by Gabon.

49. The Mbandja Centre was officially opened on 25 June 2011. The Centre offers information technology services, a library and a meeting space. It is a place for solidarity and sharing, where widows can at any time seek comfort and specialized information and advice on administrative formalities for widows. The Centre has a counselling service for widows and offers psychological, social and legal assistance. Furthermore, not-for-profit organizations can access the technical and logistical tools they need to boost their skills (after appropriate training) and become real actors in development. In the opinion of many observers, local not-for-profit organizations typically have a number of failings, such as a shortage of properly equipped staff, opaque financial management and a lack of equipment.

50. The aims of the Sylvia Bongo Ondimba Foundation are to inform, to educate and to change women's behaviour; to improve the quality of care provided to women in health-care facilities; and to enhance community-based assistance. On 20 July 2011, it announced the launch of a free helpline number, 1455, for widows in Gabon who are ill-treated by the family of their deceased spouse. This first, free helpline was introduced for women suffering because of their widowhood. Since 25 June 2011, it has been possible to reach the number from all landlines and mobile telephones, Monday to Friday from 8 a.m. to 4 p.m.

51. The helpline also serves to inform widows about the procedures to be followed and the formalities to be completed, while directing them towards public and private bodies that can offer them assistance.

52. A capacity-building seminar was organized by the national network of female deputies in Libreville on 12 and 13 October 2010, with a view to ending discrimination against women in the political arena. Several issues were raised, including women and politics, legal provisions that discriminate against women, and methods of drafting legislation. The following recommendations were made: start by tackling discrimination in people's minds, so as to bring about a change in the roles of men and women in Gabonese society and achieve true gender equality; provide public funding for women's political parties; raise awareness among party leaders; implement strategies to promote gender equality in parliamentary committees; and establish a parliamentary committee on gender equality.

53. The issue of gender equality has received particular attention from the Gabonese Government, which in 2010 adopted the National Strategy Paper on Gender Equality. The paper targets the achievement of the Millennium Development Goals in the context of an emerging Gabon, as advocated by President Bongo Ondimba.

54. In Libreville in January 2011, the Ministry for the Family, in partnership with UNFPA, organized a capacity-building workshop for gender focal points from the public and private sectors, civil society and the network of female parliamentarians.

55. Participants were introduced to the importance of gender-sensitive budgeting, definitions of the concepts involved in gender-sensitive budget analysis, and guidelines and information on how to implement them. After this, the trainer discussed the introduction of gender-sensitive budgeting in the legislative arsenal of Gabon.

56. In April and May 2011, at the initiative of the Ministry for the Family, the Mouvement gabonais pour le bien-être familial (Gabonese Family Welfare Movement) introduced some young mothers in Port-Gentil, the economic capital of Gabon, to family planning and the methods available for spacing or limiting births.

57. Approximately 15 young mothers who received training in dressmaking between 5 March and 10 October 2009 were awarded their certificates in May 2011 at a ceremony in Ntoun organized by the Government and UNFPA. The best also received sewing machines, irons, fabric and other sewing accessories. This Government initiative represents a real contribution to the war on poverty.

58. In view of the underrepresentation of women among the directors of the top 20 Gabonese companies, Gabon has undertaken to enhance women's skills and restructure organizations run by women. As a result, on 25 January 2010, training on microcredit was given to approximately 100 women leaders of not-for-profit organizations and community groups.

59. In the cultural sphere, women are today found among writers and artists and in high-level sport. The Government also regularly organizes literacy meetings.

60. The most recent meetings took place on 25 February 2010 and were held in the Gabonese towns of Gamba and Omboué. A national forum to campaign against illiteracy has been set up, with the aim of cutting in half the 28 per cent illiteracy rate in Gabon by 2015.

61. During her visit to London between 21 and 23 March 2011, the First Lady, Ms. Bongo Ondimba, signed new partnership agreements with agencies addressing the problems of women and widows. She also concluded an agreement with Cherie Blair — wife of Mr. Tony Blair — and with the Loomba Foundation and its founder, Lord Loomba. A memorandum of understanding was signed with the Loomba Foundation to develop a new joint initiative called "Widows' Voice".

#### **Article 4**

62. Gabon has taken note of the fact that modern international human rights law ensures protection for individuals regardless of their status as nationals or foreigners, and it is committed to respecting that provision. Gabon is committed to taking measures to achieve the objectives related to the rights set out in articles 4 and 5 of the Covenant. Whether the approach taken in sources of human rights law such as the Covenant is objectivist, sociological and participatory, or proactive, Gabon strives to implement these articles while also taking supplementary action in some areas not covered by the Covenant.

#### **Article 6**

63. Title I, article 7, of the Constitution confirms that every citizen has the duty to work and the right to obtain employment. No one may be discriminated against in the workplace on the basis of their origin, sex, race or opinion. The Labour Code, which is based on Act No. 3/94 of 21 November 1994, as amended by Act No. 12/2000 of 12 October 2000 and Act No. 021/2010 of 27 July 2010, defines a worker as any individual, regardless of their sex or nationality, who is engaged in a professional activity, subject to remuneration, under the management and authority of a person or entity, either public or private, known as the employer.

64. Given that employment provides protection against poverty, the Government has consistently pursued an active employment policy, giving top priority to the fight against unemployment.

65. Article 2 of the Labour Code is consistent with article 6, paragraph 1, of the Covenant, in that it stipulates that all persons, including persons with disabilities, have the right to work. It is a national duty to pursue an occupational activity. The second part of

article 2 of the Labour Code takes into account article 6, paragraph 2, of the Covenant by recognizing that it is an obligation of the State and employers to provide vocational training. Lastly, article 3 of the Labour Code calls for respect for the freedoms and dignity of workers so that they can enjoy decent living conditions.

66. During the meeting of the Council of Ministers held in the city of Lambaréné, President Ali Bongo Ondimba instructed the Government to reform labour law. This requires the Government to demonstrate its ability to establish mechanisms that will produce the skills needed to produce results. The Government has been urged to put an end to discrimination in the workplace, which is defined as treating members of a group differently on the basis of external criteria not related to job performance. It has indeed been found that, to date, individuals have for the most part been hired on the basis of their ethnic origin or social standing rather than their skills. In order to achieve a satisfactory outcome, President Ondimba has asked the Government to systematically focus on performance, because when managers repeatedly receive privileges their excellence is measured not by how they have performed but by how many symbols of recognition they have received.

67. The labour legislation and regulatory system in Gabon is based on international and national norms. Gabon has ratified 38 conventions, including 8 fundamental ILO conventions, which constitute one of the primary sources of Gabonese labour law. These conventions include the following:

- ILO Forced Labour Convention, 1930 (No. 29);
- ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87);
- ILO Right to Organise and Collective Bargaining Convention, 1949 (No. 98);
- ILO Equal Remuneration Convention, 1951 (No. 100);
- ILO Abolition of Forced Labour Convention, 1957 (No. 105);
- ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111);
- ILO Worst Forms of Child Labour Convention, 1999 (No. 182);
- ILO Minimum Age Convention, 1973 (No. 138).

68. National norms include all the provisions of the Labour Code. Since 1952 the Code has undergone changes stemming from the pressing need to adapt to the changing socioeconomic situation in Gabon. Such changes were made in 1952, 1962 and 1978. Currently, in 2011, in order to adapt to the political, economic and social realities of the society envisaged by President Ali Bongo Ondimba, and in view of the need to adapt the country's labour legislation to social developments in Central Africa, and within the context of the ongoing negotiations on an Organization for the Harmonization of Business Law in Africa (OHADA) Labour Code, the Gabonese Labour Code has once again undergone a number of changes, notably with regard to contracts, the legal age for fixed-term work, daily contracts, the suspension of contracts, retirement age, child labour and professional associations.

69. At a meeting of the Council of Ministers on 30 March 2011, President Ondimba instructed the Government to carry out broad consultations with employers and trade unions, sector by sector, in order to draft a text aimed at boosting youth employment and stemming the rise in unemployment while at the same time setting out conditions for accepting skilled foreign workers who could contribute to the country's development. In order to better manage the country's raw materials, and the flow of oil in particular, and in the context of training and employment, President Ondimba has also issued guidelines to

the Government on a review of the legislation on the terms and conditions of employment for expatriates. More specifically, lawmakers should not only take into account the skills and multiple qualifications needed in various sectors, but should also consider ways and means of giving preference to a Gabonese citizen with the same skills and qualifications as a foreign worker in the same sector. The purpose of the new legislation on employment for expatriates is to achieve a better balance between quality of employees and employment for Gabonese citizens. President Ondimba has called for a complete review of labour legislation, particularly regarding the hiring of foreign workers. Having Gabonese citizens in strategic positions would boost the transfer of skills in the medium term as well as managerial autonomy in whole sectors of the Gabonese economy. In actuality, problems, and even injustices in certain sectors, have been noted here and there. Frequent complaints have been made about wage disparities in certain sectors, and legislation has done little to provide equal wages for Gabonese citizens with the same qualifications as expatriates. The aim is to standardize as far as possible, and in a sustainable way, the policy on hiring expatriates, whether or not they are qualified to perform jobs that Gabonese cannot yet perform, and to put an end to this type of unspoken segregation.

70. Some multinationals and local businesses under foreign ownership are tempted to hire foreigners on the pretext that Gabon does not have sufficiently qualified technicians in certain fields. However, Gabonese labour should not be seen as a cheaper option. A policy must be implemented to ensure a perfect balance between training and employment. This decision is designed to ensure that the Government thoroughly revises the 1972 law regulating the presence of expatriates in Gabon through quotas for employment contracts. The provisions regulating the employment of foreign workers, including Act No. 5/86 of 18 June 1986 setting out the rules on admission to and residence in Gabon for foreigners, as well as Decree No. 277/PR/MT of 31 May 1968 and Decree No. 663/PR/MTPS of 5 July 1972, regulating the employment of foreign workers in Gabon, stipulate, *inter alia*, that the hiring of foreign workers is subject to their obtaining an individual employment permit, an entry permit and a residence permit. Any foreign worker hired in violation of these provisions must be either sent home or otherwise punished in accordance with the law.

71. In February 2010, a draft ordinance was adopted on the urgent need to standardize the retirement age in the public and private sectors and to take into account the specific characteristics of some jobs and occupations that would justify early retirement.

72. At a meeting of the Council of Ministers on 14 April 2011, the Ministry of Labour proposed a project to support the implementation of the national employment policy. The project, which will be funded by the African Development Bank, involves establishing a support fund within the National Employment Office and developing a labour market information system.

73. Every year the Government organizes a series of lectures on recruitment planning and programming in the public sector. In 2011 these lectures were held from 4 to 25 April. Over the past few years it has been noted that hiring practice in the public sector does not always meet the requirements of good governance. Staff have often been hired *en masse* without any prior planning or any expression of real need by the administration. This has resulted in an uncontrolled expansion of the public-sector workforce, which has doubled in 10 years without improving the quality of public service. The lectures on recruitment planning and programming are part of a Government policy to eventually establish a modern, strategic and forward-looking system for managing jobs and skills. This is why it has become essential to establish a hiring mechanism that is adapted to the real needs of the administration and that will provide the State with a qualified workforce, in accordance with the Government's proactive policy to stabilize the public finances and to master and implement sound staff management techniques.

74. Employment and its flip side, unemployment (which affects nearly 25 per cent of the economically active population of Gabon), are of course a concern for the Government and its development partners. Experts from the private and public sectors therefore met on 17 June 2011 in Libreville to examine the obstacles to job creation in the country. Their discussions will help the Government to pursue a comprehensive strategy to combat unemployment. Over the past five years, growth in employment has been limited, particularly because of the global economic slowdown that began in 2008.

