



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

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**Committee on the Elimination of Discrimination
against Women**

**Consideration of reports submitted by States Parties under
article 18 of the Convention**

Sixth periodic report of States parties due in 2010

Gabon*

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* The present document is being issued without formal editing.



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Foreword

Article 18 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) requires States parties to submit, after an initial report, periodic reports every four years and at the request of the Committee.

The Optional Protocol to the Convention authorizes the Committee to receive and consider communications and petitions from individuals or groups of individuals, including those made on their behalf, who claim to be victims of violations of the rights protected under the Convention in accordance with articles 1 and 2 of the Protocol.

We thank the Ministry for the Family, the Advancement of Women and the Protection of Widows and Orphans, which appointed us to draft this report in the light of its concern and that of the Government of our country to achieve full development of Gabonese women.

We have tried, as much as possible, to comply with article 18 in its entirety, although several factors beyond our control have prevented us from preparing a complete report.

We hereby wish to express our deep gratitude to all the experts involved in the preparation of this report.

(Signed) Honorine Ntsame **Allogo**
(married name: Nzet Biteghe)

Introduction

1. After the initial report of 14 June 1988, followed by the second, third, fourth and fifth reports (CEDAW/C/GAB/CC/2-5), which were considered by the Committee at its 669th and 670th meetings, held on 13 January 2005 in New York, Gabon hereby submits its sixth periodic report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). This report will focus on the following points:

- (i) Review of the status of Gabonese women before and after the ratification of the Convention;
- (ii) Context in which the Convention was ratified;
- (iii) Concurrent review of the implementation of the Convention since the last report and the concerns, observations and recommendations that arose in the review of the earlier combined reports;
- (iv) Barriers to the full participation of women on an equal footing with men in the political, social, economic and cultural spheres;
- (v) Conclusion.

I. The status of Gabonese women in society before and after the ratification of the Convention

2. The status of Gabonese women can be studied in three main stages:

- Before colonization;
- Under colonialism;
- From independence to the present day.

3. Before colonization, the role of women was determined mainly by the unilateral decision of the society in which they lived, namely, that of a wife, a mother, a person active in the home, with the opportunity to play a certain role at a certain age in the family council when they were requested to offer advice regarding marital problems, for example: the marriage of girls, preparation for sexual life, home life, etc.

4. During the period of colonialism, the West, including France, brought its law, which caused a shift in people's thinking, namely, that women should no longer be considered merely as incompetent adults but must be allowed to exercise their rights and make decisions about their own lives.

5. From independence to the present day, the awareness "awakened" by the colonizer has developed, and we have begun to hear of the complementarity between men and women and of the equal rights of men and woman.

6. After the Act of 31 May 1963, which eliminated dowries, and the removal of the local courts of law and the adoption of the first part of the Civil Code in 1972, women's empowerment lost its voice somewhat, hampered by the fact that the single party banned associations.

7. At the international level, people started talking increasingly of the emancipation and advancement of women.
8. Internally, new laws have emerged, namely, laws on compulsory education up to 16 years of age, the need for women's consent to marriage, and the prohibition against marrying girls under 15 years of age, even as part of a customary practice.

II. The situation that prevailed at the time of the ratification of the Convention

9. Gabon is situated in Central Africa on the Gulf of Guinea, astride the Equator, with an area of 267,667 km². It is bordered to the north by Cameroon, to the north-west by Equatorial Guinea, to the east and south by the Republic of Congo and to the west by the Atlantic Ocean. Its population is relatively small, around 1.5 million, and more than half female (over 51%). Despite certain sociocultural problems left over from traditions and customs, Gabon accords an important place to women.
10. The Convention was ratified by Gabon on 21 January 1983. Its influence can be seen at the policy level in the appointment of women to decision-making posts under the single party and the policy of promoting women advocated by the head of State.
11. The National Conference of April 1990 led to the birth of several women's organizations and political associations, where attention was drawn to the role of women. The issue of women became a real subject of concern.
12. The Government and the social partners have put in place policies to recognize women as actors in the development process.
13. Speaking generally, the following significant advances should be noted:

Legal measures

14. Following the revision of the Constitution, which came after the National Conference in 1990, which affected article 2, second subparagraph, on the equal rights of men and women, and the substantive change brought in by the Organic Law on the Constitutional Court, which allows women to challenge the constitutionality of a law deemed discriminatory, a concern has arisen to revise both parts of the Civil Code in order to eliminate articles that discriminate against women. In that connection, a draft revision of the second part of the Civil Code dealing with inheritance has been prepared by the Ministry for the Family and the Advancement of Women with the support of United Nations Population Fund (UNFPA), and two workshops have been held to rewrite the first part of the Civil Code in collaboration with the Parliament.
15. Implementing regulations for Act No. 37/98 of 20 July 1999 establishing the Gabonese Nationality Code have been enacted for the actual implementation of the new provisions that the Act contains, including the reciprocal acquisition of Gabonese nationality through marriage and dual nationality for Gabonese women, who no longer lose their Gabonese nationality as the result of marriage to a foreigner.

Social measures

16. Following the institutionalization of the gender approach, including the establishment of focal points in key ministries, Gabon is striving to develop a national gender policy with the support of the United Nations Development Programme and UNFPA. It has also implemented:

- The establishment of services of the Ministry for the Family and the Advancement of Women in the nine provinces of the country;
- The establishment of day nurseries and community day-care centres;
- Support for the development of microcredit in Gabon;
- The establishment of networks of associations and non-governmental organizations (NGOs) defending the rights of women and networks of associations in other development sectors so as to achieve better coordination of the action of women;
- The establishment, in addition to the Office for the Coordination of Non-governmental Organizations and Women's Associations (CORFEM), of other coordinating networks of associations, including the National Support Centre for Women's Organizations in Gabon (CENAF - Gabon) with the support of the African Capacity-Building Foundation (ACBF) and various other coordinating mechanisms, including the Programme to Strengthen Non-State Actors (PROGREANE) with the support of the European Union;
- Increased sensitization to women's rights carried out by the Observatory for Women's Rights and Gender Equality (ODEFPA), especially through the publication of brochures, radio and television broadcasts, lectures, round tables, conferences and debates, legal support for all women victims of marital violence and various forms of discrimination, and the dissemination of information on the Convention on public and religious radio stations, through trade unions and all of the activities of ODEFPA;
- The activities of the Association for the Defence of the Rights of Women and Children (ADDFE) in defence of the rights enshrined in the Convention and of other associations, such as the Gabonese Association of Social Workers (ADDFE), to promote the economic empowerment of women;
- The creation of four microfinance institutions approved by the Ministry of Economy and Finance with the agreement of the Central African Banking Commission (COBAC), two of which are headed by women as associations promoting the financial and economic empowerment of women;
- The existence of other operational associations in the field.

Political measures

17. Note should also be taken of:

- The strengthening of democracy, including the elimination of discrimination between men and women in accordance with Act No. 24/96 of 6 January 1996 on political parties;
- The effective participation of women in the independent and permanent National Electoral Commission (CENAP), which manages political elections.

Several women were appointed chairpersons of provincial, departmental and local electoral commissions for the presidential elections in November 2005, the lower-house legislative elections in December 2006 and June 2007, the elections of municipal and departmental councillors in 2007 and 2008, and the senatorial elections of 18 January 2009 under Act No. 7/96 of 12 March 1996, as amended;

- The appointment of women to decision-making positions in political parties, constitutional institutions, the Government and the Administration;
- The activities of the Gabonese branch of the Group for Study and Research on Democracy and Economic and Social Development in Africa (GERDESS), a women's association that seeks to encourage women to take an interest in politics and stand for election in various contests.

III. Concurrent review of the implementation of the Convention and the Committee's concerns and recommendations

Article 1 of the Convention: Definition of discrimination against women

Concern no. 18 and recommendation no. 19 of the Committee

18. Concern no. 18 of the Committee relates to the absence of a definition of discrimination against women and the principle of equality between men and women in the Constitution of the Republic of Gabon or in any other legislative text, as well as Gabon's restrictive interpretation of the requirement that the Convention imposes to eliminate discrimination and ensure the strict application of those principles.

19. Recommendation no. 19 relates to the inclusion in the Constitution or other relevant national laws of a definition of discrimination and the principle of equality between men and women, based on the provisions of articles 1 and 2 of the Convention.

20. The Committee urges Gabon to develop and implement without delay a national strategy and an integrated plan of action to ensure the full implementation of all of the provisions of the Convention and the introduction of the principle of gender equality in its existing policies and sectoral plans, and to strengthen, as needed, the advancement of women through temporary special measures, in accordance with article 4, paragraph 1, of the Convention and general recommendation 25.

Measures adopted

21. In Gabon, the power of legislative initiative lies with the Government and the Parliament, under article 53 of the Constitution.

22. After the presentation of the combined reports to the Committee in January 2005 and after the receipt of an account of the Committee's concerns and recommendations, implementation of the provisions of article 1 of the Convention regarding the introduction of a definition of discrimination has not yet been effected. That requires either an amendment to the Constitution by rewriting the

provisions of its article 2, second subparagraph, which states that "the Gabonese Republic ensures the equality of all citizens before the law without distinction based on origin, race, sex, opinion or religion", or an insertion in the Civil Code (which has the force of law) based on the current drafting of the Constitution and the CEDAW Convention. The phrase "without distinction based on sex" is still valid.

