



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

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## Committee on the Elimination of Discrimination against Women

### List of issues and questions in relation to the sixth periodic report of Gabon\*

#### Constitutional, legislative and institutional framework

1. While article 2 (2) of the Constitution guarantees the principle of equality between women and men, the Constitution does not provide for the prohibition of discrimination against women. Please provide updated information on current efforts to include an explicit definition and prohibition of both direct and indirect discrimination against women in relevant legislation ([CEDAW/C/GAB/6](#), para. 23).<sup>1</sup> Please provide information on the direct applicability of the Convention and also indicate whether there have been any cases in which provisions of the Convention have been invoked or referred to in the national courts.

#### Access to justice

2. The Committee was informed that women who are victims of violence face difficulties in gaining access to justice owing to the cost of legal procedures and the lack of judicial structures, in particular in rural areas. Please provide information on the impediments faced by women in gaining access to justice and the measures taken to overcome them. Please indicate whether the State party is considering developing a policy for effective access of women to courts and tribunals, including for cases of gender-based violence and other forms of discrimination against women. Please indicate whether customary justice mechanisms exist and, if they do, describe how they function and their relationship with the formal justice system.

#### National machinery for the advancement of women

3. The Committee was informed that the restructuring of the national machinery for the advancement of women in 2009 and the decrease in funding allocated to it resulted in some difficulties in the implementation and monitoring of women's rights policies. Please indicate the action envisaged to address this situation. Please

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\* Adopted by the pre-sessional working group for the sixtieth session, meeting from 21 to 25 July 2014.

<sup>1</sup> Unless otherwise indicated, paragraph numbers refer to the sixth periodic report of the State party.



also indicate the percentage of the national budget allocated to the advancement of women. Please elaborate on the capacity of the national machinery to coordinate with the various ministries.

4. The Committee was informed of the existence of a national strategy on equality and gender. Please confirm this information and, should such a strategy exist, provide information on its content and on how its implementation is coordinated, monitored and evaluated. Please provide information on the specific measures taken to collect data disaggregated by sex.

#### **Temporary special measures**

5. No mention is made of the adoption of temporary special measures. Please indicate why and describe the barriers to the adoption of such measures, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 on the subject, whether in the form of affirmative action or otherwise, to accelerate the achievement of equality of women and men.

#### **Stereotypes and harmful practices**

6. Please indicate the measures taken and envisaged to change social and cultural patterns and eliminate gender-based stereotypes and harmful practices, such as harmful widowhood practices and levirate. Please indicate the measures taken to educate people and raise awareness, targeting women and men at all levels of society and involving the school system, the media and community and religious leaders. Please indicate whether such practices are explicitly criminalized and, if they are, set out the specific legal provisions criminalizing them. Please also provide information on the content of Act No. 0038/2008 of 29 January 2009, which is designed to combat and prevent the practice of female genital mutilation, and on measures taken to monitor its implementation.

#### **Violence against women**

7. Please provide updated and detailed information on the current situation and trends with regard to violence against women and girls, including rape, marital rape and incest, as well as on the number of prosecutions and convictions in such cases. Please explain whether the State party envisages establishing systematic and regular gathering and analysis of data and information on all forms of violence against women. Please indicate whether the State party has adopted or envisages adopting a national strategy to combat gender-based violence and whether it envisages adopting a specific law on violence against women, which, among other things, criminalizes marital rape.

8. Mention is made of the provision of medical, psychological and legal assistance to victims of violence handled in public health facilities and free access to the justice system by contacting the National Prosecutor's Office (para. 63). Please provide information on how the implementation of such programmes is monitored and whether legal provisions exist to guarantee these rights.

#### **Trafficking in women and exploitation of prostitution**

9. It is indicated that trafficking in women is a little-known practice in the State party (para. 65). Please indicate whether the State party envisages carrying out a

study on the prevalence of trafficking in women and girls, prostitution and exploitation of prostitution. Please also indicate whether the State party plans to bring the definition of trafficking in persons into line with article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and to provide protection for victims of trafficking who are older than 18 years. Please indicate the measures taken to protect female domestic workers who have been victims of trafficking. Please provide information on the existing legal provisions as regards criminalization of prostitution.

### **Participation in political and public life**

10. Mention is made of the clear will of the President to push the leaders of political parties to nominate women candidates (para. 75). Please indicate specific measures envisaged to increase the number of women in elected and appointed decision-making bodies and to achieve equal representation of women in political and public life, including through the adoption of temporary special measures, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25.