75. Figures from the National Employment Office indicate that, not only is the number of job-seekers constantly increasing, but also that young people between 16 and 19 years of age seeking their first job make up a relatively large percentage of job-seekers – about 55 per cent in Libreville (the administrative and political capital) and in Port-Gentil (the economic capital).

76. The public sector provided 51,488 jobs in 2007, 55,520 jobs in 2008 and 57,922 jobs in 2009. Temporary workers filled 8,657 jobs in the public sector in 2007, 9,130 jobs in 2008 and 9,643 jobs in 2009. The number of jobs provided by local authorities remained steady at 3,890 in 2007, 2008 and 2009. The total number of jobs in the public sector increased from 64,035 jobs in 2007 to 68,540 jobs in 2008 and 70,935 jobs in 2009.

77. The private sector in Gabon — notably in the sectors of agriculture, oil, mining, timber, food-processing, water and electricity, refining, construction and public works, transport and telecommunications, services, trade, and banking and insurance — provided 50,893 jobs in 2007, 48,068 jobs in 2008 and 47,482 jobs in 2009.

78. In view of the fact that almost 60 per cent of the unemployed are young people, a technical document on employment for youth has been drafted — as recommended by President Ondimba — by a tripartite commission representing the Ministry of Labour, the National Employment Office and young job-seekers. This document was approved at a workshop held in Libreville in May 2011.

79. Securing employment for young people is a major concern for vocational training and development centres. The Government, with the help of the European Union, has launched a project called “Support for vocational training” that combines theory and practice (representing, respectively, 20 per cent and 80 per cent of the training). In February 2011, the 600 young people from all over the country who had received training entered the labour market. Training is offered mainly in the fields of woodworking, construction and public works, with a view to finding real employment for young school dropouts. Under the project, agreements are proposed to local businesses offering internships for apprentices. Under such agreements, the apprentices work for six months for the company where they receive training. Their salaries are paid through the project funds during this period. The project offers instruction in tandem with work placement in a company; the main goal is to enable trainees to gradually and methodically acquire skills, expertise and a professional approach.

80. Since 4 October 2010, throughout the country more than 600 young school leavers aged between 16 and 25 have taken short-term courses leading to a qualification in the fields of woodworking, construction and public works. This is a new approach initiated by the highest authorities in an effort to find an effective solution to the problem of securing employment for young people and thereby combating unemployment. In the identification phase of the project, it was established that the target group consists of young people aged between 16 and 25 who have dropped out of school between grade 5 and grade 10 without obtaining any diploma or qualification. This target group encompasses 12,000 individuals. The goal during the pilot phase of the project is to train and find employment for 1,200 young people identified during the national census.

81. At a meeting of the Council of Ministers on 17 March 2011, the Government adopted a draft decree establishing individual exemptions to the minimum age for employment in Gabon.

82. Pursuant to article 117 of the Labour Code, the decree provides that individual exemptions may be granted to children under the age of 16 to participate in artistic performances; perform light work unlikely to be detrimental to their health, development, school attendance or participation in careers advice or vocational training programmes; and work in establishments where only members of the family are employed, under the supervision of the child's father, mother or guardian. Participation in these activities is subject to the prior written consent of the parents exercising parental authority and, in the case of light work, the advice of an occupational doctor. The child may not work more than 15 hours per week.

83. Young job-seekers have shown strong interest in a proposal submitted at the 22 December 2010 meeting of the Council of Ministers to create more jobs for nationals by training 3,000 young taxi drivers at the rate of 1,000 per year.

84. Two training seminars were held in Libreville in 2011 to improve human resources management in the civil service. The training programme, conducted in partnership with HEC Executive Education, will last for three years and is aimed at making the development and use of human resources in the civil service more predictable and efficient. For the Government, the implementation of the "Emergence" programme is a response to the need to turn the administration into a genuine driving force for development in Gabon.

85. Before establishing a three-year (2011–2013) capacity-building programme for 7,000 civil servants using several training modules with cross-cutting themes, a diagnosis of strengths and weaknesses was conducted on the basis of a sample of civil servants at different levels and positions in the Gabonese administration.

86. With a view to establishing a new policy on the management of professional training courses, the Government organized a day of discussion on the subject on 16 March 2011. The objective was to reflect on the professional training system and develop a regulatory framework that better meets current challenges. This requires completely rethinking the Gabonese professional training system so as to adapt it to current needs. Gabon needs to develop a new legal framework regulating and governing professional training courses within the civil service. This was the main recommendation that came out of the days of discussion held on 16 and 17 March 2011, which were organized by the Ministry of the Civil Service.

87. At its meeting on 12 May 2011, the Council of Ministers adopted a draft decree setting out the conditions for filing and publishing collective labour agreements. Pursuant to article 122 of the Labour Code, the decree stipulates that collective labour agreements are valid from the day after they are filed with the registry of the labour court and the competent labour inspectorate. They are published free of charge in the Official Gazette of the Gabonese Republic.

88. At its meeting on 1 June 2011, the Council of Ministers noted that the National Employment Office had launched a newspaper called *L'Emploi* ("Employment"). This quarterly publication will track the implementation of President Ondimba's employment policy.

89. With regard to work in the informal economy, at its meeting on 26 March 2011, the Council of Ministers adopted a draft decree on the establishment and organization of the Enterprise Development Centre. This draft decree stipulates that the Enterprise Development Centre is a public administrative institution that enjoys legal status and financial and administrative autonomy and is under the authority of the Ministry of Small

and Medium-sized Enterprises. The mission of the Enterprise Development Centre includes: expediting, through a one-stop-shop system, the administrative formalities required to establish an enterprise, run an enterprise, change its legal status, and extend or terminate its operation; supporting and backing promoters of projects or activities admissible under the Investors' Charter and specific codes; and monitoring the activities of enterprises. In addition, the Enterprise Development Centre raises awareness among enterprise owners. In July 2011, the Centre met with economic operators to inform them about the new arrangements for paying accreditation fees. The meeting also enabled the directorate-general of the Centre to fully perform its role of assisting small and medium-sized enterprises in the country.

## **Article 7**

90. Articles 140 to 162 of the Labour Code address in some detail the question of wages in Gabon. It should be noted that the base salary for equal work, qualifications and productivity is the same for all workers, regardless of their origin, nationality, opinion, sex or age. Men and women receive equal pay for equal work of the same nature, according to the pay rates established without discrimination on the ground of sex (Act No. 21/2010 of 27 July 2010).

91. Articles 220 to 229 of the Labour Code provide information on health and safety in the workplace. There are several special regulations on health in the workplace in the fields of mining, oil, forestry and agriculture, maritime and inland waterways transport, road and railway transport, air transport, construction and civil engineering.

92. The minimum monthly income for Gabonese workers is now set at 150,000 CFA francs. It should be noted that the State has honoured its financial commitments regarding wages and payment deadlines.

93. A seminar entitled "Systems to manage health and safety in the workplace: A tool for continuous improvement" was held in Libreville on 28 April 2011.

94. Pursuant to the ILO Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), the seminar is part of efforts to develop a consistent national policy that encourages companies to establish and promote health and safety schemes in the workplace.

95. From 3 to 17 July 2001, business owners in Woleu-Ntem province were sensitized to the concept of health and safety in the workplace. At its meeting on 26 March 2011, the Council of Ministers adopted a draft decree on the organization of occupational health services. Pursuant to article 221 of the Labour Code, the decree stipulates that the practicalities of organizing and running occupational health services must be specified. Occupational health services include all the bodies and institutions that help ensure the physical and mental well-being of employees in the workplace. They may be organized as medical services within workplaces or companies, or as inter-company medical services.

## **Article 8**

96. The Constitution guarantees the freedoms of conscience, thought, opinion, expression and communication, subject to respect for public order and the freedom and dignity of citizens. In relation to article 1, paragraph 13 (2), of the Constitution, at its meeting on 19 October 2010 the Council of Ministers proposed to reform the freedoms of association and worship, both of which retain their status as fundamental rights and must be exercised with respect for morality. The aim of this reform is to achieve, taking account of

the circumstances, an intelligent balance between the exercise of civil liberties and the preservation of public peace. In this spirit, the addition of a new paragraph to title 1, article 4, is aimed at ensuring that public services continue to be provided in cases of force majeure, natural disaster or a declaration of war against Gabon, which would require the mobilization of the whole country, thus making it impossible to organize elections.

97. More specifically on the issue of trade unions in Gabon, article 1, paragraph 13, of the Constitution guarantees the right to form associations, political parties or groups, trade unions, social institutions and religious communities. Civil society is in the process of being organized with the help of the State, in accordance with Act No. 35/62 of 1962 on associations.

98. Freedom of association has acquired constitutional rank in Gabon through its inclusion in article 13 of the Constitution. Under international labour law, trade unions are guaranteed independence from the State. Trade unions in Gabon enjoy full legal status, which allows them to manage and defend their own interests and to bring legal action to ensure compliance with labour law. They can thus initiate a group action before any court when there is a question of direct or indirect harm to the interests of their profession.

99. Laws and regulations guarantee the exercise of trade union rights. Title VI, articles 268 to 289, of the Labour Code refer to professional unions. Currently, about 133 trade unions and 14 trade union federations have been registered with the relevant authorities and are therefore lawfully established. Freedom of association and the right to strike are recognized in article 15 of the Constitution. There are several sectoral trade unions, such as the Union of Media Professionals, the Gabonese Confederation of Free Trade Unions, the National Confederation of Gabonese Employers, and the Confederation of Trade Unions in the State Education System.

100. The Government grants a substantial annual subsidy to each trade union federation. The distribution of these subsidies is set out in Order No. 0022/MTE/CAB of 23 September 2005.

101. On 19 October 2009, the Council of Ministers decided to implement the legislation on the exercise of trade union rights as prescribed in, inter alia, the General Civil Service Regulations, the General Regulations for Civil Servants, the Labour Code and related codes of ethics. As a result, persons holding a civil service position can no longer serve as members of a board of directors or executive office of a trade union. Any person serving in two incompatible positions must therefore choose between the two, in accordance with article 65 of Act No. 1/2005 of 4 February 2005.

102. With regard to the legal capacity of professional unions, article 275 of the Labour Code sets out the rights of these organizations to take part in court proceedings and to acquire real estate or personal property without authorization, either free of charge or for payment. In addition, trade unions may exercise all the rights of a civil party before any court, at least for actions that directly or indirectly harm the collective interests of the profession they represent. They may also sign contracts or agreements with any other trade union, company, enterprise or individual (Labour Code, art. 278), discuss companies' collective conventions and agreements (Labour Code, art. 279) and be consulted on all disputes and all matters in their field of expertise (Labour Code, art. 281).

103. Articles 341 to 378 of the Labour Code are clear on the issue of strikes. The right to strike is fully recognized in Gabon. However, notice must be given at least five working days before the start of the strike, specifying the reasons for, place, time and duration of the strike.

104. In addition, the Labour Code addresses at length collective labour disputes and procedures for settling them – conciliation, mediation and arbitration. All these points are covered in articles 355 to 376.

105. The State Education Trade Union organized a workshop in Libreville from 28 to 31 March 2011 for trade union leaders in the field of education, in partnership with the National Confederation of Independent Teachers' Unions of France and the Confederation of Teachers' Unions of Finland. This workshop, the theme of which was "resource management and communication", was aimed at strengthening the capacity of trade union leaders to fulfil their duties within the State Education Trade Union. The workshop focused on the management of union resources and on negotiation and communication principles and techniques.

106. It should be mentioned that more than 1,300 foreign workers in an irregular situation have been identified. In April and May 2011, the National Organization of Oil Workers, the oil sector union in Gabon, identified nearly 1,300 expatriate workers in an irregular situation working in more than 40 companies representing 30 per cent of the oil companies in Gabon.

## **Article 9**

107. The Constitution, through the State, guarantees health protection, social security, the preservation of the natural environment, rest and leisure for all.