23. However, on 14 February 2007 and 11 November 2008, the Minister for the Family and the Advancement of Women appealed to the President of the Constitutional Court for the insertion into the Constitution of the word "discrimination" and the definition contained in the Convention. Subsequent to that request, the Minister for the Family was received in audience by the President of the Constitutional Court in the presence of experts and ODEFPA. Procedures to harmonize the legal texts to that end are promising and are ongoing.

24. It should also be noted that article 8 of the new Labour Code (Act No. 3/ 94 of 21 November 1994, as amended by Act No. 12/2000 of 12 October 2000) provides that "all workers are equal before the law and enjoy the same protection and the same guarantees. Any discrimination in employment and the conditions of employment based on race, colour, sex, religion, political opinion, national origin or social origin is prohibited."

25. On the other hand, in the spirit of the Convention, the Ministry for the Family and the Advancement of Women, with the support of development partners (UNDP and UNFPA) and in collaboration with the Parliament and associations and NGOs active in the defence of women's rights, held a first workshop in September 2005 on the revision of the Civil Code, the Nationality Code and legal texts relating to the female staff of the defence and security forces. The issues raised by the Committee were discussed, and reports were submitted to those responsible for initiating laws.

26. A second workshop on the revision of State pensions, the Penal Code and the Labour Code was organized in October 2006.

27. The findings of the two workshops were submitted to the Council of Ministers.

28. The ODEFPA and another expert, a lawyer admitted to the bar, served as national consultants for a study on the second part of the Civil Code in January 2007. They made proposals to rewrite or delete provisions, moving article by article, deemed discriminatory in the part of the Civil Code that deals with inheritance. That work is now in the hands of the Government, represented by the Ministry for the Family, and was the subject of a presentation to the public, including NGOs and associations defending the rights of women and development partners, on the International Day for the Elimination of Violence against Women in November 2008.

29. Gabon committed itself in July 2007, in partnership with UNFPA and UNDP, to drawing up a national policy document on gender.

30. A workshop to review a preliminary analytical report on disparities and inequalities between men and women in various sectors was held in the National Assembly on 20 and 21 May 2008 under the auspices of the Ministry for the Family and the Advancement of Women with representatives of other ministries, the Presidency of the Republic, and associations and NGOs active in the defence of the rights of women and children, in collaboration with development partners.

Article 2 of the Convention: Elimination of discrimination

Concern no. 20 and recommendation no. 21 of the Committee

31. Concern no. 20 focuses on women's access to justice and remedies for violations of their rights, which could be compromised by economic and cultural barriers.

32. Recommendation no. 21 relates to the removal of remaining barriers and to ensuring that women have access to affordable, effective and rapid means of action, especially through awareness campaigns on the availability of legal remedies against discrimination and the granting of legal aid. The Committee has encouraged the Gabonese Government to monitor the effectiveness of those measures.

Measures adopted

33. The Gabonese Government, in its 2005, 2006 and 2007 annual budgets, assigned financial priority to the judiciary, so that all facilities, in terms of buildings and the access of citizens to a fair trial, would be in place. That decision led, besides the construction of buildings and the redevelopment of existing mechanisms, to measures allowing easy access for all individuals regardless of gender to a fair trial.

34. To meet the needs of poor women, family courts have been established, headed by male and female judges, to deal with their cases, with improved free filing for food allowances by women, covering more than 90 per cent of cases, so as to force fathers to care for their children in the event of separation or even when the spouses still live in the same house.

35. With regard to sustainable temporary measures, a joint programme, involving the National Commission for the Family and the Advancement of Women (of the Ministry for the Family), ODEFPA, the social services of the Ministry of Justice and the family courts, has been put in place so as to ensure the legal protection of the rights of women with a view to eliminating any economic and cultural barriers. To that end, when a woman is a victim of violations of her rights or when she wants to submit a complaint to the court but lacks the financial means to hire a lawyer for her defence, ODEFPA drafts the complaint for the woman concerned and the organizations listed above are put in contact with the family court to ensure that her rights are protected and that she has no fees to pay. It is the family court that takes up the case and orders investigations as needed. That procedure continues to function until the case has been decided by the court. Many cases, which could be subject to significant legal fees, are often settled amicably through this synergy.

36. In criminal cases, the State ex-officio designates lawyers to defend the accused and pays their fees.

37. With regard to cultural barriers, the above-mentioned organizations, associations and NGOs defending the rights of women hold encounters with women victims of sociocultural prejudices, so that they understand that they are legitimate human beings and citizens. Those meetings have produced positive results in the home at the educational and psychological levels. The ODEFPA, for example, during the years 2006 and 2007, supported over 100 women with marital difficulties and has invited husbands to participate in interviews and open dialogue with their wives. Of the 100 women, 30 have divorced and won their cases, 35 are legally separated and have found jobs or are involved in income-generating activities, 20

have returned to school and 15 have recovered their marital bliss through reconciliation. It is the ODEFPA legal clinic that deals with those women.

38. In addition to the outreach work carried out in the field by civil society, a new body has been set up, called the National Support Centre for Women's Organizations in Gabon (CENAF - Gabon). This organization brings together women's associations and NGOs grouped into networks by strengthening their capacities. It is supported by the Government of Gabon and the African Capacity-Building Foundation (ACBF). The Centre, through its Network for Democracy, Law and Peace (REDDP), provides paralegal training in June 2008 for all district heads, with women a priority but with the inclusion of men so as to respect gender. The training focused on available legal defences that women must know about and use when they are victims of any violation of their rights. Those leaders, in turn, provide awareness in the local areas under their authority with the help of legally qualified members of those networks. Brochures explaining women's rights have been distributed free, dealing with how to submit a complaint, the various elements of the Gabonese justice system, the various levels of courts and their roles, etc. A reminder letter was sent to the Minister of Justice to ensure the effective functioning of free legal aid, which has been made the subject of a law.

39. All of the other mechanisms described in the previous combined reports continue to exist and function.

Article 3 of the Convention: The full development and advancement of women

40. In addition to the participation of women in public and political life, which will be discussed in the section dealing with article 7 of the Convention, we must note the presence of women in almost all sectors previously reserved for men. Thus, there are women carpenters, electricians, refrigeration workers, petrol station operators, taxi and bus drivers, pastors in churches (despite fierce opposition from religious leaders, women have established churches with the help of their diplomas as pastors) with men under their authority, entrepreneurs, architects and others.

41. In commerce, they are involved in both the formal and the informal sectors. Some run small- and medium-sized enterprises and medium-sized industries.

42. In order to circumvent the banks, they have formed associations for pooling funds and, following a fixed schedule, they distribute those funds to enable them to create structures of their choice so as to ensure their financial independence.

43. At the training level, there is no gender-based discrimination affecting access to a particular training facility.

Article 4 of the Convention: Special measures to accelerate equality between men and women

44. In the armed forces, the number of women with the rank of general has increased. Previously, the gendarmerie and the police had no women appointed to that grade. That has now changed. The number of women in that grade rose from

two to five (two female members of the military are now in retirement, as are one member of the police, one in prison security and one in the national gendarmerie).

45. Measures to protect maternity in the Labour Code, the statute of the civil service and the general regulations for civil servants continue to be in force (prohibition against dismissing a woman because of her pregnancy or childbirth, maternity leave of 14 weeks with mandatory wages, time for breastfeeding, prohibition against assigning women to work unsuited to their health). All of these measures are being implemented by employers in the private and the public sector.

46. The Grand Prize of the President of the Republic for the promotion of the socioeconomic activities of women has been institutionalized, along with the awarding of medals to biological and foster mothers.

Article 5 of the Convention: Gender roles and stereotypes

Concern no. 30 and recommendation no. 31

47. Concern no. 30 of the Committee deals with the prevalence of deeply rooted, harmful customs and traditions: early marriage, forced marriage, polygamy, practices associated with widowhood, levirate and the persistence of stereotypes that discriminate against women and represent impairments of their fundamental rights. The Committee notes the lack of effort on the part of Gabon to directly address those practices and stereotypes because of their general public support.

48. In recommendation no. 31, the Committee urges Gabon to adopt legislation without delay to amend or eliminate such discriminatory customs and cultural practices, help women to fully enjoy their human rights, design and launch educational and awareness campaigns in order to promote the acceptance of the principle of equality between men and women and challenge stereotypical attitudes about the roles of each gender, including in such action both men and women, civil servants, community and traditional leaders, employers and the general public, and working with civil society, radio, television and the written press to achieve that goal, while also undertaking to revise curricula and textbooks in support of that action.

