



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women
Eighty-first session**

Summary record of the 1854th meeting

Held at the Palais des Nations, Geneva, on Wednesday, 9 February 2022, at 11 a.m.

Chair: Ms. Haidar (Vice-Chair)

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Ms. Haidar (Vice-Chair) took the Chair.

The meeting was called to order at 11.10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Seventh periodic report of Gabon (continued) (CEDAW/C/GAB/7;
CEDAW/C/GAB/Q/7; CEDAW/C/GAB/RQ/7)

1. *At the invitation of the Chair, the delegation of Gabon joined the meeting.*

Articles 10 to 14

2. **The Chair** said that, as had been agreed at the previous meeting, Ms. Tisheva and Ms. Peláez Narváez would ask questions under articles 13 and 14, to which the delegation would provide written responses within 48 hours of the end of the constructive dialogue.

3. **Ms. Tisheva** said that she wished to know what measures were being taken or envisaged to mainstream the gender perspective in local and national development plans for combating poverty and how women and their representative organizations were involved in the adoption and implementation of such plans. She would welcome information on any measures being taken to develop and maintain social welfare schemes for women, including women working in agriculture, and to promote women's access to low-interest loans and participation in income-generating activities. The delegation might describe any measures being taken to promote women's involvement in all levels of the green economy.

4. **Ms. Peláez Narváez** said that she wished to know what steps were being taken to improve sanitation in rural areas and enhance rural women's access to basic services such as education and health care, including sexual and reproductive health care. She asked what measures were taken under the National Land Use Plan and the Graine programme to promote access to land for rural women, including indigenous women. The delegation might describe any legislative or policy measures being taken to protect indigenous women against sexual violence and enslavement.

5. It would be interesting to learn what the Government was doing to enhance rural women's access to low-interest microcredit, Internet services and other new technologies. She wished to know how the State party intended to mainstream the gender perspective in disaster risk reduction strategies, including those intended to mitigate the effects of climate change.

6. The delegation might describe any steps being taken to replace the National Fund for Social Action, which had previously been used to provide migrant women with microcredit and other forms of support, and whether any measures were being taken to combat forced labour and domestic servitude among migrant women and girls. She asked whether women refugees were covered by health insurance, including in connection with pregnancy and childbirth, and, if not, whether such coverage would be extended to them.

7. The Committee wished to know what resources were allocated to women with disabilities in connection with the National Gender Equality and Equity Strategy and the Gabonese Women's Decade (2015–2025). She wondered how the State party ensured access to justice for women victims of violence who had a disability, how many investigations into complaints of violence against women with disabilities had been conducted and how many perpetrators of such violence had been brought before the courts in recent years. She was interested to learn whether the State party registered the births of all girls with disabilities and issued all women with disabilities with an identity card. She also wished to know what action was being taken to tackle discrimination, stigmatization and violence directed at women living with HIV/AIDS, lesbian, bisexual and transgender women and intersex persons. Lastly, she asked whether women deprived of their liberty were routinely brought before a judge within 48 hours of their arrest.

8. **Ms. Gbedemah**, welcoming the measures taken to improve the school enrolment rate for girls, reduce the school dropout rate and improve support for children with special needs, said that she wished to know whether those measures were applied in all parts of the country

and supported by relevant teacher training. She would be grateful to learn the average number of schoolgirls who became pregnant every year, what proportion of those girls continued their schooling, whether schools were prohibited by law from expelling pregnant girls and whether pregnant girls had a legally established right to return to school after they had given birth. If a law prohibiting the expulsion of pregnant girls was in force, it would be interesting to know how many officials had been penalized for violating it.

9. The State party might describe any conclusions it had drawn from the investigative report on teenage pregnancies in schools published in 2017. The Committee noted that the State party had adopted a system of hybrid learning to enable pregnant girls to continue their education but wished to know how it ensured that such girls had access to the same quality of education as their peers and were not subjected to discrimination and stigmatization.

10. She would welcome further information on the content of sex education provided in schools. It would be interesting to learn whether teachers undergoing initial training were taught to ensure that sex education in schools was age appropriate, evidence based and scientifically accurate and that it addressed responsible sexual behaviour, the prevention of teenage pregnancy and sexually transmitted diseases.