108. The Government views social security as an essential mechanism for stabilizing and maintaining the standard of living of people affected by social risk, and for preventing and combating poverty.

109. Gabon has moved up 10 places in the UNDP *Human Development Report 2010*, earning a score of 0.648 and ranking 93rd out of 169 countries, compared with 103rd place in 2009. Gabon is ranked 4th highest among African countries. An analysis of the three main indicators shows significant improvements in the standard of living for Gabonese citizens; for example, life expectancy rose in one year from 60 to 61 years.

110. The executive branch has adopted new targeted measures designed to have a very strong social impact — particularly with regard to social security — and to improve the material situation of low-income households. These can be illustrated by two ordinances adopted in 2007, one of which sets up a mandatory health insurance and social security scheme and the other a family allowance scheme for Gabonese of limited means. The first covers the risks associated with sickness and maternity, while the second aims to relieve some of the burden of child maintenance (a grant for childbirth, and an allowance at the start of the school year, payable for all legitimate, adopted and fostered children, and for orphans).

111. The primary purpose of Gabonese labour law has been to ensure the physical safety of employees facing risks of illness or accidents on account of their work. At the same time, the State has made efforts to guarantee employees a certain level of financial security (by standardizing labour contracts and ensuring that employees' skills are updated).

112. The National Health Insurance and Social Protection Fund was launched on 19 December 2008. The Government established the Fund in order to ensure better social security coverage for the most disadvantaged, most vulnerable and other segments of Gabonese society, and for workers in both the public and the private sectors.

113. At its meeting on 6 May 2010, the Council of Ministers decided to establish a mandatory health insurance scheme giving all sectors of society access to quality health care. Consisting of three funds, the universal health insurance scheme in Gabon is already

operational for everyone who has registered with it since 2009. The process of issuing identity cards to the beneficiaries of the scheme has already begun, allowing them to exercise their social rights.

114. In cases of illness, all registered Gabonese citizens and their dependants can seek treatment from the partners of the National Health Insurance and Social Protection Fund, which include 80 hospitals and health centres and 80 pharmacies and pharmaceutical outlets throughout the country. More than 390,000 Gabonese of limited means are currently insured. Following a Government decision taken on 10 March 2010, family allowances are now paid for children up to 20 years of age if the child's parents have a low income, are insured with the Fund, and if their names appear in the Fund's register. The amount of the family allowance and back-to-school allowance has been increased from 17,000 to 30,000 CFA francs for dependent children who do not attend school and 35,000 CFA francs for those enrolled in school.

115. The attention President Ondimba has devoted to the Fund and the statements he has made demonstrate the importance he attaches to providing care for all Gabonese suffering from illness. It was announced at the 10 March 2011 meeting of the Council of Ministers that 83,000 people had been registered (primary insured and dependants), 40,000 of whom had already collected their health insurance card receipts. Since 1 March 2011, the Fund has covered the costs of 314 consultations, 125 hospitalizations and 10 scans. According to the available statistics, 390,000 persons of limited means have been identified and insured across the country, and they and their dependants have had their health-care costs covered. In addition, 83,000 civil servants have been registered and their health-care costs covered by the Fund since March 2011. The enrolment of students in the programme (as decided by the President on 28 June 2011) is in progress, and private sector employees will also be enrolled in the very near future. However, it should be noted that private sector employees are eligible only under the terms of the closure of the National Social Security Fund, which continued to carry out a number of activities that fell within the scope of the National Health Insurance and Social Protection Fund until March 2011. As indicated above, agreements on the provision of care have been signed with public and private hospitals, health centres, pharmacies and pharmaceutical outlets throughout the country. Despite some difficulties with payments, which were resolved in August 2011, benefits are generally paid on time. The insurance card entitles the holder to various benefits, including family allowances and back-to-school allowances for Gabonese citizens of limited means. In addition, pregnant women receive baby clothes, free maternity care and care for their newborns during the first months of life. State employees have the right to various health-related benefits, including consultations and health-care packages.

116. On 16 August 2011, President Ondimba instructed the Government and the National Health Insurance and Social Protection Fund, together with health institutions and health professionals, to comply with the list of reimbursable drugs; to apply the order governing the distribution of general funds among public health institutions; to ensure the prompt payment by the Treasury of all sums received on behalf of the National Health Insurance and Social Protection Fund and their systematic distribution upon receipt; to clear outstanding payments and pay all State subsidies; to decentralize the Fund's work in order to bring it closer to the people; and to ensure that private sector employees are covered, by transferring tasks of the National Social Security Fund to the National Health Insurance and Social Protection Fund.

117. At its meeting on 28 June 2011, the Council of Ministers adopted a draft decree establishing the amounts of family benefits for Gabonese families of limited means. Pursuant to article 15 of Ordinance No. 0023/PR/2007 of 21 August 2007, the decree sets the amounts of these benefits as follows:

- Family allowance: 4,000 CFA francs per child per month;

- Back-to-school allowance: 5,000 CFA francs per child per year;
- Childbirth grant: 50,000 CFA francs for each birth, paid in kind in the form of baby clothes.

118. These benefits are paid twice per school year, in October and June.

119. The steps described above are part of Gabon's efforts to comply with article 9 of the Covenant.

## Article 10

120. Under the Constitution (title I, art. 8), it is incumbent on the Government to guarantee, to the extent possible, health protection, social security, the preservation of the natural environment, rest and leisure for all, including children, mothers, persons with disabilities, older workers and the elderly. Article 14 stipulates that families are the natural basic unit of society and that marriage is the legitimate foundation for them. The institutions of marriage and family benefit from special protection on the part of the State. These are but two of the many legal provisions relating to article 10, paragraph 1, of the Covenant.

121. There are three types of marriage in Gabon: civil marriage, religious marriage and customary marriage. However, only civil marriage is actually recognized by law. A bill was proposed in 2009 to legalize customary marriage and give it the same status as civil marriage. A strong plea was made in favour of customary marriage on the occasion of the first International Widows' Day on 23 June 2011. It was shown that customary marriage is marginalized by positive law because it does not have any legal basis, although such marriages have a social legitimacy (more than 50 per cent of the population is in a customary union). The relevant authorities were called on to put an end to this legal hypocrisy. It was subsequently suggested that each customary marriage should be registered by a court official at the location where the marriage ceremony takes place. The spouses would then submit the duly signed document to a registry office to have the marriage officially recognized.

122. Regarding women's rights, at a meeting of the Council of Ministers on 28 June 2011, President Ondimba decided to set up a special commission to consider the practical aspects of legally recognizing customary and religious marriages. In support of this initiative, a national statistical study was conducted between 23 May and 14 June 2011 by the Sylvia Bongo Ondimba Foundation, and revealed that 95 per cent of widows had been in a customary marriage. In other words, there is a clear preponderance of such unions, and yet they are not in any way reflected in Part Two of the Civil Code; therefore surviving spouses cannot claim any inheritance.

123. A number of bodies provide social services to families, children, the elderly and persons with disabilities:

- The Observatory for Women's Rights and Parity defends the rights of women, families and children;
- The Office for the Coordination of Women's NGOs and Associations helps ensure that the rights of women, families and children are upheld;
- Day-care centres in every provincial administrative capital support working teenage mothers;
- The Arcades, a call centre, offers a monitoring, counselling and information service, providing assistance and care to children and overseeing the procedure for returning

child victims of trafficking and exploitation to their families. It operates a free helpline (770099) and serves as a link between children and the authorities;

- The Centre for Children in Difficult Circumstances in Angondjé was established in 1997 and officially recognized in 2001; its mandate is to take in such children. Moreover, in response to the issue of trafficking in children, part of the facility is now a transit centre;
- The *Cri de l'enfant* orphanage was established in the town of Oyem in 2009;
- Community watch groups were established with the support of the International Labour Organization through the IPEC LUTRENA project to improve care for child victims of trafficking who have been removed from an exploitative situation;
- The National School for Hearing-impaired Children was established in 1985;
- A multidisciplinary office was established by the Council of Ministers at its meeting on 4 March 2010 to coordinate care for vulnerable older people;
- The Sylvia Bongo Ondimba Foundation supports families by implementing the First Lady's initiatives for women and children;
- In February 2010, a draft ordinance was adopted on the urgent need to standardize the retirement age in the public and private sectors and to take into account the specific characteristics of certain jobs and professions that would justify early retirement;
- *Fraternité Saint Jean*, an old people's home, was renovated and refurbished by the infrastructure maintenance section of the French Forces in Gabon. This initiative contributed to improving the living conditions of older people who are often alone or without an income.

124. In April and May 2011, at the initiative of the Ministry for the Family, the Gabonese Family Welfare Movement introduced some young mothers in Port-Gentil, the economic capital of Gabon, to the notion of family planning and, in particular, to the methods available for spacing or limiting births.

125. Concerning maternity protection, articles 170 to 176 of the Labour Code set out the provisions relating to the rights of pregnant women. For example, article 171 stipulates that they have the right to suspend their work contract for 14 consecutive weeks – 6 before and 8 after the expected due date. Another point worth noting is that article 173 establishes that women on maternity leave are entitled to free medical care and 100 per cent of the salary they were earning when they stopped working. In sum, article 10, paragraph 2, of the Covenant is fully reflected in Gabonese law.

126. In addition to articles 177 and 178 of the Labour Code, which stipulate that children cannot be employed in any business before the age of 16 and that they cannot remain in a job known to be beyond their physical strength but must be placed in an appropriate job, paragraphs 15 to 22 of this report describe all the initiatives Gabon has taken in relation to article 3 of the Covenant.

127. As to the economic and social rights of asylum seekers and their families, effective provisions have been made, including Act No. 05/98 of 5 March 1998 on the status of refugees in Gabon, Decree No. 00648/PR of 19 July 2000 establishing the remit, structure and operations of the National Commission for Refugees, and Order No. 1145/PM/PAECF of 30 July 2000 establishing an identity card for refugees and regulating its issuance and renewal.

128. With a view to providing refugees, asylum seekers and their families with protection and assistance commensurate with the expectations of the international community, Gabon

ratified the 1951 Convention relating to the Status of Refugees, its 1967 Protocol and the 1969 African Refugee Convention, governing issues specific to the refugee situation in Africa, in 1964, 1977 and 1998, respectively. In order to give effect to the aforementioned international instruments in the domestic legal order, Gabon enacted specific national legislation on asylum issues, namely Act No. 05/98 of 5 March 1998 on the protection of refugees in Gabon.

129. Gabon makes considerable efforts to welcome to its territory all peoples of Africa and the world, in accordance with its international obligations and its tradition of hospitality. Unlike in some countries, refugees, asylum seekers and their families live side by side with Gabonese nationals and share the same farmland and hunting and fishing grounds, as well as the same education and health-care facilities. (The rate is currently 13 per cent for refugees and asylum seekers, including the undocumented migrants who arrive on a daily basis.)

## **Article 11**

130. Gabon, with an economic growth rate of 5.4 per cent in 2010, up from – 1.4 per cent in 2009, considers the right to constant improvements in living conditions — still referred to as the right to an adequate standard of living — as one of its fundamental priorities. Under the Constitution, the State guarantees health protection, social security, the preservation of the natural environment, rest and leisure for all. Therefore, improving the material situation of low-income households is one of the objectives of the new, high social impact measures taken by the Government in recent years. For example:

- Since 2004, free textbooks have been systematically provided to children in schools across the country, the target being a ratio of one textbook per pupil in the core subjects;
- In 2003, a support fund was set up for teenage mothers; it provides 50,000 CFA francs to every teenage mother not enrolled in school, 50,000 CFA francs per year to those enrolled in grade 9 and 100,000 CFA francs per year to those officially enrolled in high school. They also receive baby clothes to the value of 65,000 CFA francs, as well as medicines;
- Vocational training is available to teenage mothers and disadvantaged girls in junior high school and high school;
- The minimum wage has been set at 150,000 CFA francs. The Government has honoured its commitments regarding salaries and payment deadlines;
- Quality service is guaranteed to users of public transport in urban areas. The Government has purchased several buses to expand the fleet of vehicles of the Gabonese transport corporation. This measure has improved the lives of workers, pupils and students, and has undoubtedly led to better economic and academic outcomes;
- The continuous working day has been introduced: it lasts from 7.30 a.m. to 3.30 p.m., with a staggered 30-minute break;
- A motor insurance fund has been set up to act as a safety net that will pay compensation to persons injured in traffic accidents, or their beneficiaries, when the party responsible for the accident is unknown.