Measures adopted

49. Despite the hybrid position found in Gabonese legislation, which has sought to straddle ratified conventions, the resistance based on certain customs in relation to the law and the procedural delays in revising legal texts deemed discriminatory, the raising of awareness among women is actually carried out in the field by associations defending the rights of women, religious associations and the Ministry for the Family and the Advancement of Women through various actions that include:

- The installation of gender focal points in all ministries;
- Awareness seminars on the premises of the National Assembly and in other places, such as churches and communities, including working with neighbourhood leaders, to deal with the issues of marriage and human rights;
- The effective establishment in each province of services of the Ministry for the Family, one of whose goals is to promote the acceptance of the principle of

equality between men and women through officials posted to those areas and the support provided by associations in the provinces working in this sphere;

- Action carried out by the Association of Widows and Orphans and the Association of Muslim Women to combat stereotypes and the idea of the inferiority of women;
- The awakening of women themselves through recourse to the courts for violations of their rights;
- The punishment of early marriage and the forced marriage of girls under the age of 15 without their consent by a prison sentence of one to five years (article 264 of the Penal Code). Those penalties are increased to ten years imprisonment if sexual intercourse was performed or attempted on the girl and even longer imprisonment with labour if the intercourse resulted in the death of the child;
- The elimination in new textbooks of stereotypes highlighting the gender division of labour.

Article 6 of the Convention: Suppression of prostitution and trafficking in women in all its forms

Concerns nos. 24, 25 and 28 and recommendations nos. 26, 27 and 29

50. Concerns nos. 24, 25 and 28 relate to the absence of specific legislation on violence against women aimed at eliminating such violence, especially in the family. The Committee regrets the lack of statistics on the situation of women in all areas covered by the Convention, as well as the lack of information on the impact of measures taken and results achieved. Furthermore, the Committee regrets that, while measures have been taken against child trafficking, none have been directed against trafficking in women.

51. The Committee recommends:

- The establishment of a comprehensive system of data collection;
- The definition of measurable indicators to assess trends in the situation of women and progress in terms of the actual equality between men and women;
- The inclusion in the report of statistical data and analysis, disaggregated by sex and urban vs. rural areas, indicating the impact of the measures adopted and the outcomes;
- The adoption on a priority basis of all measures needed to combat violence against women and girls;
- The recognition of violence as a violation of the fundamental rights of women protected under the Convention;
- The enactment of criminal legislation to repress violence against women (including violence committed within the family) and immediate access by victims to protection and the prosecution and punishment of perpetrators;

- The sensitization of law enforcement officials, health providers, social workers, community leaders and the general public to the unacceptability of violence;
- The provision of medical, psychological and legal assistance.

52. The Committee further suggests that the State party seek international assistance for data collection and analysis.

Measures adopted

53. Although specific legislation on violence against women has not yet been enacted in that the Penal Code, in using the word "anyone", does not distinguish between victims of violence generally, there are, however, some specific aggravating sanctions if the violence is committed against girl children when such violence is perpetrated in families by parents or other persons having authority over the child. Article 235 of the Penal Code punishes perpetrators of violence against children under 15 years of age with imprisonment of one to five years and a fine of from 24 000 to 240 000 francs, and if the offence was accompanied by premeditation or ambush, the punishment ranges from three to ten years.

54. If the violence resulted in permanent disability or death, even if not intended, the culprit is punished by longer periods of imprisonment with labour. If the culprits are the legal parents, adoptive or natural, or other legitimate ascendants, or any other person having authority over the child or having custody, the penalties are increased as appropriate:

- Two to ten years imprisonment, life imprisonment with labour, life imprisonment or the death penalty if the violence committed against a child under 15 years of age, if there was premeditation or ambush, if the violence led to mutilation, amputation or the deprivation of a limb, blindness, the loss of an eye or other permanent disability or if it resulted in death without the intention to kill, or if it can be shown that it was a habitual practice, even without intent to cause death;
- Those aggravating circumstance are dealt with further in articles 236 and 239, which stipulate assorted additional sanctions involving the loss of the right to exercise civil rights;
- The same can be said of the chapter dealing with threats, abortion, arbitrary arrests and abductions, which represent violence.

55. With specific regard to induced abortion, Gabon has, in the interest of protecting pregnant women, made such an intervention punishable by imprisonment of one to five years and a fine of 24 000 to 500 000 CFA francs if a woman is forced to undergo such a procedure, whether or not she has consented to do so.

56. It should be noted that the voluntary abandonment of a pregnant woman by her husband without valid cause is punishable by imprisonment of from one month to two years and/or a fine of 24 000 to 500 000 francs.

57. Regarding offences against public decency that involve violence, rape is prosecuted and is punishable by imprisonment with labour if committed against a girl under 15 or a pregnant woman suffering from mental retardation.

58. The same applies to indecent assault, with or without violence, which is considered aggravated when committed against minors or when the culprit is an ascendant of the person assaulted or if he or she is a person who has authority over the victim.

59. In some proposals for the revision of certain articles of the Criminal Code, it has been suggested that violence against women should be the subject of special legislation.

60. The draft law on the prevention and repression of female genital mutilation was submitted by the Government to the State Council, which has endorsed it. It was discussed in the National Assembly and the Senate before being adopted by both chambers at the final reading.

61. Indicators relating to the issue of violence against women were established for the first time in a concerted manner by an interministerial committee on the occasion of the commemoration of the International Day for the Elimination of Violence against Women in 2004.

62. The table below describes the situation well, although it applies only Libreville, the capital of Gabon.

63. With regard to the provision of medical, psychological and legal assistance, victims of violence are handled in public health facilities and access to the justice system is free by contacting the National Prosecutor's Office. Psychological counselling is provided by associations combating violence against women.

64. As far as trafficking in children and women goes, Ordinance No. 04/2001 of 14 August 2001 was rejected by Parliament, but was replaced by Act No. 09/2004 of 21 September 2004 against trafficking in children. Article 20 and following articles of the Act state that "whoever has organized or facilitated trafficking in children or has participated in such traffic, including by transporting or bringing such children into the country, providing housing and food for them, selling them, employing them illicitly or deriving any benefit from such trafficking, shall be punished by imprisonment with labour and a fine of 10 to 20 million francs. Accomplices and instigators shall be punished in the same manner."

Table 1

<i>Type of violence</i>	<i>No. of reported cases</i>	<i>Percentage</i>
<i>Psychological</i>		
Verbal threats	640	35.75
Verbal abuse	320	17.88
Humiliation/denunciation, falseaccusations	250	13.97
Repudiation	270	15.08
Despoilment	310	17.32
Total	1790	100
<i>Physical</i>		
Blows	400	49.38
Wounds	320	39.51

<i>Type of violence</i>	<i>No. of reported cases</i>	<i>Percentage</i>
Fatal injury	90	11.11
Total	810	100
<i>Sexual</i>		
Forced intercourse	62	19.75
Rape (incest)	190	60.5
Sodomy	62	19.75
Total	314	100
Grand total	2914	100

Source: Ministry for the Family and the Ministries of the Interior and Justice (2000-2004).

65. It was reported in the previous report that trafficking in women is a little-known practice in Gabon. But, in the spirit of the Convention, a subregional meeting of experts on "The Fight against Trafficking in Persons, Especially Women and Children" was held in Libreville from 9 to 11 May 2006, followed by a meeting in Turin (Italy). Those meetings resulted in an agreement on multilateral regional cooperation in the fight against trafficking in persons, especially women and children, in West Africa and Central Africa, involving the Economic Community of West African States (ECOWAS) and the Economic Community of Central African States (ECCAS), which was signed in Abuja (Nigeria) on 5 July 2006. That agreement was also signed by Gabon, represented by the Minister for Foreign Affairs and human rights experts. The agreement focused on trafficking in women.

66. Once the cooperation agreement has been signed between the States concerned, legislation on trafficking in women should, in principle, follow.

67. Regarding the overall strategy against such trafficking, the Monitoring Committee on Child Trafficking was established by the Government under the Ministry of Labour with its provincial offices and centres for collecting children in Libreville and Port Gentil. It works in collaboration with the embassies of the countries from which the children come. People who make use of those children are not only prosecuted but must also compensate the children before their repatriation and integration in their country of origin.

68. Furthermore, starting in November 2004 and after the promulgation of the law on child trafficking, the Observatory for the Women's Rights and Equality (ODEFPA) and the Association for the Defence of the Rights of Women and Children (ADDFE), working with the support of the Subregional Project to Combat Domestic and Cross-border Trafficking in Children in West and Central Africa (LUTRENA) and in collaboration with psychologists and the media, have worked to raise awareness of the problem in the provinces where child trafficking has been a problem (Estuaire, Ogooué maritime, Haut-Ogooué and Woleu Ntem) with a view to presenting the dangers of that phenomenon to the lives of children and the punishments established by the Gabonese Government. The awareness campaign was followed by a film produced by ODEFPA and ADDFE aimed at dissuading the perpetrators of such trafficking and at making people aware of the mechanisms established to combat the phenomenon.

69. On 16 March 2005, ODEFPA also petitioned the National Assembly to correct the deficiencies of and harmonize the law on the suppression of child trafficking.

70. Seminars targeted on the security forces and communities where such practices have been encountered have been held in Libreville, involving representatives of the International Labour Office (ILO), ODEFPA, ADDFE and the Monitoring Committee on Child Trafficking, with the financial support of LUTRENA. The law on child trafficking has been distributed to all security forces and has been widely disseminated in the media.

71. Those actions have resulted in a decline in the phenomenon. It has, however, not been possible to conduct a survey of the results, as the dissemination of the law on the suppression of trafficking in children led to a freeze on the relevant information imposed by the communities involved in the practice.