### **Nationality**

11. According to information received by the Committee, 11 per cent of children are not registered in the State party and parents face many obstacles to registering the birth of a child. Please indicate the measures taken or envisaged to ensure that all children are registered.

### **Education**

12. It is indicated that, at the secondary level of education, very few girls take up science and technology (para. 92) and that the 2003 data show significant disparities in university enrolment (para. 94). Please indicate the measures taken and envisaged to reduce the rate at which girls are dropping out of school and to ensure that women are not directed towards typically female occupations. Please provide updated statistics on the level of female illiteracy, disaggregated by urban and rural areas. Please also provide the most recent data available in relation to the State budget allocated to education. Please provide information on the current situation and trends in the State party regarding violence against and sexual harassment of girls in schools, economic and cultural obstacles to access by women and girls to education, including early pregnancy and early/child or forced marriage, and stereotypical attitudes towards the roles and responsibilities of women and men in textbooks, curricula and teacher training.

### **Employment**

13. The Committee was informed of the existence of a bill widening the definition of sexual harassment in the workplace. Please provide information on the status and content of the bill, including the time frame for its adoption. Please also provide the new definition of sexual harassment and indicate whether the bill requires employers to take measures to prevent sexual harassment and provides for adequate sanctions.

14. The Committee was informed that women represent most of the workforce in the informal sector and are more affected by unemployment than men. Please provide updated data on the representation of women in the informal, public and private sectors and in decision-making positions. Please provide information on the protection and the types of legal, social or other services available to or envisaged for women in the informal sector, in particular on measures taken to provide such women with social benefits, including maternity leave provisions, and to promote their integration into the formal labour force.

### **Health**

15. Please indicate the measures envisaged to further address the persistently high maternal mortality rate and the lack of access to basic health-care services, including essential obstetric care, in particular among disadvantaged groups of women such as women in poverty, rural women and women living in remote areas. Please provide information on the prevalence of early pregnancy, on the measures envisaged to further increase the availability and accessibility of comprehensive education on sexual and reproductive health and rights and family planning services and on the rate of contraceptive use. Please indicate whether the State party envisages repealing Ordinance No. 64/69 of October 1969 prohibiting the promotion and use of contraceptives (para. 107).

16. It is indicated that abortion is illegal and punishable by a term of imprisonment of between one and five years (para. 55). Please indicate the exact legal provisions in this regard and whether abortion is authorized under particular conditions. Please provide information on the impact of unsafe abortion on women's health, including the maternal mortality rate.

17. Please provide updated information on measures taken to improve access to health-care services aimed at preventing mother-to-child transmission of HIV. Please provide information on efforts made to increase the accessibility of such services, on HIV/AIDS prevention programmes and on treatment for women living with HIV, in particular pregnant women.

### **Rural women**

18. Please provide updated data on the situation of rural women in all areas covered by the Convention. Please also indicate the measures taken and envisaged to ensure that rural women have equal access to basic services, including health, education and infrastructure, in addition to access to land ownership and management, and economic opportunities, including income-generating projects and credit facilities, on an equal and equitable basis with men and with their urban counterparts. Please indicate the measures envisaged to mainstream gender equality into the 2006 document setting forth the strategy on growth and poverty reduction.

### **Disadvantaged groups of women**

19. Please provide information on the measures envisaged to ensure that disadvantaged groups of women, including women with disabilities, have effective access to health, education, water, food, housing and income-generating projects and that indigenous women have access, without discrimination, to land and self-sufficient livelihoods. Please also provide information on measures taken to improve the situation of women prisoners. Please provide detailed information on

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the situation of Pygmy women and on measures taken, including with a view to addressing their life in permanent settlements and their reported high rate of maternal mortality and to ensuring their enjoyment of all rights under the Convention.

#### **Marriage and family relations**

20. In addition to the information provided by the State party (paras. 148-162) in relation to measures taken with a view to addressing previous concerns and implementing recommendations of the Committee ([A/60/38](#), paras. 231-232), please provide updated information on whether the State party envisages withdrawing from its legislation discriminatory provisions relating to polygamy, the different minimum age of marriage for girls and boys, the husband head of household and the discriminatory provisions in respect of separation and divorce, custody of children, equal-inheritance rights of widows and equal choice of residence and profession. Please also provide information on measures taken to review customary laws that discriminate against women with regard to their right to inheritance. Please indicate what measures have been taken to combat the practice of early/child and/or forced marriage and to put an end to the practice according to which the Commissariat of Documentation requests the permission of the husband when a married woman seeks to leave the country (para. 142).

#### **Amendment to article 20 (1) of the Convention**

21. Please indicate what progress has been made towards the acceptance of the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.

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