131. Pursuant to the memorandum of understanding signed on 27 August 2010 between the Government and trade unions, the following social measures were adopted and took effect in January 2011:

- A 5 per cent value added tax was applied to bags of cement;
- The price of a bottle of butane gas was reduced from 6,000 to 5,450 CFA francs;
- A 5 per cent value added tax was applied to the water and electricity bills of households whose water and electricity consumption is subsidized;
- A 10 per cent value added tax was applied to the water and electricity bills of households whose consumption is not subsidized;
- The special contribution per cubic meter of water was reduced by 15 per cent;
- The special contribution per kWh of electricity was reduced by 2.5 per cent;
- The meter fee included in electricity bills was reduced.

132. This recognition of the right to water and electricity reflects the Government's determination to find sustainable solutions to the lack of nationwide access to water and electricity and to improve the living conditions of the Gabonese people. The Government has instituted subsidized tariffs as well as free electricity and water for households whose electricity and water bills are below 50,000 CFA francs and 30,000 CFA francs, respectively. Furthermore, water inspection and quality regulations have been put in place in accordance with Act No. 16/93 of 26 August 1993.

133. On 14 April 2011, the Council of Ministers adopted a draft decree restructuring the National Water and Electricity Council. In accordance with article 47 of the Constitution, the draft decree redefines the legal status of the Council as a State administrative body under the technical supervision of the Ministry of Energy and Water Resources.

134. On 2 December 2010, the Council of Ministers adopted a draft decree regulating the suspension of water and electricity services in Gabon. For several years, the Gabon Energy and Water Corporation had cut off services for overdue invoices, often before the weekend or a statutory holiday, which was an affront to people's dignity. Humiliated consumers were powerless against a monopolistic corporation. To rectify the situation, the Government decided to regulate decisions to suspend water or electricity services across the country, as is done in so-called modern countries. Cutting off water or electricity for non-payment is now prohibited from Friday to Sunday inclusive, and on official holidays.

135. On 29 November 2010, the Government signed an agreement on the construction of the electricity grid in rural areas of the provinces of Estuaire and Moyen-Ogooué. The national rate of access to electricity is on average 60 per cent, although there are disparities in coverage between rural and urban areas.

136. The rate in urban areas is approximately 80 per cent, but the situation is very different in rural areas, where approximately 35 per cent of the population has access to electricity. It remains President Ondimba's ambition to guarantee 100 per cent access to electricity by 2020, with a view to providing the population with basic services such as energy for cooking, lighting and running appliances.

137. Gabon has embarked on the construction of another two hydroelectric dams, at FE2 Falls and Empress Eugenie Falls.

138. Gabon recognizes the right to food, usually referred to as the right to adequate food, as enshrined in the Universal Declaration of Human Rights of 1948 and consolidated in the International Covenant on Economic, Social and Cultural Rights of 1966. Gabon has taken measures to fulfil this right, as required by both instruments.

139. A draft decree was adopted to establish the remit and operations of the Biosafety Committee, with a view to overseeing the marketing of plant products, seeds, agricultural products and by-products, fertilizers and genetically modified organisms. The committee is

also responsible for identifying and monitoring the emergence of any unintended consequences on agricultural and natural ecosystems.

140. The Government has adopted a food security programme with a nutritional component to boost the farming, husbandry and fisheries sectors.

141. Gabon is currently setting up an operational plan for managing fisheries resources, and a training course on a joint strategy to curb illegal and unregulated fishing was introduced in May 2011.

142. Fisheries legislation will make it possible to ascertain the fish stocks in Gabonese waters and better plan the use of this resource.

143. A training seminar was held from 21 to 23 July 2011 in Libreville to prepare a statistical database on the market value of agricultural and fisheries products. The goal was to quantify the totality of Gabonese production available for consumption, and to rectify the country's lack of statistical data in this area. The information gathered by officials will make it possible to publish the price index for agricultural and fisheries products and their production costs, and enable users of the database to adjust their decisions regarding purchases, sales, storage and other transactions accordingly.

144. A workshop to collate results and analyse the current state of agricultural mechanization in Gabon was held on 28 March 2011 in Libreville. Participants drew up a list of ways to ensure the mechanization of the agricultural sector. There is patently a need to mechanize when agricultural production meets only 40 per cent of the population's food needs and food imports exceeded 138 billion CFA francs in 2008. The workshop demonstrated that food sovereignty is only possible if farmers improve productivity and rationalize the use of human labour. From the Government's perspective, the aim of mechanization is to get farming communities to settle in one place by providing them with the means to practise intensive and diversified agriculture.

145. At a meeting of the Council of Ministers on 30 March 2011, the Government decided to set up six crop and livestock farms across the country in an effort to guarantee food security and reduce Gabon's dependency on food imports.

146. This peri-urban project will lead to greater availability of products on the market, a significant reduction in food prices, the dissemination of modern livestock and farming techniques through tailored training and support, and the construction of modern villages with social centres.

147. Concerning the right to adequate housing, articles 10 and 11 of the Constitution set out the Government's relevant commitments, as follows:

- Article 10 stipulates that every person has the right to own property, either as an individual or as part of a group. No one may be deprived of their property, except where necessary on grounds of duly established public necessity and provided that they receive fair and prior compensation. However, expropriations undertaken in the public interest that target registered properties, for complete or partial failure to put them to good use, are regulated by law;
- Article 11 stipulates that all Gabonese have the right to freely elect their domicile or residence anywhere in the national territory and to conduct all activities there, subject to respect for public order and the law.

148. The first national forum on land use was held from 13 to 15 July 2011 in Libreville. Participants urged the authorities to improve the management of land allocation. They believed it had become necessary to rethink administrative practice and take a new approach to land governance in Gabon. They called for land governance to be based on an agreed and efficient land-use policy that promoted equality and poverty reduction and for a

land-use policy that contributed to sustainable development and the country's economic growth, which would guarantee peace and Gabon's rise to the rank of emerging country.

149. Furthermore, the forum drew up a strategic framework that was centred on a new Government approach to production and land management. It recommended establishing programmes to facilitate access to landownership and security of tenure, modernizing legislation and regulations concerning land, moving forward on land-titling, assessing the demand for land, adapting supply to meet demand, and capacity-building.

150. President Ondimba's desire to promote investment and relax procedures and regulations is reflected in the establishment of a single registry office to streamline land and estate registration procedures. This office will set up a transparent procedure which will ensure that investment projects that have been delayed owing to incompatibility with existing urban planning provisions are processed more rapidly. It will also smooth the application process for building permits, thereby encouraging potential investors and private individuals to apply.

151. In 2011, the Government signed an agreement with COPF-Gabon to build 7,000 homes in different price ranges, at the rate of 600 per month, beginning in September or October 2011. COPF-Gabon was also considering opening a bank in Libreville to provide mortgages for individuals or for businesses that wished to purchase housing for their employees.

152. With a view to fostering sustainable development of housing, President Ondimba instructed the Government, at a meeting of the Council of Ministers on 28 June 2011, to devise a range of practical measures to substantially lower the cost of building materials, such as cement, sand and gravel, and entrust the housing construction sector to Gabonese nationals.

## **Article 12**

153. Progress towards the full realization of this article will revolve around, among other things, the course of action taken, national health policy, access to primary health care, the accessibility of medical goods and services, child and maternal health care, vaccination programmes and other strategies for combating infectious diseases, prevention of HIV/AIDS and other sexually transmitted diseases, and guaranteed access to essential medicines.

154. After gaining independence on 17 August 1960, Gabon embarked on a pro-birth policy that has resulted in a strategic campaign for the protection of maternal and child health protection involving permanent, outreach and mobile services, the allocation of family allowances and the establishment of motherhood medals, awarded to mothers with many children. The Government has just begun a large health-care facility construction and renovation programme under the national health development plan, taking into account the current health situation, keys to potential further development and a vision for the health-care system for the period up to 2020, including a framework to carry out, monitor and assess the status of implementation of the vision. This programme seeks to make public health-care services more widely available. Furthermore, given the current efforts to restore National Social Security Fund health-care facilities, Gabon will likely have excellent health-care facilities in the next few years serving the poorest segments of the population. The current development strategy as regards health demonstrates the resolve to improve the national health-care system, including the goals set out in the national health plan. Under this plan, the Government aims to improve public health by developing the skills and increasing the number of health-care providers to better meet the basic needs of the population. Various infrastructure programmes were carried out between 2000 and 2005,

including the construction and equipping of many health-care facilities. Health-care coverage is provided by the State for the most part and by international organizations, development cooperation agencies and insurance companies.

155. Gabon has put in place health-care management tools for the implementation of a number of lines of action and strategies, including the:

- 1998–2000 national health plan;
- 2004 health policy;
- 2006 economic growth and poverty reduction strategy paper;
- Construction of modern regional hospitals with the latest equipment in every provincial capital;
- Renovation of National Social Security Fund health-care facilities;
- 2006–2010 national health development plan;
- 2007 national health map (issued in 2009) drawn up in conjunction with the foregoing plan to further the implementation of the national health development plan;
- 2005–2010 expanded programme on immunization;
- Establishment of a health insurance scheme by the National Social Security Fund;
- Establishment of the National Health Insurance and Social Protection Fund.

156. In October 2010, UNFPA provided the Midwives Association of Gabon with medical equipment made up mainly of items for prenatal care to help to further the campaign against maternal and infant mortality.

157. The Council of Ministers took a decision on 14 October 2010 to intensify efforts to eradicate tuberculosis in Gabon. The supply of tuberculosis drugs to facilities dealing with major endemic diseases was thus significantly increased within the framework of the law on finance, as amended in 2010. On the same date, the Council also adopted a law amending the national health policy. The law is crucial for the fulfilment of the health development plan and provides a frame of reference that takes into account the problems requiring priority attention and puts forward strategic guidelines to resolve them.

158. A conference on hospital reform was held in Libreville from 25 to 27 January 2011.

159. The meeting made it possible to grapple with the basic issue of reforming the health-care system in Gabon with the objective of improving health services. The conference also marked the beginning of a major reform of the health-care system and supported the national health development plan, which will adequately address people's concerns regarding universally accessible and decent health care.

160. Having acknowledged the need to take stock of the AIDS situation in the country, Gabon has found that, statistically, Ogooué-Maritime and Ngounié provinces have been most affected by the epidemic, with a prevalence of 8.7 per cent and 8.1 per cent, respectively. Estuaire province ranks third, with a prevalence rate of 7.2 per cent, followed by Woleu-Ntem (6.2 per cent), Moyen-Ogooué (5.6 per cent), Ogooué-Lolo (5.6 per cent) and Nyanga (5.4 per cent). Haut-Ogooué and Ogooué-Ivindo are the provinces least affected by the disease, with a prevalence of 3 per cent and 3.1 per cent, respectively. There are currently 63,000 persons living in Gabon with AIDS, which has already claimed the lives of 2,300 people. In addition, there are 3,000 children under 15 years of age who have contracted AIDS, some 18,000 AIDS orphans and about 10,000 patients receiving antiretroviral therapy in Gabon.

161. Gabon has 15 outpatient treatment centres that care for AIDS patients, including 4 in the capital city Libreville. It should be noted that there is a centre in every provincial capital. The centres facilitate access to antiretroviral drugs and have contributed to a marked increase in screening capacity and improvement in the treatment of opportunistic diseases caused or spread by the immunodeficiency of the persons affected.