Article 7 of the Convention: Participation in political and public life

Concern no. 34 and recommendation no. 35 of the Committee

72. Concern no. 34 refers to the low level of participation on the part of women in the political and public life of the country, especially in the Senate, the National Assembly and at the international level, and the lack of implementation of articles 7 and 8 of the Convention and general recommendation 23 on the role of women in public and political life.

73. The Committee recommends increasing the number of women involved in decision-making, strengthening existing training and information programmes and creating a favourable environment for their participation.

Measures adopted

74. The Constitution, Act No. 24/96 of 6 June 1996 on political parties and Act No. 7/96 of 12 March 1996 on political elections, as amended, ensure for citizens of both sexes the right to equal exercise of political rights and equal access to all public bodies and institutions.

75. However, it should be noted that election to the Houses of Parliament is based on direct and indirect universal suffrage, for a term of five years for deputies and six years for senators. In that connection, besides the clear will of the President of the Republic to push the leaders of political parties to nominate women candidates for those elections and the requirement of a quota for local elections, the law on political parties has established independent candidacies (that means that any adult meeting the legal requirements and entitled to exercise his or her civil and political rights may run in any kind of political election), a mechanism that enables even women who are not members of political parties to run in political elections of any kind. Women themselves also demand that they be given decision-making posts in political parties and be backed by the parties in political elections.

76. That commitment is also reflected in various awareness-raising campaigns run by the political parties in all provinces during election campaigns, conferences and debates and lectures, in which voters are asked to vote for women candidates.

77. But that effort has been frustrated by the election results, where we note that some voters, including female voters, do not always vote for women despite their stature and competence. There is always the problem of mentalities and basic education, where people continue to believe that women are not fit to occupy certain positions. Nevertheless, awareness-raising campaigns continue to try to overcome such barriers.

78. With regard to women's access to decision-making positions, the figures are as follows:

Table 2

<i>Post</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Gender ratio (%)</i>
Prime Minister	1	0	1	0
Vice-Prime Minister	1	2	3	66.67
Minister of State	3	0	3	0
Minister	23	5	28	21.74
Minister delegate	13	1	14	7.69
Total	41	8	49	100

Source: General Secretariat of the Government (2009).

79. In the Parliament, the number of deputies and senators has been as follows:

- In the elections for deputies in December 2006 and June 2007 (partial): a total of 120 deputies, the eleventh Assembly has 20 women (13 deputies and 7 alternates). There are four women in positions of responsibility in the Office of the National Assembly: the sixth Vice-President 's office, the first Secretary of the Bureau, the first Rapporteur of the Commission on Social Affairs, Cultural Affairs and Communication, and the first Rapporteur of the Commission on Planning, Development and the Environment. It should also be noted that a Gabonese woman serves as Vice-President of Women Parliamentarians.

80. In the Senate, the composition resulting from the 2002 elections was as follows:

- Out of 91 members, 14 were women. Two women hold positions of responsibility in the office of Senate: second Quaestor and fifth Secretary.

81. It should be understood that those figures changed as a result of the elections for the Senate in January 2009.

82. On the administrative side, we note that out of the staff of 203 in the Senate, we have:

- A female chef de cabinet of the President;
- Seven female councillors;
- Four women serving as directors;
- Three women serving as heads of service.

83. At the level of the local authorities, there is a female presence, although small.

84. The data on the elections for county and municipal councillors in the voting on 27 April and 23 November 2008 are not complete, owing to the need for reruns of the voting in certain localities. Representation is shown in the tables below.

Table 3

Representation of women in local government disaggregated by sex and region

Province	Communal councillors			Central mayors			Departmental councillors			Council presidents		
	Men	Women	Gender ratio %	Men	Women	Gender ratio %	Men	Women	Gender ratio %	Men	Women	Gender ratio %
Estuaire							42	9	21.43		2	100
Haut-Ogooué	200	46	23	12		0	160	21	13.13	10	1	10
Moyen-Ogooué	34	11	32.35	2		0	27	7	25.93		2	100
Ngounié	115	30	26.09	8	1	12.5	123	9	7.32	8	1	12.5
Nyanga	82	20	24.4	6		0	77	8	10.39	6		0
Ogooué Ivindo	61	9	14.75	4		0	54	8	14.81	4		0
Ogooué Lolo	67	21	31.34	4		0	54	6	11.11	4		0
Ogooué maritime	80	23	28.75	2	1	50	49	5	10.2	3		0
Wolen Ntem	99	11	11.11	4	1	25	79	7	8.9	5		0
Total	738	171	23.17	42	3	7.14	665	80	12	46	6	0.13

85. With regard to the justice system, which is a highly strategic governance sector, women are present in various bodies as judges, court clerks, lawyers, bailiffs, etc. In this sector, women have a significant representation, nearly 40 per cent, most commonly as clerks.

Table 4
Presence of women compared to men in the judiciary system (year 2007)

<i>Functions</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>% of women</i>
Prosecutor, assistant prosecutor and deputy prosecutor	25	9	34	26.47
Chief judge	15	7	22	31.82
Secretary general	1	2	3	66.67
Constitutional Court	7	2	9	22.22
Supreme Court	-	-	-	-
Superior Council of Judges	-	-	-	-
Council of State	12	4	16	25
Mediator	0	1	1	100
Court of Audit	9	4	13	30.77
Appeals Court	18	4	22	18.18
Commission to Combat Fraud	-	-	-	-
Bar	47	18	65	27.69
Total	93	33	126	26.19

Source: Ministry of Justice, 2007.

86. With regard to special measures, they can only be taken by those with decision-making authority. Awareness-raising campaigns have been carried out, but they must be followed by concrete decisions.

Article 8 of the Convention: The representation of women at the international level

87. Gabonese women attend international conferences, but their representation in posts within international institutions is very low. One of the problems already noted in other reports is the difficulty, on both sides, of posting spouses together. When a man has a post on the international scene, his wife automatically follows with him. If she is also a government servant, we find her a job in the same place where her husband has been assigned or appointed. However, the reverse is not possible. If the woman insists on having her post, either she goes alone, having made an arrangement with her husband (i.e. he agrees), or she is forced to divorce if the husband does not agree. Various petitions on this subject have been submitted to the National Assembly with the support of the United Nations Population Fund (UNFPA), but the situation remains stagnant. A proposed amendment to the law on keeping spouses together is among the draft laws submitted by the Ministry for the Family and the Advancement of Women to the Government.

88. At the international level, out of 35 ambassadors there are 33 men and 2 women.

Article 9 of the Convention: Nationality

89. The innovative provisions of Act No. 37/98 of 20 July 1998, which establishes the Nationality Code, in particular articles 20 to 24, which stipulate equal rights for men and women married to non-Gabonese persons - they were reported in the previous report - have not changed. Article 34 of the Act allows any person who has

acquired Gabonese nationality to renounce that nationality in accordance with the conditions and procedures prescribed by law. That renunciation is recognized by decree. Currently, implementing regulations to ensure the best application of the Nationality Code are gradually being adopted.

Article 10 of the Convention: Promotion of women's education

Concern no. 32 and recommendation no. 33 of the Committee

90. The Committee is concerned at the disparity resulting from the fact that, while education is compulsory up to 16 years of age, the attendance rate of girls ranges from 39 per cent in the first cycle to 7.20 per cent in the second cycle and only 2.63 per cent in higher education. At the primary level, the statistics on school enrolment coverage, i.e. the ratio between girls and boys at that level, is almost equal to one. That means that Gabon has achieved Millennium Development Goal 5 (MDG 5) for all on a gender-equal basis and also part of MDG 3 on gender equality, as regards primary schooling.

Table 5

Net and gross school enrolment ratios

<i>Net school enrolment ratio</i>	<i>Boys</i>	<i>Girls</i>
Globally	96.2	95.7
<i>Gross school enrolment ratio</i>	<i>Boys</i>	<i>Girls</i>
Globally	132.9	128.2

Source: Statistical Analysis Bulletin No. 1 – Primary Education in Gabon, 2008.

91. The unequal distribution of female primary school teachers at the national level can be measured by the percentage of women teachers. That indicator is important for an appreciation of the growing feminization of the teaching profession and an assessment of training needs according to gender.

Table 6

Distribution of teachers by province and sex

<i>Province</i>	<i>Teachers</i>		
	<i>Men</i>	<i>Women</i>	<i>Total</i>
Estuaire	1 132	2 280	3 412
Haut-Ogooué	357	357	714
Moyen-Ogooué	140	170	310
Ngounié	284	185	469
Nyanga	159	74	233
Ogooué Ivindo	193	96	289
Ogooué Lolo	157	99	256
Ogooué maritime	262	489	751
Woleu Ntem	410	385	795
Total	3 094	4 135	7 229
Percentages	42.8	57.2	100

Source: Statistical Analysis Bulletin No. 1 – Primary Education in Gabon, 2008.

Disparity in technical and scientific education

92. An examination of the situation in the area of secondary education shows that very few girls take up science and technology after the troisième [year 10]. In public schools, they only amount to 8.76 per cent in the seconde C [year 11] and in their final year they have only a marginal presence. In private schools, the trend is slightly higher.