11. The Committee would be grateful to learn what proportion of girls opted to study science, technology, engineering or mathematics at the tertiary level, what proportion of women graduating in one of those subjects went on to find employment in a field related to their degree and whether the Government would consider using temporary special measures to promote women's employment in the energy sector and other areas requiring a scientific education. Noting that boys generally outperformed girls in school, she wondered whether discriminatory factors played a part in hindering girls' performance and whether an investigation into that question might be conducted. Lastly, she asked whether girls and boys had equal access to scholarships.

12. **The Chair** said that she wished to know what measures would be taken to reduce the unemployment rate among women, promote women's integration into formal employment, reduce the gender pay gap, increase the labour force participation rate of women and extend access to social benefits for all persons working in the informal sector. She wondered what steps the Government would take to eliminate gender segregation in employment, apply the principle of equal pay for work of equal value and mitigate the adverse effects of the coronavirus disease (COVID-19) pandemic on women's job security.

13. **Ms. Nlend Koho** (Gabon), speaking via video link, said that girls and boys were required to attend school from the age of 3 years to the age of 16 years. Pregnant girls were not expelled from school and were encouraged to continue their education. To facilitate that process, the Ministry of Social Affairs made nursery places available to the children of girls enrolled in school. Measures were in place to increase the proportion of girls who opted to study science, technology, engineering and mathematics.

14. **Ms. Makouza** (Gabon), speaking via video link, said that girls and boys had equal access to sex education, including information on sexual and reproductive health. The curricula of teacher training colleges included courses on teaching sex education. Pregnant girls faced no discrimination in schools and were supported in their efforts to resume their education after they had given birth. The Government routinely collected data on teenage pregnancies and sexual violence in schools.

15. **Ms. Nlend Koho** (Gabon) said that boys and girls had equal access to scholarships, which were awarded on the basis of their grades. Consideration was being given to the possibility of increasing scholarships awarded to girls with disabilities. Mechanisms had been established to encourage girls to pursue careers in science, construction and other areas traditionally considered to be the preserve of men. In that connection, the Ministry of Social Affairs had worked with a private sector organization to establish a scheme for training women to drive heavy vehicles.

16. In accordance with the Human Investment Strategy, vulnerable women could obtain support through the National Health Insurance and Social Protection Fund. Budgetary lines were also established every year to support vulnerable persons and promote access to education for women and girls. A number of vocational training colleges offered a broad

range of courses aimed at students who wished to improve their employment prospects. The Ministry of Social Affairs had recently set up a national strategy for empowering vulnerable persons, in accordance with which experts from various spheres had been invited to reflect on ways of using public policy to increase employment opportunities for vulnerable persons.

17. Women and men were paid the same salaries at all levels of the civil service. The Observatory for Women's Rights and Parity was taking steps to ensure that women were guaranteed equal remuneration in the private sector and equal access to decision-making positions.

18. Women and men were equally entitled to social protection. There were three separate funds, a fund for the private sector, a fund for the civil service and a fund for economically underprivileged members of the population. The plan to accelerate economic transformation provided for the establishment of a framework fund, which would ensure that workers in the private and informal sectors had access to social protection funds and would increase the availability of funds for vulnerable people. It was therefore essential to obtain reliable data on the scale and composition of economically vulnerable groups. Discussions on the establishment of the fund were currently under way and the World Bank had agreed to support the Government in the process.

19. **The Chair** invited follow-up questions from Committee members on all articles discussed at the previous and current meetings.

20. **Ms. Gbedemah**, referring to article 10, said that she had requested statistics concerning the number of girls who had become pregnant and the number who had returned to school.

21. She wished to know whether there was a law prohibiting dismissal on grounds of pregnancy and prescribing penalties where it occurred. She asked whether any action had been taken on the investigative report concerning cases of teenage pregnancy and whether any offenders had been prosecuted and punished.

22. The Committee would appreciate detailed information on temporary special measures adopted in schools and statistics on the number of girls who studied science and other similar subjects.

23. **Ms. Tisheva**, referring to article 5, asked whether Act No. 006/2021 on the elimination of violence against women was purely criminal legislation prescribing new and harsher penalties or legislation covering other types of offences as well. She wished to know whether it provided for urgent protective orders on behalf of women victims of conjugal or other forms of violence and whether civil courts were empowered to issue such orders.

24. She asked whether article 267 of the Criminal Code concerning adultery and abandonment of the family home, which violated the principle of respect for private and family life, was still in force.