162. They have also contributed to better social and psychological support for the persons affected and their families and to the reduction of mother-to-child transmission. Out of a population of about 1.5 million inhabitants, 26,000 persons undergo regular treatment at the outpatient departments and referral services housed in infectious disease control centres throughout the country. Every outpatient treatment centre has modern equipment and a multidisciplinary medical staff, including infectious disease specialists and other health professionals, psychologists, laboratory assistants and social workers. Provincial centres will be provided with computer software shortly after the centres in Libreville. Soon afterwards, a network linking the various centres and a unique patient identification system will be established, to enable patients to be identified anywhere by a code.

163. The Government and civil society have made steadfast efforts to mount campaigns for voluntary screening, awareness-raising, information, education, the treatment of opportunistic infections, advocacy of condom use and medical care for impoverished patients in order to prevent mother-to-child transmission, sexually transmitted diseases and HIV/AIDS. In addition, the Government has introduced a number of initiatives, including wider coverage of treatment for HIV/AIDS and mother-to-child transmission, with pregnant women having access to counselling and screening services since 2007, and the construction of outpatient treatment centres in every provincial capital.

164. As the examples cited above show, under the Government-approved 2008–2012 strategic plan to combat HIV/AIDS, Gabon began to improve treatment for sexually transmitted diseases throughout the country, ensure that female condoms are adequately supplied, distributed and provided to women, make services for the prevention of mother-to-child transmission more widely available and accessible and enhance training opportunities for women.

165. Some progress has been made in just a few years, including a drop in the incidence of infections among young people and a rise in the number of persons being treated. However, further efforts must be made for children born with HIV/AIDS. Indeed, according to Michel Sidibé, Executive Director of the Joint United Nations Programme on HIV/AIDS (UNAIDS), mother-to-child transmission prevention coverage was only 25 per cent in Gabon. That is one of the reasons why Gabon decided to take up the AIDS issue at the Security Council in March 2001 to urge the adoption of a resolution on AIDS.

166. The Government announced on 1 December 2010 that, taking a participatory approach, it would step up its awareness campaigns in the provinces, in educational institutions and among target groups, continue to care for persons living with HIV/AIDS and seek additional funds for the relevant services in the campaign against AIDS.

167. The booklet *What You Should Know about HIV/AIDS and Safe Sex*, launched on 11 May 2011 in Libreville, has been made available to educational institutions. It fills a void and makes up for the complete lack of appropriate educational materials on HIV/AIDS for teachers and students alike in a context in which the prevalence of HIV/AIDS among people aged 15 to 24 years stands at 1.58 per cent.

168. Gabon has a national strategic plan to combat HIV/AIDS for 2008–2012. The plan charts various courses of action that the Government must pursue to get AIDS under control.

169. These courses of action have the following objectives: prevention, medical care for persons living with HIV/AIDS and capacity-building in the monitoring and evaluation system. The target populations included in the plan are as follows: young people, sex workers, people in uniform, traditional healers, certain religious leaders (revivalist preachers), Pygmies and prisoners. The Government is developing a strategy that targets young people, for example, aimed at integrating HIV/AIDS in the curricula of junior high school and high school. The Ministry of Education has established an AIDS Prevention Committee for this purpose. As far as sex workers are concerned, the Government is working with the non-governmental organization Conscience, which has a strong presence in this environment. Several studies show that sex workers belong to the group that is most affected by HIV/AIDS, with a seroprevalence of 20 per cent, which means that at least 2 out of every 10 prostitutes are HIV-infected. Conscience reaches out to prostitutes to distribute male and female condoms so that they may use the contraceptive method of their choice before engaging in any sexual act. The Government is in contact with the association that defends the interests of Pygmies.

170. The Government established a National Solidarity Fund for Health in 2000, during the launch of the African Union summit in Abuja. The Fund is helping to build capacity to care for persons affected by HIV/AIDS. The Fund has enabled patients to benefit from free care and the services of outpatient treatment centres.

171. The Ministry of Health, in partnership with the French Development Agency and UNAIDS, organized a workshop for the purpose of endorsing a monitoring and evaluation manual and a 2011 operational plan, among other things.

172. The manual and the plan will help to assess the progress made in implementing the projects to stop the spread of AIDS and make information available for proper decision-making and optimal resource distribution. These are operational tools to ensure smoother implementation of efforts to combat HIV/AIDS. The tools are also used to help seek the necessary mobilization of resources to improve the health of the population and achieve the Millennium Development Goals. The 2008–2012 national strategic plan includes the national monitoring and evaluation framework or plan and sets out the principal interventions for a more effective national response to HIV/AIDS. It should be pointed out that the national strategic plan for 2001–2006 did not take into account all the steps that are essential for dealing with HIV/AIDS. Indeed, it lacked a section on monitoring and evaluation.

173. Gabon has endorsed an operational communication plan for combating AIDS. A workshop was held in Libreville from 2 to 3 February 2011 to endorse the operational communication plan for behavioural change, drawn up as part of the campaign against HIV/AIDS and sexually transmitted diseases. Prepared with assistance from the French Development Agency under its project to support the health sector in Gabon, the plan is aimed at bringing about a drastic change in people's attitudes towards issues relating to HIV/AIDS testing and care, the prevention of mother-to-child transmission and the treatment of sexually transmitted diseases, among other things.

174. The country's women senators are fully engaged in the campaign against HIV/AIDS. An awareness-raising workshop, entitled "Women in the Face of AIDS", was organized by a network of women senators in Gabon on 26 April 2011.

175. The meeting is among the annual events of the network and aims at developing strategies to promote universal access to prevention, treatment, support and care. In addition, the workshop provided the senators with the opportunity to draw the attention of the national and international community, Government, parliamentarians and civil society to the feminization of the AIDS epidemic and the need to mobilize financial resources to find practical and effective solutions to this scourge. The recommendations of the workshop

focus on the establishment of a budget line of 1 billion CFA francs, condom promotion, social mobilization through information, education and communication, the adoption of laws to combat discrimination and stigmatization, technical capacity-building for opinion leaders and appropriate funding under budget laws.

176. In January 2011, the First Lady, Sylvia Bongo Ondimba, held a working session of the Organization of African First Ladies against HIV/AIDS in Addis Ababa. Established in 2003, the Organization is an association that currently brings together 40 spouses of Heads of State who pool their forces and use their influence to improve the lives of persons affected by HIV/AIDS and meet other public health challenges, including maternal mortality, in their respective countries. At the meeting, Ms. Ondimba reiterated her commitment to stamping out the disease. She chose to highlight, among other things, the importance of testing pregnant women. Indeed, more than 25,000 screening tests were distributed throughout the country in December 2010 to help pregnant women find out about their HIV status. Furthermore, convinced that the family is the best defence against the spread of HIV/AIDS, Ms. Ondimba has decided to step up information campaigns through commercials to heighten society's awareness of the devastating effects of the disease.

177. Ms. Ondimba has teamed up with the non-governmental organization African Synergy against AIDS and Suffering in order to share her experiences with other African figures involved in this campaign. African Synergy is a non-governmental organization comprising several first ladies in Africa and elsewhere. Its objective is to prevent AIDS and reduce maternal, neonatal and infant mortality in Africa through a comprehensive approach that includes the establishment of a solidarity fund, awareness-raising campaigns, access to treatment and support for research.

178. In view of the situation referred to in the following paragraph, the Council of Ministers highly commended the First Lady on 2 December 2010 on the various initiatives she has sponsored, which are part of the renewed efforts to bring about lasting improvements in the people's quality of life. They include the delivery on 1 December 2010 of a large shipment of 25,000 HIV tests and the launching of an awareness-raising campaign inside the country. These tests have allowed the different prevention and treatment units to make a diagnosis of the HIV status of pregnant women.

179. The UNAIDS report for 2010 shows that 40 per cent of the population of Gabon remain unaware of their HIV status. The participatory and multisectoral approach adopted by the Government to managing this disease includes various non-governmental organizations that strive each day to reverse the spread of HIV/AIDS.

180. At a meeting of the Council of Ministers on 1 June 2011, President Ali Bongo Ondimba took far-reaching steps to support the initiatives under way, including a significant 150 per cent increase in subsidies to the Support Fund to Fight AIDS, from 1 billion CFA francs to 2.5 billion CFA francs, for the purchase of antiretroviral drugs and preventive measures; free antiretroviral treatment for anyone infected with HIV/AIDS living in Gabon, rather than only those in dire economic need as was the case in the past; free prenatal and obstetric care for all pregnant women infected with HIV/AIDS; free HIV/AIDS tests, laboratory analysis and treatment of opportunistic infections covered by the national health insurance scheme; treatment at hospitals, medical establishments and health-care centres for persons living with HIV/AIDS that in the past was available solely at outpatient facilities; revitalization of committees to combat HIV/AIDS in every province and department, under the supervision of the governors; intensification of HIV/AIDS awareness-raising campaigns for the population as a whole and target groups; and strengthening of the operational capacities of HIV/AIDS committees in every institution and ministry and in local governments and the private sector. These entities are required to include funding in their annual budget to combat HIV/AIDS. Furthermore, the measures

taken by the President aim to step up the national response by including a module on HIV/AIDS prevention and sexual and reproductive health in the training programmes for teachers and trainers in order to introduce HIV/AIDS training into the curriculum and give fresh impetus to AIDS and sexual and reproductive health information clubs at all schools and universities; employing a genuine social marketing strategy for condoms in order to make them accessible and available throughout the country, including in hotels and shops; and promoting greater involvement of political leaders, public and private administrators, religious figures and heads of associations in raising public awareness of HIV/AIDS.

181. At the meeting of the United Nations Security Council held in June 2011, which was chaired by Gabon, President Ondimba, with the support of a number of countries, successfully submitted for adoption Security Council resolution 1983 (2011) aimed at strengthening the fight against HIV/AIDS.

182. During her stay in Makokou (Gabon) in late March 2011, the First Lady donated 200 insecticide-treated mosquito nets to the regional hospital in Ogooué-Ivindo in order to combat malaria.

183. She also launched a national advocacy campaign in May 2011 to battle sickle-cell anaemia.

184. Between 2002 and 2010, the national programme to combat human African trypanosomiasis (sleeping sickness) identified 276 cases of persons who had been successfully treated being reinfected with the disease, which indicates that it is endemic in Gabon. Given this reality, a capacity-building workshop for Public Health and Sanitation Institute officials was held between 18 and 27 July 2011 in Libreville, which sought to train or retrain personnel for a pilot vector-control campaign in households in Owendo and Libreville.

185. In 2011, President Ondimba decided at a meeting of the Council of Ministers to provide for free and regular screenings for certain diseases, including diabetes, high blood pressure and cervical and breast cancer. Colon and prostate problems have since been included among these diseases. The first day of free screening for diabetes and high blood pressure was thus organized on 8 August 2011 in Libreville.

186. The Government, in partnership with UNFPA and the Gabonese Family Welfare Movement, organized a workshop to raise awareness about the Maputo Plan of Action on sexual and reproductive health and rights in May 2011 in Libreville.

187. The workshop sought to take stock of the status of implementation of the Maputo Plan of Action in Gabon, raise awareness among stakeholders of the issues involved therein, put in place monitoring and supervisory mechanisms and identify stakeholders' roles and responsibilities. Progress has been made in policies and laws on the implementation of the Plan. Particularly noteworthy is the drafting of a national road map in 2008 to reduce maternal morbidity and mortality, a 2006 plan to ensure reliable reproductive health products and Ordinance No. 001/95 on a national health policy framework in the Gabonese Republic. However, there is still a need to define a clear national strategy to facilitate access to reproductive health services. Overall, the workshop to harmonize national intervention strategies for universal access to sexual and reproductive health care should enable more people to enjoy access to integrated services in this area by the year 2015. Lastly, the Plan is an operational plan that aims to guide African countries such as Gabon towards universal access to full sexual and reproductive health services. It is based on a principle of intersectoral collaboration to achieve development goals and has been put in place to step up efforts to achieve the Millennium Development Goals for mothers and children.