Table 7
Situation of girls in school scientific and technical programmes

<i>Year</i>	<i>Public</i>	<i>Percentage</i>	<i>Private</i>	<i>Percentage</i>
Troisième (year 10)	4 244	82.57	1 519	78.21
Seconde S (year 11)	450	8.76	181	9.32
Première S (year 12)	236	4.59	119	8.13
Terminale C (final year)	16	0.31	9	0.46
Terminale D (final year)	194	3.77	114	5.87
Total	5 140	100	1 942	100

Source: Document on the advancement of girls in scientific and technical programmes in school in Gabon, 2001.

Technical education

93. In technical education, boys are frequently found in traditionally female courses of study (such as accounting). Except in Libreville, they do not study shorthand, reflecting a change in attitudes in urban areas. Although girls study in the traditionally female programmes, they also have a significant presence in sectors reserved for men.

Table 8
Number of students earning technical and professional diplomas in various centres

<i>Centre</i>	<i>Field</i>	<i>Boys</i>		<i>Girls</i>		<i>Total</i>
		<i>Number of students</i>	<i>%</i>	<i>Number of students</i>	<i>%</i>	
Libreville	Bookkeeping	71	82.56	220	68.30	291
	Stenographer/typist	5	5.81	85	26.4	90
	Bank clerk	10	11.63	17	5.3	27
Total		86	100	322	100	408
Port Gentil	Bookkeeping	29	87.88	64	67.4	93
	Stenographer/typist	4	12.12	31	32.6	35
Total		33	100	95	100	128
Franceville	Bookkeeping	2	100	8	38.1	10
	Stenographer/typist	0	0	13	61.9	13
Total		2	100	21	100	23
Mouila	Bookkeeping	5	100	13	56.5	18
	Stenographer/typist	0	0	10	43.5	10
Total		5	100	23	100	28

Source: Ministry of Technical Education and Professional Training, 2007.

Higher education

94. The 2003 data show significant disparities in university enrolment. Women still make up just over a third of the student bodies: 35.57 per cent women compared to 64.43 per cent men. Overall, there is a very large spread in that gap. Women account for more than 30 per cent in the humanities, law and medicine but are less present in the strictly scientific fields.

Table 9
University disciplines and distribution by sex

University (faculties)	Locality	Men		Women		Total
		Students	%	Students	%	
Humanities	Libreville	2 383	59.32	1 634	40.68	4 017
Law/economics		1 341	69.16	598	30.84	1 939
Subtotal, Omar Bongo University		3 724		2 232		5 956
Medicine	Estuaire Owendo	489	57.6	368	42.94	
Subtotal, University of Sciences and Health		489		368		857
Polytechnical Institute of Masuku	Haut-Ogooué	161	85.64	27	14.36	188
Science		511	84.88	91	15.12	602
Higher Institute of Agronomy and Biochemistry		85	76.58	26	23.42	111
Subtotal, Scientific and Technical University of Masuku		757	84.02	144	15.98	901
Total for universities		4 970	64.43	2 744	35.57	7 714

Source: Statistical Yearbook on Higher-level Education, 2003-2004.

Top-level schools and institutes

95. At the top-level schools [grandes écoles], we have seen a large increase in the number of women, but not in the case of the Higher Normal School for Technical Education (ENSET) and the National School for Water-courses and Forests (ENEF). In the National Higher School for Secretarial Studies, women make up 94.21 per cent of the student body, as opposed to only 5.64 per cent men. At the Higher Institute of Technology (IST), there is less difference between women (39.05 per cent) and men (57.05 per cent).

Table 10
Sex distribution of students in the top-level schools

Top-level schools [grandes écoles]	Men		Women		Total	
	Students	%	Students	%		
National School for Water-courses and Forests (ENEF)	64	86.48	10	13.52	74	
Higher Normal School (ENS)	594	85.49	313	34.51	907	
National Higher School for Technical Education (ENSET)	184	94.36	11	5.64	195	
National Higher School for Secretarial Studies	14	5.78	228	94.21	242	
National Institute for Science and Management	187	64.04	105	35.96	292	
National Institute for Technology (IST)	161	57.05	119	42.05	280	
Total for the top-level schools		1 204	60.05	786	39.05	1 990

Source: Annuaire statistique de l'enseignement supérieur 2002-2003.

96. The Committee urges the Gabonese Government to include in its priority actions the improvement of the access of girls and women to all levels of education and even the adoption of adequate special and temporary measures to encourage parents and children (e.g. by granting scholarships to girls and paying premiums to parents, etc.), and the dissemination of information to the public about the importance of education as a basic human right for the empowerment of women and their integration into systems of education and training, as well as the dissemination of knowledge about the Convention.

97. Although the Committee's finding is correct from a statistical point of view, it remains true that the Gabonese Government does not discriminate between boys and girls in their access to education and training at any level. Instead, the State encourages girls to gain an education. For example, the State has constructed day nurseries in the provinces to make it possible for low-income unmarried mothers not to interrupt their studies owing to the birth of a child or children and has trained community educators to address the problems of children in rural areas.

98. To that end, awareness-raising campaigns on the importance of education have also been carried by the Association of Women Educators of Gabon (AFEG).

Article 11 of the Convention: Promotion of women in employment

99. The Constitution of the Republic of Gabon states in article 1, seventh subparagraph, of the Preliminary Title that every citizen has the right to work and the right to obtain a job. No one can be denied work because of his or her origins, sex, race, opinions (Act No. 3/91 of 26 March 1991, amended by Act No. 13/ 2003 of 19 August 2003).

100. Article 2 of the Labour Code provides that any person, including persons with disabilities, has the right to work. The exercise of a professional activity is a national duty.

101. Article 8 of the Code provides that all workers are equal before the law and enjoy the same protection and guarantees. Discrimination in employment and the conditions of employment based on race, colour, sex, religion, political views, national origin or social origin is prohibited. The regulations governing civil servants and government service provide for the same guarantees in terms of employment.

102. There is, therefore, no discrimination in employment in Gabon. Citizens of either sex with equal diplomas or professional qualifications receive equal pay. None of the other legislation cited in the previous report has not been modified to the detriment of women. Those provisions remain valid and are implemented.

103. The age of retirement has been increased to 60 years instead of 55 for those in non-military Government service; for the military, the age of retirement depends on the grade. Some groups have particular statutes that stipulate a retirement age of 65 (e.g. judges, doctors, labour inspectors, etc.).

Article 12 of the Convention: Equality in health

Concern no. 36 and recommendation no. 37 of the Committee

104. Concern no. 36 refers to the lack of precision in the report with regard to the measures taken to reduce infant and maternal mortality and strengthen access to family planning services and reduce the prevalence of HIV/AIDS. The Committee recommends including in the report detailed statistics and an analysis of the measures adopted to deal with the above-mentioned points, including in rural areas, and the impact of those measures.

Measures adopted

105. Gabon has long considered health to be one of the priorities of its national policy and has acceded to various international initiatives aimed at reducing maternal and neonatal mortality. They include the Safe Motherhood Initiative and the Bamako Initiative of 1987 and the Programmes of Action of the International Conference on Population and Development (ICPD) of 1994, the Fourth World Conference on Women in Beijing of 1995 and the Summit on the Millennium Development Goals of 2000. Goals 4 and 5 of the Millennium Summit sought to reduce infant mortality by two thirds and maternal mortality by three quarters between 1990 and 2015.

106. The Ministry of Public Health, supported by various partners, is implementing various initiatives.

107. Actions in the field of reproductive health cover four areas:

(1) Policy

- The establishment of a National Committee for Reproductive Health in 1991;
- The adoption of the VISION 2010 initiative of the First Ladies in 2001;
- The adoption of the African road map to accelerate the reduction of maternal and neonatal morbidity and mortality, adopted by the heads of State of the African Union at Addis Ababa Summit I;
- The General Meeting on Health in 2005;
- The National Policy on Reproductive Health 2001-2010;
- The National Health Development Plan 2007-2011;
- The National Policy on Reproductive Health 2003-2015;
- The celebration of Days to Combat Maternal and Neonatal Mortality in September 2006 and 2007;
- The development of the Practical Guide for the Prevention of Mother-to-Child Transmission of HIV/AIDS (PMTCT) in 2004;
- The policy document and national standards for PMTCT in 2006;
- Guide for the support of persons living with HIV/AIDS (PLHIV) in 2005;
- The document setting forth the Strategy on Growth and Poverty Reduction (2006);

- The 2007 National Health Map;
- The Action Plan on the elimination of maternal and neonatal tetanus;
- The establishment of a Ministry to Combat HIV;
- The development and adoption of the National Strategic Plan to Combat HIV/AIDS, 2008-2012.

(2) Legal framework

- Ordinance 64/69 of October 1969 prohibiting the promotion and use of contraceptives;
- Ordinance 001195 providing guidelines for health policy in the Gabonese Republic;
- Decree 1158/PR/MSPP of 4 September 1997 establishing the powers and organization of the Ministry of Public Health and Population;
- Decree 000488/PR/MSPP of May 1995 on the establishment, organization and functioning of health regions and departments;
- Act No. 001/2000 laying down certain general measures for the health and social protection of women, mothers and children, including access to family planning;
- Order No. 0044LMSP/CAB of 10 February 2005 laying down the list of medicines, products, objects or other means of contraception and protection issued in pharmacies or in approved centres under medical supervision;
- Order No. 00051IMSP setting forth the prices for screening tests;
- Decree regulating the marketing of breast milk substitutes.