25. **Ms. Berti** (Gabon), speaking via video link, said that a nationwide survey had been conducted to collect data on the scale of the phenomenon of teenage pregnancy in schools. The results had served as the basis for the development of a strategy by the Ministry of Education aimed at preventing such pregnancies as well as gender-based violence in schools. The law did not allow for the expulsion of pregnant girls from school. On the contrary, every effort was made to ensure that they stayed in school. Information concerning teenage pregnancies in school was disseminated in local communities and to parents.

26. **Ms. Nlend Koho** (Gabon) said that the emergency telephone lines that had been established to combat violence in school were also a source of statistics. The committees on children's rights in the National Assembly and the Senate addressed all such issues.

27. **Ms. Mboga** (Gabon), speaking via video link, said that adultery had been decriminalized in the existing legislation and could be invoked solely as a ground for divorce. Act No. 006/2021 on the elimination of violence against women clearly defined acts that constituted discrimination against women in both criminal and civil law. Rights pertaining to private and family rights were fully respected.

28. As all persons were guaranteed access to justice, the judicial authorities had established mobile courts for vulnerable persons, such as women with disabilities, who found it difficult to access regular courts.

29. **Ms. Toé-Bouda** said that she welcomed the increase in the State party's health-care budget, which had doubled between 2015 and 2018, and asked whether there had been further increases in the meantime. She wished to know whether the allocations covered all strata of society, including people living in remote regions and the country's forests.

30. According to the National Health Development Plan for 2017–2022, there was a gap between the demand for health-care services and the existing supply. She would be interested in hearing about measures taken to reduce the gap.

31. She appreciated the fact that prenatal and postnatal care was provided free of charge. However, she wondered whether girls under 18 had access to such benefits. According to the available statistics, 16.8 per cent of children under the age of 15 had had sexual relations. More than one in five girls under the age of 15 and more than two thirds of girls under the age of 18 had had unprotected sexual relations and there was a high rate of teenage pregnancy. She wished to know what action was being taken to protect and provide free health care to girls in that age group.

32. She welcomed the adoption of the Strategic Plan for Reproductive, Maternal, Newborn, Child and Adolescent Health and Nutrition for 2019–2023 and the strategy to combat early pregnancy in schools adopted in 2018. She would appreciate statistics regarding the impact of the strategies. She wished to know whether the State party planned to provide universal health coverage of all costs relating, for instance, to contraceptive methods. She would welcome any available statistics on illegal abortions and an assessment of their impact on women's health and the maternal mortality rate.

33. The Committee remained concerned about the stigmatization of persons living with HIV/AIDS, especially women, who were frequently rejected by their husbands or partners or by their families. As no laws or protective measures were currently applicable in such situations, she asked whether the State party planned to take some form of action to combat the stigmatization of persons living with HIV/AIDS.

34. **Ms. Nadaraia** said she wished to know whether the State party planned to grant married women the same right as married men to open a bank account and whether it would abolish discriminatory restrictions in the Civil Code.

35. As discriminatory customs, traditional practices and religious laws reportedly prevented women from inheriting, acquiring, using, managing and owning land, she would welcome information concerning measures to eliminate customary rules and laws that designated men as the primary decision makers in households and granted them the sole authority to administer key assets, including agricultural land.

36. Action to eliminate the structural barriers that prevented women from owning and making decisions regarding agricultural land was essential for their empowerment. Policies that enhanced land rights equity and promoted the formalization of land ownership had the potential to increase women's empowerment and general welfare. The vast majority of landowners in some districts of the State party were men, and the prevalence of discriminatory attitudes meant that the majority of the population opposed women's equal access to and decision-making power over agricultural land.

37. She would appreciate information on strategies aimed at changing social practices governing household assets in the context of marriage and inheritance that prevented women from owning land.

Articles 15 and 16

38. **Mr. Safarov** said he wished to know whether the State party had adopted legislation to protect women's rights, for instance their right to inheritance, in the event of the dissolution of a customary marriage. It was essential to specify a minimum age for marriage in the country's legislation and to render the official registration of all marriages mandatory, including customary and religious marriages. According to the available statistics, 15 per

cent of persons who had married in 2019 and 2020 had been under 18 years of age, and many of the marriages had been forced. He wondered what measures had been taken, especially in legal terms, to prevent polygamy.