188. The workshop for training and endorsing a mother-and-child monitoring and evaluation manual, organized under the project to support the health sector in Gabon, was held in Libreville on 20 May 2011. Set up to ensure that information was made available to manage the activities of health system players effectively, the workshop had the objective of submitting for endorsement the monitoring and evaluation plan. Among the health priorities set by the Government is to improve the health of mothers and children.

189. The Government has thus made a commitment to implementing a road map to reduce maternal, neonatal and child mortality.

190. In the light of the outbreak of polio in some countries of the Central African subregion in late 2010, the Government organized a three-stage national polio vaccination campaign for children and adults, as follows: between 26 and 29 January 2011 for the first dose, 22 and 24 February 2011 for the second, and 22 and 24 March 2011 for the third.

191. A capacity-building workshop for journalists and members of non-governmental organizations active in anti-smoking campaigns was held in Libreville on 15 and 16 March 2011. The participants drafted a set of recommendations at the close of the workshop for more effective tobacco control in Gabon. As a result, journalists have made a commitment to developing a national anti-smoking network. The network should enable them not only to publish articles and reports on tobacco-related issues based on the information and training that they have received but also to make specific proposals to the Government and civil society for the soonest possible introduction of a smoking ban in public places. Admittedly, since the ratification by Gabon on 20 February 2009 of the World Health Organization Framework Convention on Tobacco Control, no relevant bill has been drafted by either house of parliament. In this context, representatives of civil society have been involved in helping the State to implement the Framework Convention. With the assistance of the network of journalists, NGOs have an opportunity, under Government supervision, to monitor tobacco advertising by cigarette companies. These two groups should also be able to help in introducing initiatives for better tobacco control in Gabon.

192. A workshop was held on the registration of traditional healers and standardization of traditional medicine in Gabon from 29 to 31 March 2011 in Libreville. The purpose of the workshop was to help to develop national policy guidelines on and enact legislation on the practice of traditional medicine and draft a code of conduct and ethics to guide the daily practice of traditional healers.

193. The Council of Ministers adopted a draft ordinance on 27 January 2011 that set general rules for the organization and running of the pharmaceutical sector, which mainly aims at promoting the development of the national pharmaceutical sector in order to overcome shortcomings found in the drug distribution system and institutional framework for medicines and in the regulation of all pharmaceutical activities. The rules address, among other things, the conditions for running a pharmacy, the obligations of salespersons, related business operations, State prerogatives, the institutional framework and penalties.

194. A workshop to endorse the national health/environment plan took place in Libreville on 10 December 2010. The plan follows up on the recommendations of the first interministerial conference, held in October 2009, on health and the environment in Central Africa, particularly with respect to the endorsement of the national analytical report on the health and environment situation. It will help to coordinate joint measures in the area of health and the environment for the purpose of reducing health hazards posed by the environment.

195. In other words, it will help address health issues stemming from the environment. The Government considers that it is extremely urgent to take into account environmental factors to guarantee better public health and stimulate sustainable development in Gabon.

196. Furthermore, the First Lady has launched a campaign for maternal and child health within the framework of a comprehensive maternal health policy. Convinced that improving the health of women, who are pillars of the family, is to contribute to the well-being of children and communities, she has launched a programme entitled, “Working Together for Maternal and Child Health” and taken a number of steps to reduce maternal, neonatal, infant and child mortality in Gabon. In addition, a workshop to build the capacity of midwives was held in the 10 health regions of Gabon between 31 January and 5 February 2011 for the prevention of mother-to-child transmission of HIV. The objective of the workshop was to prompt public authorities to assign psychologists to each health facility in order to improve the care for persons affected by HIV/AIDS; train all personnel working in the areas of maternal health, the Safe Motherhood Initiative, paediatrics, gynaecology and obstetrics in the use of rapid tests; make HIV tests available free of charge to all children born to HIV-positive mothers; make milk available in all outpatient treatment centres and other health facilities in rural areas; and make reagents available in delivery rooms.

197. In order to bolster all the measures and campaigns mentioned above, the President has approved a draft decree that sets out the organization, powers and functioning of the National Training Institute for Health Care and Social Work and inaugurated the Military Health Service Training College, which complements the state-of-the-art hospital of the armed forces, and approved the construction of the Albert Schweitzer University Hospital in Lambaréné.

198. At its meeting on 26 March 2011, the Council of Ministers approved the draft decree setting out the organization, scope and functions of the Institute for the purpose of making available health and social facilities staffed with highly trained and conscientious health professionals and social workers for the sake of people’s good health and well-being to enable them to contribute to the development of Gabon. On 23 May 2011, President Ondimba inaugurated the Military Health Service Training College, whose mission is to provide cadet officers with military medical, pharmacy and dental training in the final years of their university studies; to tutor medical, pharmacy and dental officers who have been admitted to specialization or qualification courses; to coordinate the training of paramedical staff and candidates for health-care management schools; and to participate in the promotion of research within the military health service. This school provides postdoctoral training for military and civilian doctors in emergency and disaster medicine. Established pursuant to Decree No. 00056/PR/MDN of 19 March 2010, the Military Health Service Training College in Libreville is a public medical/military educational institution run by the Ministry of National Defence. Lastly, at a meeting of the Council of Ministers on 28 June 2011, President Ondimba confirmed that the Albert Schweitzer University Hospital Centre would be built with the support of Harvard University and University of Tübingen. It is scheduled for completion in 2013 to coincide with the centenary of the establishment of the Albert Schweitzer Hospital in Lambaréné.

### **Article 13**

199. Articles 16, 17, 18 and 19 of the Constitution address the concerns raised in article 13 of the Covenant. These articles of the Constitution read as follows:

*Article 16:* The provision of support and education for their children constitutes for parents a natural right and a duty which they exercise under the supervision and with the assistance of the State and public authorities. Within the framework of compulsory schooling, parents have the right to decide upon the moral and religious education of their children. Children have the same rights, vis-à-vis the State, with regard to both assistance and their physical, intellectual and moral development.

*Article 17:* The State and public authorities are under an obligation to protect young people against exploitation and moral, intellectual and physical abandonment.

*Article 18:* The State shall ensure equal access for children and adults to instruction, vocational training and culture.

*Article 19:* The State has a duty to organize public education according to the principle of religious neutrality and, to the extent possible, on the basis that it shall be free of charge; conferring diplomas shall remain the prerogative of the State.

200. Freedom of education is guaranteed to all. Any person may open a preschool, primary or secondary school, higher education establishment or university subject to the conditions established by law.

201. The law establishes the conditions under which the State and public authorities may contribute to the financial costs of private educational institutions that have been recognized as being in the public interest.

202. Religious instruction may be offered to pupils in State educational institutions at their parents' request, subject to the conditions established by law.

203. The law establishes the conditions for the operation of private educational institutions, taking their specific characteristics into account.

204. School is open to all children without distinction of any kind. Under Act No. 25/59 of 22 June 1959, school is compulsory for children between 6 and 16 years of age. Act No. 16/66 of 9 August 1966, on the general organization of education in the Gabonese Republic, reinforces this provision, specifying that education shall be free and compulsory from the age of 6 to 16.

205. Particular attention is paid to ensuring education for all and Gabon has one of the highest school enrolment rates in sub-Saharan Africa (in excess of 84 per cent in 2010, according to UNDP). To maintain this advantage, the Government is addressing the weaknesses in educational system achievement rates which were starting to become apparent and were an increasing source of concern for politicians. Thus, it is taking action to ensure a better education for all. For example, on 17 and 18 May 2010 it organized a national conference on education, research and employment-related training with a view to making schools more attractive and better equipped to meet the country's economic, social and cultural needs.

206. The national conference on education, research and employment-related training held in May 2010 culminated in the launch of a 10-year plan for the 2010–2020 period involving an estimated total outlay (excluding non-quantified expenses) of 1,170 billion CFA francs. The 10-year plan involves developing special terms of employment for people working in the State education system, technical education, vocational training, higher education and research in order to make jobs in education more attractive. A rigorous policy of training for trainers, focusing particularly on the "difficult" subject areas — i.e. mathematics, physics, chemistry, and natural and life sciences — was also announced, as well as a programme of construction and infrastructure development and a new scholarship system that includes incentive scholarships to attract students into science disciplines.

207. Cross-cutting measures have also been adopted, notably the creation of a body of school and university security professionals, the introduction of compulsory military service from the age of 18 years, the use of fixed-term contracts, the accreditation of private educational establishments and their recognition as being in the public interest. At the preschool level, the principal measures are the wider availability of preschool education nationwide and the introduction of English, information technology and local language immersion activities in 10 pilot schools. Other actions envisaged as of 2011 include:

retraining 928 teachers; recruiting 1,000 junior high schoolteachers and 3,000 baccalaureate teachers as a matter of urgency (the aim being to have a workforce of 5,000 teachers by 2020); building and equipping 221 schools that will provide a total of 1,326 classrooms and 221 workshops and playgrounds; and building 1,500 residential units in rural areas, 300 of them in 2011. At the primary level, the main measures are the elimination of the grade 6 entrance exam as of the 2010/11 school year and the introduction of beginners' courses in English, information technology and local languages in 10 pilot schools. Other measures announced include plans to recruit and train 3,654 baccalaureate teachers, to refurbish, refit and improve safety in 4,000 classrooms, to build 800 residential units and to acquire new teaching materials. At the secondary level, 9,196 baccalaureate-level teachers are due to be recruited and trained, 1,939 of them in 2011, 30 junior high schools and 15 specialist science high schools are due to be built and an additional modern language will be introduced in grade 6. Major projects at the higher education level include recruiting and training 550 teachers, building and progressively opening three new universities (Mouila, Port-Gentil and Oyem), introducing a semester-based registration system and investigating the possibility of establishing a professional university security body.

208. With regard to security in the vicinity of schools and universities, aware that there had been a number of violent incidents in certain educational institutions, on 4 May 2011 the Government called a meeting of senior managers, head teachers and trade union representatives from the education sector to turn the spotlight on the problem and call for an end to violence, applying existing measures in place in the educational system in a bid to eliminate violence in schools.

209. In the State-approved preschool sector in Gabon, in 2010 there were 11,231 pupil places, 966 teachers, 445 preschool classrooms in nearly 298 primary schools, 41 school counsellors and 18 school inspectors. In addition, plans to make preschool education more widely available were developed and implemented; the initial training given to primary schoolteachers in teacher training colleges was extended from one year to two years; an incentive bonus of between 60,000 CFA francs and 100,000 CFA francs per month was paid to teachers; 704 teaching assistants were recruited; the Directorate of Preschool Education was created; tuition was free of charge; and plans to build and equip 1,500 classrooms, improve training for preschool and primary schoolteachers and build 14 preschools were launched.

210. In the State-approved primary-school sector, in 2010 there were 270,125 pupil places, 6,084 teachers, 1,447 schools, 123 school counsellors and 63 school inspectors. In addition, the initial training given to primary schoolteachers in teacher training colleges was extended from one year to two years; the housing subsidy for school counsellors and inspectors was increased from 75,000 CFA francs to 150,000 CFA francs; 751 teaching assistants were recruited as an exceptional measure; payments to supply teachers brought in for exams and competitive tests were reviewed and a system of immediate payment after each session was introduced; the competency-based approach was piloted, then implemented more widely; school insurance was free of charge; the school clothing allowance was raised from 25,000 CFA francs to 62,000 CFA francs; five schools were built; nine teaching and logistical support centres offering library and computer facilities and Internet access were established; cyberschool projects were launched in four junior high schools and two high schools in partnership with the New Partnership for Africa's Development (NEPAD); skills development courses for primary schoolteachers were provided under the Priority Solidarity Fund project in partnership with UNICEF; school transport continued to be provided free of charge by the Gabonese Transport Company; and a plan to start teaching English at the primary level was launched.