(3) Initiatives, projects and programmes

- Safe Maternity Project, adopted in 1987 and implemented in 1992;
- Project to Support Reproductive Health in 1997-2002;
- Strategic Plan for HIV/AIDS;
- Project on allowances in the field of reproductive health and on improving the quality of reproductive health care in 2002-2006;
- Plan for strengthening the security of reproductive health products in 2007;
- Development of norms and standards in reproductive health in 2007;
- Baby-Friendly Hospital Initiative;
- Creation of programmes to promote maternal health and child survival;
- Implementation of the Integrated Management of Childhood Illness (IMCI) programme since 2000;
- Implementation of the Prevention of Mother-to-Child Transmission of HIV/AIDS (PMTCT) programme in 2002;

- Implementation of the emergency plan for the Expanded Programme on Immunization (EPI) in 2006;
- Establishment of the National Treatment Fund to Combat AIDS in 2001;
- Establishment of the Multisectoral Fund to Combat AIDS in 2003-2004;
- Eligibility of Gabon to apply to the Global Fund to Fight AIDS, Tuberculosis and Malaria in order to deal with malaria and AIDS (2004-2005);
- Implementation of an integrated campaign for vitamin A supplements and deworming in 2007;
- National Plan to accelerate child survival in Gabon (2009-2015).

Results obtained in the implementation of those initiatives include:

- Strengthening the capacity of health care providers in the field of maternal, newborn, child and adolescent health;
- Training in family planning;
- Creation of the Reproductive Health Centre;
- Creation of centres for rehydration therapy (ORT);
- Creation of centres for the treatment of malaria;
- Equipment of health centres and hospitals;
- Construction and rehabilitation of health facilities;
- Improving immunization coverage to 82 per cent in 2008. The coverage rate for tetanus-toxoid vaccine is 54 per cent;
- Free deliveries and Caesarean sections at the Libreville Hospital Centre since 2007.

(4) Operational research

- Safe Motherhood Survey in Ngounié Province in 1993;
- Safe Motherhood Survey in Estuaire Province in 1995;
- Gabon Demographic and Health Survey (EDSG) 2000;
- Assessment of the availability, utilization and quality of emergency obstetric care in Gabon in 2003;
- Audits of obstetric complications (near-misses) in the Libreville hospital centre;
- Joint investigations with the Faculty of Medicine into maternal and child health.

Current health status of women: Lack of data disaggregated by age group and sex

- Infant mortality - 61 per 1000 (2000);
- Under-5 mortality - 91.4 per 1000;

- Neonatal mortality - 31 per 1000;
- Maternal mortality - 519 per 100 000 (2000);
- Prenatal care - CPN1: 94 per cent, and CPN4: 63 per cent;
- Births attended - 87.3 per cent (2000);
- Obstetric and neonatal emergencies (under the Standards for Emergency Obstetric and Neonatal Care - SONU) - 17 per cent of health facilities (2003);
- Contraceptive prevalence - 14 per cent (2000);
- HIV prevalence - 5.9 per cent;
- Tetanus-toxoid doses: pregnant women given 2 doses (TT2) - 67 per cent (2008).

Table 11
Distribution of health facilities

<i>Health region</i>	<i>University hospital centres</i>	<i>Libre-ville hospital centre</i>	<i>Regional hospital centres</i>	<i>Regional hospitals</i>	<i>Specilized hospitals</i>	<i>Epidemiology clinics</i>	<i>Hygiene clinics</i>	<i>Maternal and child health clinics</i>	<i>CAT-scan clinics</i>	<i>Medical centres</i>	<i>Urban health centres</i>	<i>Rural health centres</i>	<i>Dispen-saries</i>	<i>Health stations</i>
Total Gabon	0	1	8	3	3	10	11	11	15	42	16	16	472	97
Libreville-Owendo	0	1	0	1	1	1	1	0	7	1	9	0	0	0
West (Estuaire)	0	0	0	0	1	1	1	3	0	3	0	1	23	4
South-East (Haut-Ogooué)	0	0	1	2	0	1	1	1	1	11	1	0	81	2
Centre (Moyen-Ogooué)	0	0	1	0	0	1	1	2	1	2	1	1	27	10
Centre South (Ngounié)	0	0	1	0	0	1	1	1	1	8	1	2	86	12
South (Nyanga)	0	0	1	0	0	1	1	0	0	5	0	1	36	12
East (Ogooué Ivindo)	0	0	1	0	0	1	1	1	2	3	1	2	45	21
Centre East (Ogooué Lolo)	0	0	1	0	0	1	1	1	1	3	1	3	69	7
Maritime (Ogooué maritime)	0	0	1	0	0	1	1	1	1	2	1	1	50	4
North (Woleu Ntem)	0	0	1	0	1	1	1	1	1	4	1	5	55	25

Source: Health Map 2007.

108. As far as specifically maternity clinics are concerned, Libreville has the most clinics with 29 per cent of the facilities.

Table 12
Number of maternity clinics

<i>Locality</i>	<i>Number</i>	<i>Percentage</i>
Libreville	18	29
Estuaire		
Haut-Ogooué	12	19
Moyen-Ogooué	4	6
Ngounié	10	16
Nyanga		
Ogooué Ivindo	4	6
Ogooué Lolo		
Ogooué maritime	10	16
Woleu Ntem	5	8
Total	63	

Source: Survey on the availability, utilization and quality of obstetric care.

109. In terms of managing complications accompanying childbirth, all regions have facilities, to varying degrees: delivery tables, operating tables, neonatal resuscitation tables, childbirth instrument kits and Caesarean section instrument kits. On the other hand, as far as managing the complications experienced by newborns goes, there are some weaknesses in the facilities available.

Table 12
Material resources available for ensuring maternal health by region

<i>Province</i>	<i>Delivery tables</i>	<i>Operating tables</i>	<i>Neonatal resuscitation tables</i>	<i>Childbirth kits</i>	<i>Caesarian section instrument kits</i>
Libreville	42	21	19	94	43
Estuaire	6	0	2	5	0
Haut-Ogooué	21	8	4	23	0
Moyen-Ogooué	6	1	8	17	0
Ngounié	22	6	3	41	19
Nyanga	5	1	2	8	1
Ogooué Ivindo	5	4	0	12	3
Ogooué Lolo	6	5	3	7	4
Ogooué maritime	16	6	10	33	12
Wolen Ntem	9	4	0	9	5
Total	138	56	51	249	87

Source: Survey on the availability, utilization and quality of urgent obstetrical care in Gabon. Ministry of Health, UNFPA, December 2003.

Access to health services

110. A household is considered to have access to a health service when it is situated no more than 30 minutes from a health facility. Access to health services is 66 per cent in urban areas, while it is 53 per cent in rural areas.

Recorded births by type of health facility

Table 13

Recorded births by type of health facility

	<i>Number</i>	<i>Percentage</i>
At home	1 096	3.2
In public facilities	28 144	82.4
In partially State-supported facilities	1 426	4.2
In private facilities	3 496	10.2
Total	34 162	100

Source: Survey on the availability, utilization and quality of urgent obstetrical care in Gabon. Ministry of Health, UNFPA, December 2003.

Use of trained assistance during delivery

111. Overall, a large majority of women, more than 87 per cent, make use of trained assistance during birth.

Table 14

Proportion of deliveries assisted by medical personnel

<i>Medical personnel</i>	<i>Percentage</i>
Doctors	18.5
Midwives	64.1
Nurses	2.9
Trained birth attendants	1.9
All trained personnel	87.3
Traditional birth attendants	4.2
Relatives/others	7
No assistance	1.5

Source: Demographic and health survey (EDS) 2000.

112. There are differences depending on where one lives. Women in urban areas make greater use of medical personnel.

Table 15
Proportion of deliveries assisted by medical personnel depending on place of residence

<i>Medical personnel</i>	<i>Urban</i>	<i>Rural</i>
Doctors	22.6	7
Midwives	67	56.1
Nurses	2.4	4.3
Trained birth attendants	1.3	3.5
All trained personnel	93.3	70.9
Traditional birth attendants	0.8	13.7
Relatives/others	4.9	12.8
No assistance	1.1	2.6

Source: Demographic and health survey (EDS) 2000.

Child mortality

113. The combined child/infant mortality rate was estimated at 91 per 1000 in 2007; the infant mortality rate was estimated at 61 per 1000 in 2007 and the neonatal mortality rate was 31 per 1000 in 2004. Forty-one per cent of children with fever received an anti-malarial drug (World Health Organization), and 55 per cent of children sleep under an insecticide-treated mosquito net (2006).

Prenatal consultations

114. The coverage rate for prenatal care is 91 per cent. The delivery rate is 87 per cent according to the General Survey on the Evaluation of Poverty (EGEP) of 2005; 20 per cent of the birthing facilities meet the emergency obstetric and neonatal care norms (SONU).

Maternal mortality

115. The maternal mortality rate is 519 per 100 000 live births, which is still too high. The main causes are, first of all, complications linked to abortion, with prolonged labour second.