39. He also wished to know when the State party would grant women the right to be recognized as a head of household, when it would ensure equal parental authority over children and when it would repeal discriminatory laws that prevented widows from maintaining their right to inherit the property of their deceased husbands if they remarried. He underscored the importance of equal rights to property and child guardianship in the event of a divorce.

40. **Ms. Nlend Koho** (Gabon) said that the Government was conducting a demographic health survey to identify key health issues. All provinces had a regional hospital, and the departments and some districts a public health centre. Further health centres were under construction, some with the support of donors. A policy had been adopted to ensure that the health centres in all rural areas were adequately supplied with medicines and staffed with qualified personnel. A mobile emergency medical service called SAMU social provided free care to vulnerable persons throughout the country.

41. All minors with at least one parent who was registered with the national health insurance scheme had the same access to health-care services as the parent. The Government was working to increase the number of persons enrolled on the scheme.

42. Men and women alike could freely open a bank account. Laws on discrimination and violence against women also protected the right of women to have access to credit, provided that the provision of credit would not put at risk the assets of the woman's family. Women were no longer required to obtain their husband's permission before they could receive a passport. Land allocation was managed by a ministerial department, and both men and women could apply for land through the same procedures.

43. **Ms. Mboga** (Gabon) said that Gabon no longer recognized customary law since the adoption of its Civil Code, which the Government continued to amend in order to remove any remaining discriminatory provisions. While customary practices persisted, civil law had primacy in all cases. For example, the requirement that women seek their husband's permission to obtain a passport had been a customary practice; the Government had instructed the administrative services to do away with the requirement, and women who encountered the practice were encouraged to report it.

44. Following the amendments to the Civil Code in 2021, spouses were entitled to open a bank account of their own, with their spouse's consent. Men and women had equal inheritance rights under the law, and women could inherit assets from a deceased spouse in line with the provisions of their marriage contract. Where such a contract did not exist, the inheritance rights of widows were still protected by law provided that they had been legally married to the deceased. When a person died, a meeting was held known as an inheritance council comprising only the person's various legal heirs, namely the surviving spouse and all legitimate or recognized children of the deceased.

45. The marriage of boys and girls under the age of 18 years was prohibited. Over that age, the consent of both spouses was required. Where a minor or a non-consenting adult was found to have been married, the public prosecutor had the power to open proceedings against all persons involved in organizing the marriage.

46. Gabon had moved from a paternalistic civil code, which saw the husband as the protector of the family, to one that recognized the shared authority of men and women. Men were no longer considered head of the family.

47. **Ms. Toé-Bouda** said that, as teenage pregnancy remained a taboo topic, she wondered whether all pregnant girls were willing or able to disclose their pregnancies to their parents and, therefore, to obtain access to free prenatal health care through their parents' health insurance. In that context, she asked what was being done to ensure that all girls under the age of 18 were able to receive free prenatal care.

48. **Mr. Safarov** said that he wished to know what was being done to combat polygamy. He wondered whether any statistics were available on the prevalence of religious and customary marriages and whether such marriages were legally recognized.

49. **Ms. Nlend Koho** (Gabon) said that the Government was currently working with civil society to disseminate the laws to protect women's rights in order to ensure that women were aware of their rights. It had established hotlines for reporting cases of discrimination and violence against women, in addition to support centres and legal clinics to provide guidance for women and vulnerable persons on issues such as inheritance disputes.

50. The Government was striving to prevent teenage pregnancies and period poverty in order to help girls complete their education, including by teaching girls about menstruation. All pregnant women, especially those recognized as being in a vulnerable situation, were entitled to free prenatal care through the national health insurance scheme.

51. Religious marriages primarily took the form of a blessing, rather than a marriage with legal implications. Traditional marriages, in which an agreement was reached between the spouses' families, were rare. No statistics on their prevalence had been gathered. Only widows who had been married under civil law had legal rights regarding their deceased spouse.

52. **Ms. Mboga** (Gabon) said that a commission had been established to examine the issue of religious and customary marriages in Gabon. Polygamy remained legal, but any party who violated the terms of such marriage arrangements could face consequences.

53. **The Chair** said that she commended the progress made and looked forward to seeing further advancements as Gabon moved from de jure to de facto gender equality.

54. **Ms. Nlend Koho** (Gabon) said that the dialogue with the Committee had been enlightening, in terms of both what Gabon had achieved thus far and what remained to be done.

The meeting rose at 12.55 p.m.