211. In the public and State-approved secondary-school sector, in 2010 there were 148,556 pupil places, 3,635 teachers, 128 secondary schools, 12 school counsellors and 58

school inspectors. In addition, school insurance was free; the housing subsidy for school counsellors and inspectors was raised from 75,000 CFA francs to 150,000 CFA francs; the school clothing allowance was raised from 25,000 CFA francs to 62,500 CFA francs; an incentive bonus of between 60,000 CFA and 100,000 CFA francs was paid to teachers; six sports halls, eight junior high schools, five high schools, two centres of excellence and two school hygiene centres were built; the compulsory secondary and baccalaureate education systems were decentralized; a work experience-based training programme for education administrators was launched in partnership with the Conference of Ministers of Education of French-speaking countries (CONFEMEN) and Senghor University in Alexandria, Egypt; microscience laboratory kits were made available; a capacity-building programme entailing building and equipping 60 boarding schools offering between 200 and 300 places was launched; restrictions on the sale of school uniforms were removed; and the use of literary works by Gabonese authors was prioritized in the teaching of French.

212. In technical and vocational training, the 2008–2011 period saw an acceleration of the reform process, reflecting the Government's belief that the challenges of vocational and technical training are key to the country's economic performance and social cohesion. The Government is therefore committed to raising school attendance rates, promoting education and protecting pupils everywhere. Technical and vocational training is the same for students of both sexes. The main points of note are:

- The technical education infrastructure was extended in the 2006–2010 period: Ntoum technical high school was completed and opened with support from the African Development Bank (AfDB) under the Gabon/AfDB Education III project and a technical high school is under construction in Bikélé, the aim being to increase student places in these institutions;
- Construction, woodworking and agriculture courses were provided for school dropouts in three phases, in March 2008, March 2011 and July 2011, with funding from the European Union under the vocational training support programme, the aim being to enable young school dropouts to obtain a qualification;
- Two training programmes were run in vocational training and skills development centres during the midterm breaks in October 2008 and February 2011, the aim being to develop a qualified workforce;
- Vocational schools became technical schools in October 2010, the aim being to extend and diversify the range of technical training available;
- Léconie technical high school was opened in February 2011, the aim being to extend the range of training available;
- Decree No. 0275/PR/METF establishing the organizational framework for technical and vocational education was adopted in February 2011, the aim being to establish a legal framework for the new organizational structure;
- The Wood Trades College was established by a Council of Ministers decree adopted in July 2011, the aim being to increase training opportunities and develop Gabon's wood industry;
- Seven technical high schools were renovated between 2006 and 2010 (the Omar Bongo national technical high school and the technical high schools in Franceville, Fougamou, Mouila, Tchibanga, Oyem and Moanda), with funding from the African Development Bank under the Gabon/AfDB Education III project, the aim being to improve the quality of the school environment;
- The following vehicles and teaching materials were officially delivered to educational institutions in 2007 and 2011 respectively, thanks to support from the

African Development Bank: 27 vehicles for the Ministry of Education's central services department and 247 for individual educational institutions, 10 laptop computers, 10 laptop bags, 253 uninterruptible power supplies, 4 colour televisions, 5 overhead projectors and 5 video recorders;

- A number of training centres were renovated and refitted in 2007 and 2008 thanks to funding from the Austrian programme (renovation and refitting of the departments of service engineering, industrial electronics, language laboratories, auto engineering, woodworking, tool grinding, electrical maintenance, information technology, building electronics and auto electronics);
- Capacity-building workshops were organized for technical education teachers in March 2007, May 2008, February 2009 and April and May 2011, with funding from the African Development Bank.

213. Overall, 700 teachers of technical and vocational subjects have been trained in the use of teaching modules; 100 teacher trainers specialized in new information and communication technology have been trained to relay their skills to colleagues; 25 documentation and information centre managers have received training; and 5 service technicians have been trained overseas in Liège, Belgium. The aim of these initiatives is to enhance teachers' skills. Other actions taken include:

- The organization, in July 2010, of the first Training and Employment Forum, the aim being to agree principles for the reorganization of the vocational education system;
- The adoption, in January 2011, of the decree establishing a new vocational education system based on a combination of work experience and study, the aim being to establish a new form of vocational training;
- The production of a training atlas in April 2011, funded by the European Union within the framework of the vocational training support programme, the aim being to map out the full range of training available;
- The introduction of a baccalaureate study programme in woodworking and associated materials at Omar Bongo technical school in the 2007/08 school year. Twelve pupils followed the course in 2009/10 and 18 pupils in 2010/11;
- The introduction of a diploma in industrial vehicles and construction equipment in the 2005/06 school year;
- The introduction of an engineering sciences programme at Léconie technical school in February 2011, with 119 pupils currently enrolled;
- The establishment of rural support centres at the start of 2007 (seven centres built to date);
- The introduction of the technology baccalaureate by Decree No. 0274/PR/METFP of 2 February 2011, to diversify the professional qualifications available;
- The drafting and implementation of codes of conduct for teachers and teaching support staff, available in schools since 2006, to serve as a guide to personal and professional conduct for teachers and school heads;
- The organization of seminars on education, citizenship and course choices at Omar Bongo technical high school in January 2011, to promote awareness of good conduct in the school environment among pupils.

214. In State-sector higher education in 2010 there were 20,803 student places, 999 teachers, 3 State universities, encompassing 3 faculties and 3 *grandes écoles* (prestigious

higher-education institutions), and 4 institutes. In addition, there are plans to increase the number of student places available in three universities (Omar Bongo University, the University of Health Sciences and Masuku University of Science and Technology) and two teacher training colleges (School of Advanced Education and School of Advanced Technical Education) by building and equipping new lecture theatres and classrooms. There are also plans to increase student accommodation capacity by building new halls of residence and refurbishing the existing halls at Omar Bongo University, the University of Health Sciences and Masuku University of Science and Technology, to open a faculty of veterinary medicine, and to introduce a system to steer a third of baccalaureate-holders to the *grandes écoles* and institutes, a third to university faculties and a third to teaching training colleges.

215. Other points of note, in addition to all the above measures related to the right to education, include: plans to establish an institute for advanced studies in oil- and gas-related trades that will make Gabon's business hub (Port-Gentil) a centre of excellence for training and strengthen capacity in the oil and gas trades; the start-up of work on a new business school that will enable the country to better match training to labour market requirements; an increase in school attendance rates and the improvement of facilities at the various levels of education, while at the same time promoting gender equality and access to education; plans to establish new universities in Port-Gentil, Oyem, Mouila and Booué; the creation of a school of mining in Franceville; the establishment of the Regional Medical School of Central Africa; the launch of a national plan to reduce repeat rates, which involved piloting the competency-based approach and introducing the shift system to optimize use of high school infrastructure; the launch of an emergency plan to address the shortage of school classrooms and infrastructure; the organization of teacher training seminars on population issues within the framework of the integrated information, education and communication programme; the launch of a support fund for teachers assigned to posts and not receiving a salary; the establishment of the Ministry of Education's AIDS Prevention Committee; the award and payment by the State of family and back-to-school allowances to parents; the launch of plans to increase pupil places in primary and secondary education with a view to achieving the target of 20 to 30 pupils per class by 2016; the implementation of plans to erect security fences around schools and universities; and the inauguration of the information science and communications department at Omar Bongo University on 10 January 2011.

216. Other action taken to satisfy the requirements of article 13 of the Covenant includes the signature of four agreements with trade unions with the aim of improving teachers' living and working conditions; the launch of plans to establish libraries and install Internet connections in all educational institutions; capacity-building initiatives for all teachers in the form of multidimensional training and experience-sharing workshops; the consideration in the two houses of parliament of the bill on the 10-year programme for 2010–2020, establishing a pact of trust between the political and intellectual elites; the abolition of pupil exclusions for pedagogical reasons, in favour of measures to help struggling pupils enter the workforce; the establishment of the National Council for Teaching, Training and Research, headed by the President of the Republic and tasked with finding lasting solutions to the problems in the education sector; and the introduction of a ban preventing minors from entering any form of licensed premises, in accordance with article 2 of Ordinance No. 59/76, and a ban on opening drinking establishments and other licensed premises in the vicinity of schools and universities.

217. On 30 March 2011, the Council of Ministers established the National Agency of Scholarships and Work Experience. This new body, which was created in response to a need identified by the results of an audit of the current Directorate-General of Scholarships and Work Experience, should make procedures for the award of scholarships more transparent, rational, equitable and efficient and ensure that grants are allocated only to

deserving students. The Directorate-General's audit identified numerous faults and deficiencies that were causing this important source of support for the education of young Gabonese students to deviate from its original objectives. The National Scholarship and Work Experience Agency has assumed responsibility for applying the new policy of support for education which is based on the principles of employment-related training; promotion on merit; assistance for the most vulnerable population groups; and control of the public payments systems, to avoid the problems experienced by Gabonese students every year. The decision to create the new body has enabled the authorities to put an end to the bad practices observed over a number of years, which included nepotism, arbitrariness and favouritism in the award of scholarships and study grants, which as a result of these failings were rarely awarded to deserving students. The new agency will promote merit and excellence. Thus, all Gabonese youngsters, irrespective of the social situation of their family, now have the opportunity to fulfil their academic potential, in accordance with their natural aptitudes. Since the Agency's creation, the procedures used to steer students towards the different courses and training institutions have also been more transparent and more efficient.

218. In these conditions, the Government is now able to send students to first-class educational institutions, selected according to the country's human resources requirements and the employment opportunities on offer within the framework of the three-pronged development programme focused on the green sector, industry and services. The new agency is a tool that will undoubtedly foster good governance, since it allows for stricter control over public spending on the training of Gabon's elite. Thanks to this stricter control, it is now possible to obtain an accurate measure of the number of Gabonese students on scholarships or work experience placements as well as the exact amount of the associated expenditure. Lastly, the agency has made it possible to put an end to the corruption that had become endemic in certain departments.

219. At a meeting on 14 April 2011, the Council of Ministers adopted a draft decree on the establishment and organization of the National Agency of Scholarships and Work Experience as a public-sector administrative body enjoying financial and administrative autonomy. The agency is attached to the Office of the President of the Republic and is overseen by the Ministry of Higher Education. Its principal responsibilities are: to consider applications for scholarships of any kind; to approve and manage the payment of scholarships awarded to high school students in Gabon; to place Gabonese students in universities, *grandes écoles* and vocational training institutions in Gabon and overseas on the basis of general guidelines drawn up by the Government and the student's abilities; to award national or foreign-sponsored scholarships in Gabon and overseas either directly to students or to the establishments in which they are studying; to manage and monitor all scholarships awarded to Gabonese students in Gabon and overseas; to manage the travel allowances of students benefiting from higher education scholarships in those cases where their travel costs exceed 25 per cent of the monthly grant; to enter into partnerships with organizations, companies, foundations and any individual or legal entity of Gabonese or foreign nationality in general, with a view to promoting Government policy on the education and training of students and interns of Gabonese nationality.