Table 16
Proportion of deliveries assisted by medical personnel depending on place of residence

<i>Main causes of death</i>	<i>Percentage</i>
Complications following abortion	28.8
Haemorrhage provoked by the birth procedure	22.7
Prolonged labour or dystocia	25.8
Other	22.7

Source: Demographic and health survey (EDS) 2000.

Planning

116. The rate of contraception use among women varies between 0 and 25 per cent.

Women and HIV/AIDS

117. Sixty-five health facilities offering prenatal consultations also offer services for the prevention of mother-to-child transmission.

118. Seventy per cent of the pregnant women seen in prenatal consultations took screening tests, and 77 per cent of that group got their results; 8.1 per cent were seropositive and 61 per cent received antiretroviral treatment. It should be noted that the screening and antiretroviral treatment are free. Twenty-seven per cent of the children are being monitored.

119. Children orphaned and affected by HIV receive school support (8.1 per cent) and food support (1.5 per cent).

Article 13 of the Convention: Benefits

120. In Gabon, female civil servants are entitled to all benefits provided under the regulations governing the civil service and Government servants: salaries, family allowances, school allowance, and care in public health facilities in the event of illness affecting them, their children or their spouses.

121. In the event of the death of her husband, a woman married to a Government employee, who may herself work in the private sector or be a Government employee or be a housekeeper, receives a pension as the surviving spouse. Women who work in the private sector or for a State contractor or who have been declared indigent receive benefits from the social security institutions, namely, the National Social Security Fund and the National Health Insurance and Social Guarantee Fund. The same applies to women who exercise liberal professions and are affiliated with those organizations.

122. With regard to bank loans, mortgages and other forms of financial credit, women are eligible to receive them if they meet the legal requirements, as well as some additional requirements if they are married under the regime of community of property and have a joint account (informing her husband but not requiring his permission, because, under article 262 of the Civil Code, a woman may freely manage her own wages and open a checking account in her own name if she pursues a profession and manages her own personal property).

123. With regard to recreational activities, sports and cultural life, participation in such activities is guaranteed to women under article 1, thirteenth subparagraph, and article 18 of the Constitution. Many women engage in sports and have won trophies.

124. Regarding other benefits, we note:

- The results of the pilot microcredit project for women in the province of Nyanga aimed at strengthening their empowerment. That project has been extended to the provinces of Haut-Ogowe and Woleu Ntem;
- The establishment of microfinance associations structured in such a way as to facilitate the establishment of a bank to help women who cannot access credit in private banks. Four microfinance institutions approved by the Ministry of Economy and Finance with the agreement of the Central African Banking Commission (COBAC) have been established. Two are headed by women in the form of credit unions (structured as associations). Interestingly, it is women who pay back their loans more regularly.

Article 14 of the Convention: Special issues confronting rural women

Concern no. 38 and recommendation no. 39 of the Committee

125. This concern has to do with the situation of rural women resulting from their geographical isolation and the fact that they do not have access to adequate food, to acceptable conditions of hygiene, or to health care, education and income-generating activities. The Committee expressed its disappointment at the lack of statistical information on rural and indigenous women.

126. The Committee calls on Gabon to adopt, as a matter of priority, the necessary measures to ensure that the above-mentioned concerns are met. It invites the Gabonese Government to request, as needed, the assistance of the relevant United Nations bodies in order to improve the standard of living of rural women.

Measures adopted

127. The Ministry for the Family and the Advancement of Women continuously monitors the situation of rural women, who, because of their remoteness, do not always receive certain essential services.

128. In order to initiate and implement an action plan for rural women, the Ministry has committed itself to a national survey on the socioeconomic needs of rural women, with support from the United Nations Population Fund. The results of the survey will facilitate, first, the establishment of a specific database and, secondly, the launching of development projects to benefit rural women.

129. The Ministry has also established rural community spaces where teachers give educational talks on hygiene (environmental and personal), nutrition and HIV/AIDS. Classes to teach functional literacy are also being held, depending on the skill level of the community educator.

130. For the economic empowerment of rural women, two projects are being implemented, one starting in 1997 and the second since 2003. They are:

- The Grand Prize of the President of the Republic for the promotion of the socioeconomic activities of women, which seeks to encourage women engaged in activities such as fishing, agriculture, handicrafts and others. It has been institutionalized, and it is the Ministry for the Family and the Advancement of Women that is responsible for collecting information about the candidates each year, depending on the activity selected in the provinces. It then selects the best candidates qualified to receive the awards;
- The Project to Support the Development of Microcredit in Gabon (PADMG). The project, which is carried out in partnership with the United Nations Development Programme, has the overall objective of reducing poverty and improving the living conditions of the female population living in rural and suburban areas. In that context, microfinance has been selected as one of the instruments to combat poverty by increasing the capacity of rural women to create and/or develop income-generating activities.

131. The procedure is as follows:

- identification of women's organizations;
- support in the design of the project's structure;
- development of the project;
- project financing.

132. Loan amounts range from 100,000 to 2.5 million CFA francs for loans to individual and 100,000 francs to 5 million CFA francs for public or community projects.

133. The interest rate is the lowest in the Libreville financial market, namely, 4 per cent per annum, and the repayment terms depend on the nature of the activity.

134. Funding areas include agriculture, the raising of livestock, fish farming, food processing, fishing, crafts, small trade, sewing, hairdressing and services.

135. Currently, the project covers four provinces (Nyanga, Haut-Ogowe, Wolen Ntem and Estuaire) and will gradually be extended to the other five.

136. In addition to strengthening financial capacities, the project seeks to give rural women a minimum of training in managing associations, identifying and monitoring a project, simplified accounting, and managing microcredit. In all, 785 women have been trained.

137. The table below shows the projects financed since 2006.

<i>Phase</i>	<i>Funding amount</i>	<i>Number of associations financed</i>	<i>Group projects</i>	<i>Projects by individuals</i>	<i>Number financed</i>	<i>Number of beneficiaries</i>
1	34 374 896	9	5	26	31	77
2	16 766 263	9	4	26	30	64
3	39 725 138	20	20	54	65	253
4	15 000 000	15	15	-	15	126
5	195 000 000	52	47	16	63	265
Total	300 866 298	95	91	122	204	785

Article 15 of the Convention: Equality in Civil Law

138. In Gabon, the Civil Code guarantees legal capacity and the exercise thereof to citizens of both sexes, which includes the conclusion of contracts, the management of property and equal treatment at all stages of the judicial process.

139. With regard to the freedom to move about within the Gabonese Republic and to leave and return, that freedom is also guaranteed to all citizens, subject to the requirements of public order, in accordance with article 1, third subparagraph, of the Preliminary Title of the Constitution.

140. However, it should be noted that in the conclusion of contracts and the management of property, when the spouses are married under the regime of community of property, the husband is the chief manager of the community and his wife supplements him. When the husband is unable to fulfil his role (absence,

detention, prolonged illness, deprivation of the exercise of civil rights by a court), his wife automatically stands in for him.

141. Under all property regimes, the choice of residence lies with the husband. But if the residence presents dangers of a physical or moral nature for the family, the wife can ask the court to be allowed to choose another (article 254 of the Civil Code).

142. With regard to the freedom of movement, the Commissariat of Documentation requires the permission of the husband when a married woman seeks to leave the country. There is, however, no legal text to that effect. The phrase "subject to the requirements of public order" undergoes an unhealthy interpretation when it serves as the basis for requiring of a married woman that she obtain the permission of her husband to leave, while he is not subject to the same requirement.

143. A petition on that subject was submitted by the Association of Women Lawyers. The petition has, however, remained a dead letter.

144. However, when the woman is travelling in the exercise of her functions, the authorization is not required.

145. As far as banks go, there has been a marked improvement in their interpretation of article 257, second subparagraph, of the Civil Code with regard to the word "notification". The bank loan usually goes through. Under the regime of the separation of property, such notification is not even required, in view of the fact that, under that regime, each spouse administers his or her own property.

Article 16 of the Convention: Elimination of discrimination in marriage

Concern no. 22 and recommendation no. 23 of the Committee

146. Concern no. 22 deals with the persistence in the Civil Code and the Penal Code of discriminatory legal provisions, including those relating to marriage and family relations, the recognition of polygamy and the lack of progress in that regard, which can be seen in the codification of discriminatory laws despite studies on the subject.

147. The Committee urges the Gabonese Government to accelerate the process of legal reform aimed at eliminating discriminatory provisions so as to comply with the provisions of articles 2 and 16 of the Convention and the Committee's general recommendation 21 on equality in marriage and family relationships. The reforms should be framed in a programme with a specific timetable in order to make the Interministerial Committee in charge of those reforms operational. The State must also take additional measures to get people to understand the importance of the reform in order to ensure the de facto and de jure equality of men and women.

Measures adopted

148. Polygamy is a widespread practice in Gabon, in that it affects more than one in five married women (21 per cent). The number of women living with at least one co-wife increases steadily with age, rising from 18 per cent at ages 20 to 24 to 22 per cent at 30 to 34 years of age and reaching a maximum of 33 per cent at 45 to 49 years of age. The practice is more common in rural areas (26.4 per cent of wives)

than in urban areas (19.5 per cent). At the provincial level, married women in the north (25 per cent) and south (28 per cent) are characterized by a higher level than in other areas.

149. The relationship between polygamy and the level of education is significant only in households with more than two co-wives. Uneducated women are much more likely to be in polygamous marriages. As the education level increases, the proportion decreases (source: General Census of Population and Housing (RGPH) 1993).

150. Apart from actions taken by the Ministry for the Family and the Advancement of Women and associations and NGOs defending women's rights to increase awareness of the problem, as already noted in the discussion dealing with the Committee's concern no.18 and recommendation no. 19 and with article 2 of the Convention, the alarm bell on polygamy was sounded by the Network for Democracy, Law and Peace (REDDP) of the National Support Centre for Women's Organizations in Gabon (CENAF - Gabon) through a large radio and television awareness campaign on 16 November 2007, followed by a seminar on the pros and cons of polygamy and monogamy held in the premises of the Senate on 17 November 2007, attended by representatives of both Houses of Parliament, particularly women deputies and senators, and an audience composed of all social strata including men and women. That activity was supported by the African Capacity-Building Foundation (ACBF). The seminar report, with all of the interventions by the audience included, had numerous appendices.

151. Indeed, the aim was to highlight the laws that established polygamy and monogamy and led to the contradiction with the Convention, which represents a standard that is higher than the national laws, and the notorious parliamentary inaction on this issue, despite the various petitions and actions mentioned above. In that connection, CENAF - Gabon conducted a survey in the registry offices of Libreville and the Court of First Instance of that city. The choice of a monogamous marriage is very much more prevalent. In general, over 91 per cent of civil marriages are monogamous. However, that attitude is not uniform across all ages, as the attraction of polygamy increases with age. Among men aged 45 and over, 16 per cent of marriages are polygamous, whereas for women such a trend sets in at ages 35 and over.

152. At the seminar, a brochure entitled "Polygamy and monogamy: a choice" was distributed to the participants. The brochure describes the harm that polygamy has caused with regard to gender equality and the fact that its current practice is very different from that of our ancestors.

153. In the second paragraph of the preamble to the Constitution, the Gabonese people expressed its commitment to the international legal instruments that it has ratified, and in the third paragraph it declared "its commitment to its deep and traditional social values and its material and spiritual cultural heritage, and to the respect of the freedoms, rights and duties of citizens." Despite the petitions submitted to Parliament and the Government and the awareness-raising seminars, forums and other actions carried out by civil society, legislators take no action, which is due to their attachment to that traditional practice.

154. Marriage in the family, commonly known as customary marriage, is practiced in all parts of Gabon, despite the fact that it has no legal force. It seeks, in

particular, to involve the families of the married couple in the solemn act of marriage, so that they can give it their blessing and bestow upon it their moral, physical and even spiritual guarantee. There is nothing discriminatory about such a marriage, in as much as it is the bride and groom themselves who, having made the decision to marry, inform the parents, who then consecrate the promise of marriage. It should be understood that forced marriage is prohibited (articles 211 and 212 of the Civil Code).

155. A bill is currently under discussion in the National Assembly about whether to give customary marriage the same legal status as a marriage celebrated by officials at the registry office, with a view to putting an end to all of the injustices brought on by in-laws that women in such a marriage face with regard to inheritance.

156. In any event, while the petitions will continue, it should be noted that, given the economic realities and prevailing attitudes of people who are of marriageable age, polygamy will actually die out. Eliminating laws will only perpetuate the current situation, which is that married men, even those married under the monogamous option, tend to have a multiplicity of mistresses.

157. With regard to the persistence of discriminatory legal provisions in the Civil Code and the Penal Code, the answers given in the discussion on article 2 of the Convention apply to article 16 as well. However, it should be noted that all of the legal provisions cited in the previous reports with regard to the equality of the rights of men and women have been maintained. Therefore, that equality is ensured:

- In their ability to enjoy family relationships, under the provisions of article 1, paragraph 1, first subparagraph, of the Preliminary Title of the Civil Code and articles 78 and 80 of the Civil Code;
- In their ability to marry, freely choose a spouse and enter into marriage only with their free and full consent (articles 77 and 178 et seq. of the Civil Code);
- In their ability to enjoy their marriage and dissolve it, as spouses and parents, regardless of their marital status (articles 254 to 296 of the Civil Code);
- With respect to family planning, guardianship, and the custody and adoption of children (Act No. 1/2000 of 18 August 2000, which liberalized contraception among other measures; the Civil Code in its article 527 et seq. and article 640 et seq. dealing with guardianship, article 273, subparagraph 4, and articles 274, 275 and 294 with respect to custody, favouring the interests of the child and articles 449-480 with regard to full and simple adoption);
- For access to information and education and to the means enabling citizens to exercise those rights (article 1, first, fourth and fifth subparagraphs, of the Constitution.)
- With regard to the individual rights of spouses, including the choice of name, a profession and an occupation (articles 78, 80, 261 to 263 of the Civil Code);
- On the acquisition, management, administration of the property (article 1, tenth subparagraph, of the Constitution and all the provisions protecting the couple in the various matrimonial regimes contained in article 305 et seq. of the Civil Code).

158. The registration of marriages in an official registry is provided for in article 177, sixth subparagraph in fine, of the Civil Code.

159. Child marriages are not permitted under the provisions of article 203 of the Civil Code and repressive measures in that regard are stipulated in articles 264 and 265 of the Penal Code.

160. As regards betrothals, only wrongful termination can provoke an action in court for damages to the betrothed man or woman who has suffered material and moral damage because of the breach of the agreement. The father and mother of the person who suffered the injury may also request the same compensation. Compensation may also be payable by persons who had authority over the betrothed person and prompted him or her to break the promise of marriage for invalid reasons. Such actions for compensation must be brought within a year of the day on which the betrothal was broken.

161. On the other hand, no action may be taken to compel a betrothed person to go through with the marriage against his or her wishes (articles 198 to 202 of the Civil Code).

162. Regarding the age of majority, Gabon has ratified the Convention on the Rights of the Child (CRC), which sets the age of majority at 18 years, which corresponds to the age of electoral majority in Gabon. However, the age of civil majority remains at 21, and the age of majority for the purpose of marriage is set at 15 years for girls and 18 for boys. In the proposals for the revision of discriminatory legislation, it has been requested that the age of majority be uniform, especially since the Convention on the Rights of the Child represents a higher standard than the Civil Code.

On recommendations nos. 40 and 41 of the Committee

Recommendation no. 40 : Full implementation of the Convention

163. Gabon, despite some structural, economic and sociocultural problems, is trying, with its various legal enactments and visible concrete action on the ground, to fully implement the Convention. It is a long-term process that requires, first of all, a revolution in the attitudes of the people and policy-makers. It is that revolution, characterized by the full acceptance of the gender approach, real political will on the part of decision-makers and the involvement of all social strata, who need to understand the importance of gender equality and in particular, the importance of women as actors in development, that will eventually lead to the full and effective implementation of the Convention.

Recommendation no. 41: The adoption of specific measures to encourage and facilitate civil society in the implementation of the Convention and the follow-up to the general comments, as well as consultations with civil society during the drafting of the periodic report

164. Legalization by the State of civil society, the recognition of those organizations as development partners, working with the public and the State with the backing of international partners, and their freedom to be active in all provinces of Gabon and be consulted in the preparation of the periodic reports on the implementation of the Convention are concrete measures required by the Committee.

IV. Barriers to the full participation of women on an equal footing with men in political, social, economic and cultural life

165. The barriers are of several kinds and can be summarized as follows. Despite the demonstrated willingness of those in power to promote the advancement of women at all levels, barriers arise in the form of:

- A hybrid legislation that grants women all of their rights, yet seems to withdraw them in order to respect certain traditional values that curtail those rights;
- Slow mechanisms for adopting, repealing or amending certain pieces of discriminatory legislation that have been criticized for some time;
- The attitude of some leaders of political parties who want to continue to make use of women for their dynamic action on the ground but are reluctant to present them as candidates in elections, owing to a basic prejudice that they will not be elected;
- Cultural constraints that still persist despite increased awareness of the importance and the role of women;
- A lack of solidarity among women;
- The feeling of resignation on the part of some women, which leads them to refuse to claim their rights, even when they are right, and to refuse even to learn about their rights, despite the advocacy actions taken by civil society and the State itself;
- The desire of some to choose the easy road and to be constantly assisted by others, even when we could take responsibility for ourselves;
- The egoism involved in preferring men over women for appointments to decision-making and leadership positions, whether in constitutional institutions, the Government, the central Administration and the private sector;
- The problems of low literacy rates and the lack of roads faced by rural women who want to sell their agricultural products and handicrafts and the remoteness of health facilities for ensuring their good physical condition;
- The absence of State economic structures in all villages that could help empower rural women, which sometimes blocks their recognized dynamism.

V. Conclusion

166. Despite these obstacles, we can still say that the situation of Gabonese women has indeed evolved. The growing awareness on the part of society of the importance and vital role played by women as a driving force in the evolution of a nation and the awakening of women themselves, with the support of international and national civil society, justifies this assertion.

167. We must mention the role played by the President of the Gabonese Republic in the advancement of women at all stages and the recognition and defence of their rights, with the establishment of several mechanisms for the implementation of the action plan for equality and gender equity that has been adopted.

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