220. On 16 August 2011, the President started the process of gradually adjusting the amount of the scholarships awarded to Gabonese students, increasing the amount granted to students studying overseas by 10 per cent and the amount granted to students studying in Gabon by 25 per cent as of the 2011/12 academic year. He also introduced a merit-based scholarship scheme. All these measures are being funded through savings harnessed as a result of the audit and the clean-up of the scholarship and work experience database. Lastly, on the same day the President announced that a total of 5 billion CFA francs would be made available to settle all claims received from persons whose names were not considered for the incentive bonus for teachers in the 2010 school year and to pay the third-quarter

incentive bonus for researchers by no later than the end of September 2011. He also announced that the funds needed to meet payments due for the fourth quarter would be made available; that the accommodation allowances paid to expatriate teachers would be standardized; that budgeted posts would be allocated to teacher training college teachers promoted in the 2009/10 school year who did not yet have them; that teaching assistants in rural areas would be brought into the civil service; that accounts and audit officers would be appointed within the Ministry of Education to supervise all educational institutions; and that a relocation grant would be paid and that various benefits would be awarded to lecturers and highly specialized doctors, in line with their qualifications and professional experience.

221. A subregional training workshop on methods and techniques for reducing school dropout rates was held in Libreville between 26 and 28 April 2011.

222. At this event, participants looked at a series of approaches that might, in the long term, enable the countries represented to reduce the incidence of school dropout. The aim was to find ways and means of making education free of charge in all State schools, making all social services available in all primary and secondary schools and accelerating the construction of accommodation and other facilities (boarding facilities in secondary schools).

223. A review of the 2010 round of grade 6 entrance examinations, primary and secondary school certificate examinations and baccalaureate examinations revealed a number of organizational problems. For this reason, the examinations and competitions office, in conjunction with the Ministry of Education, organized a workshop on how to organize examinations and competitions on 28 and 29 March 2010. At this event it was decided that a register of candidates should be established and that the manual registration system should be replaced with an electronic registration system that allows candidates to register themselves for exams and competitions. It was also decided that school inspections should be taken into account when determining the needs of candidates; that a training workshop on high school assessment methods should be organized for university lecturers; and that equipment and teaching materials for physical education in schools should be improved. A blueprint for the 2011 round of examinations and competitions was drafted as a result of the workshop.

224. After the national conference on education, research and employment-related training held in May 2010, a bill establishing general guidelines for education, training and research in Gabon was drafted. For preschool and primary education, the bill envisages making preschool education widely available from the age of 3 years and establishing science labs in all schools to immerse children in science and technology and nurture their environmental awareness and sense of citizenship.

225. For the primary level in particular, the bill envisages initiating children to science, technology and civil, social and environmental citizenship and, in the long term, abolishing the grade 6 entrance examination sat after obtaining the primary school certificate. The same provisions are envisaged for secondary education, in addition to the introduction of a second foreign language as from grade 6, the construction of boarding facilities offering between 150 and 200 junior high school places in each department or district and 300 high school places in each provincial or departmental capital, the construction of 15 specialist science high schools and the abolition of school exclusion in favour of vocational guidance. Other points of note include the creation of a university of educational sciences, the improvement of the vocational training system and the expansion and diversification of the range of higher education options. In the field of vocational training, various reforms are envisaged with a view to enhancing the quality of teaching, modernizing and strengthening technical facilities and establishing local training centres in every province, department or district. In the field of research and innovation, the main changes are centred on objective-

driven and publicly or privately commissioned research and the establishment and promotion of a hospital-based laboratory where expertise in health sciences, techniques and technologies can be pooled and synergies can be harnessed. Cross-cutting innovations include the promotion of public-private partnerships, the creation of the Green City for Education, Emergence and Knowledge, and the establishment of a national council for education, training and research.

226. World Teachers' Day is celebrated on 5 October every year. In Gabon the event has been transformed into a national day of celebration held each year on 23 March to tie in with the historical trade union campaign of Gabonese teachers, who continue to pursue improved working conditions. In 2011, the event was focused on the ethics and code of practice of teaching and asked what type of teacher and what type of teaching was required for a developed Gabon.

227. Teachers are aware of their emergent role as public officials and that they must be persons of integrity who accept their status as public servants. In performing their professional duties, they should be guided by loyalty, integrity, impartiality and dignity.

228. On 27 January 2011, the Council of Ministers adopted a draft decree establishing the organizational framework for technical and vocational education. The decree was adopted in application of article 51 of the Constitution, which states: "Matters other than those within the realm of law shall be governed by regulatory guidelines and shall be the subject of decrees of the President of the Republic. For the application of these decrees, such matters may be the subject of orders issued by or on the instruction of the Prime Minister, by the ministers responsible or by other administrative authorities authorized to do so."

229. At the same meeting on 27 January 2011, the Council of Ministers adopted a draft decree establishing the professional baccalaureate. The draft decree was adopted in application of the provisions of the aforementioned article 51 of the Constitution and provides for the introduction of a diploma known as the "professional baccalaureate". It establishes the definition of the professional baccalaureate, the methods of preparing for this diploma, and the terms and conditions governing the organization of the examination and the award of the diploma.

230. In May 2011, the interns selected to follow the skills development course for holiday and leisure centre supervisors completed their training.

231. A validation workshop organized by the Government and UNICEF to assess the study analysing the budget allocated to children's issues in Gabon took place on 13 October 2010. The study has brought greater understanding, precision and transparency to analysis of the State's social budget and expenditure.

232. The aim is to improve strategic planning for health, education and social protection by giving the various stakeholders a better understanding of the allocation mechanisms. UNICEF has called for the definition of sustainable social policies based on an equitable approach. In the Government's view, the school enrolment rate for children between 6 and 11 years of age, which is estimated at 92 per cent nationally, needs to be raised through an increase in the budget allocated to social policies in Gabon.

233. A training seminar for female community educators was held in Libreville on 28 and 29 June 2011. The main aim of the seminar, which was organized in partnership with UNICEF, was to enhance the operational capacities of the teaching supervisory staff responsible for early years' education in rural areas. Through theoretical and practical workshops, the participants learned about the new educational tools necessary to the learning and development of preschool children.

234. The results of the 2010/11 junior high school certificate examinations revealed improvements relative to the previous year throughout the country. Overall, 13,156 of the

35,645 candidates obtained their certificate, which is equivalent to a pass rate of 38.31 per cent. As regards entry to the baccalaureate level, while in 2010 only 6.01 per cent (952 of 16,068 candidates) were immediately admitted to the programme, a marked improvement was visible in 2011, with 2,546 of 18,572 candidates being admitted in the first round, equivalent to a pass rate of 13.91 per cent. Overall, admission to the baccalaureate programme rose from 30.18 per cent in 2010 (4,581 of 16,068 candidates admitted to the programme) to 38.11 per cent in 2011 (6,975 of 18,572 candidates admitted).

235. The first phase of the multidimensional training and experience-sharing seminar organized for heads of school districts, individual educational institutions, subject areas and departments as well as general supervisors, administrators and bursars ran in all provincial capitals between 26 and 30 July 2011.

236. The aim of the seminar, which was a follow-up to the conclusions of the most recent national conference on education, was to train the trainers so that they could in turn provide training to other relevant staff in the second phase of the general training programme, which ran from 1 to 12 August 2011. A second aim of the seminar was to give school heads an in-depth understanding of administrative and teaching practices, citizenship awareness and all issues related to the school and university environment.

## Article 15

237. Article 1, paragraph 17, of the Constitution stipulates that the State shall guarantee access to education, vocational training and culture for children and adults alike.

238. A decree providing for the institution of a national flag day has been adopted by the Council of Ministers. This initiative was launched in application of article 51 of the Constitution, which is transcribed in paragraph 228 of this report. Its aim is to breed patriotism among Gabonese citizens by fostering respect for the country's emblems and values, civic culture and cultural diversity and strengthening their sense of citizenship and belonging to a single nation with a shared destiny.

239. A decree providing for the introduction of a citizens' day was passed in June 2010 and citizen's day is now celebrated on the first Wednesday of every month. An annual festival of cultures has also been launched.

240. The original indigenous peoples of Gabon account for around 1 per cent of the country's population. In an effort to protect these peoples, and in conformity with the Constitution, which condemns any act of racial, ethnic or religious discrimination, the Government has undertaken to safeguard them and promote their integration.

241. To guarantee the fundamental rights of these peoples, Gabon ensures compliance with article 2 and article 25 of the International Covenant on Civil and Political Rights and with article 6, article 12 and article 13 of the International Covenant on Economic, Social and Cultural Rights.

242. In 2007, in conjunction with UNICEF, Gabon launched a programme for the comprehensive development of areas inhabited by Pygmies in the provinces of Woleu-Ntem (Minvoul) and Ogooué-Ivindo (Lopé, Zadié and Ivindo). One of the key planks of the programme is the introduction of basic social services, including education and literacy, in areas inhabited by Pygmies.

243. Government measures adopted to help persons with disabilities access and participate in cultural life include the establishment of a school for hearing-impaired children in 1985. However, the school's operation still requires support of various kinds.

244. Other Government measures include the adoption of Act No. 19/15 of 13 February 1996 on social security for persons with disabilities. The Act entitles persons with disabilities to reduced charges for access to sports and cultural centres and reduced tuition fees in public and State-approved schools. In addition, in 2010 the authorities organized an awareness-raising campaign to promote the inclusion of persons with disabilities, particularly schoolchildren and students with disabilities, under the theme of “disability and difficulties at school”.

245. At the Government’s initiative, a regional workshop to validate proposals for a bill on telecommunications and information and communications technology was held in Libreville in April 2011. The aim was to consolidate the advances made in the telecommunications field and to embark on further regulatory reforms that should enable as many people as possible to access new information and communications technologies, including high-speed Internet, thanks to the roll-out of high-speed connections in most countries of the subregion. A specific objective of the workshop was to examine the legislation and regulations in question to ensure harmonization between the various States of the subregion in the field of telecommunications. Another aim was to harmonize the regulatory policies of the different States of the subregion.

246. The Government organized an international book and arts fair in Libreville, which took place between 30 March and 2 April 2011. The fair attracted cultural actors including publishers, printers, booksellers, illustrators, designers, painters, craft workers, sculptors, and textile and accessory designers from across the Central African subregion.

247. The event was designed to provide African publishers, writers and artists with a credible and competitive space in which to present their works, their ideas and their views, to give literature its place in an Africa seeking to equip itself with the tools for successful development, to encourage intellectual and cultural exchanges between the countries of the South, to develop the desire to read, write and create from the earliest age, and to sensitize Africa’s political decision makers to the need to adopt measures that can enable African writers and artists to make a living from their work.

248. A training-for-trainers workshop on the implementation of the Convention for the Safeguarding of the Intangible Cultural Heritage was held in Libreville between 31 January and 4 February 2011. Organized jointly by the Government and the United Nations Educational, Scientific and Cultural Organization (UNESCO), the workshop was designed for representatives of the francophone countries of Africa and consisted of four modules covering ratification, national implementation, community inventory and participation and nominations for inclusion on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding. The aim of the workshop was to make available to States parties, on request, the tools necessary to effective implementation of the Convention.

249. In conjunction with the Gabonese Media Observatory and the Francophone Press Union, the General Conference of UNESCO organized an awareness-raising day for media professionals on the Convention for the Safeguarding of the Intangible Cultural Heritage in Libreville on 2 May 2011. The aim of the event was to increase media professionals’ understanding of the issues and give them the knowledge needed to relay the message to the custodians of the practices and representations constituting this heritage.

250. On 12 May 2011, the Council of Ministers adopted a draft decree reorganizing the Directorate-General of the Gabonese National Archives, National Library and Documentation Centre.

## II. Conclusion

251. Articles 14 to 31 of the Covenant do not require specific observations, comments or explanations. The Government of Gabon is cognizant of their content and monitors respect for the principles established therein on an ongoing basis. This report has provided an opportunity to highlight the State party's efforts in the past few years to implement the norms that it has adopted in application of the principles enshrined in the Covenant, based on respect for economic, social and cultural rights.

252. For the authors of this report, the main aim was to provide as much information as possible about actions, initiatives and reforms carried out in Gabon in the area of economic, social and cultural rights, without in any way compromising on quality, selecting from among the innumerable measures in place those that guarantee a positive and constructive response to the expectations established in the various articles of the Covenant.

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