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UNIVERSAL PERIODIC REVIEW

Report of the Working Group on the Universal Periodic Review

Gabon *

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Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its second session from 5 to 19 May 2008. The review of Gabon was held at the first meeting on 5 May 2008. The delegation of Gabon was headed by Mr. Dieudonné Ndiaye, chargé d'affaire ad interim, Permanent Mission of the Republic of Gabon. For the composition of the delegation, composed of six members, see annex below. At its fifth meeting held on 7 May 2008, the Working Group adopted the present report on Gabon.

2. On 28 February 2008, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Gabon: Nigeria, China, and Azerbaijan.

3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Gabon:

(a) A national report submitted in accordance with paragraph 15 (a) (A/HRC/WG.6/2/GAB/1);

(b) A compilation prepared by the Office of the High Commissioner for Human Rights (OHCHR), in accordance with paragraph 15 (b) (A/HRC/WG.6/2/GAB/2);

(c) A summary prepared by OHCHR, in accordance with paragraph 15 (c) (A/HRC/WG.6/2/GAB/3).

4. A list of questions prepared in advance by Denmark, Germany, Latvia, Sweden and United Kingdom of Great Britain and Northern Ireland and was transmitted to Gabon through the troika. These questions are available on the extranet of the UPR.

I. SUMMARY OF THE PROCEEDINGS OF THE REVIEW PROCESS

A. Presentation by the State under review

5. At the first meeting, on 5 May 2008, the representative of Gabon introduced the national report. The representative of Gabon stated that under the authority of the Ministry for Human Rights, a Committee, which includes representative of Governments, national institutions, and representative of the civil society, is especially entrusted with the preparation of reports to the treaty bodies and with other related tasks like the dissemination of reports, analysis and recommendations. National human rights legislation is specifically oriented against all forms of abuse and covers all citizens working in Gabon. Furthermore, no execution has been carried out since 1980 and the death penalty has been abolished.

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

7. With regard to the exploitation of children, Gabon has since 1994 set up a comprehensive legal framework, which includes a number of laws and decrees concerning trafficking in children, child labour and the establishment of an observatory to ensure cooperation with international

organizations. Special institutions were created to assist children victims of trafficking and abuse: the *Centre d'Appel des Arcades*, the *Centre d'Angondjé* and, together with ILO, the watchdog committees which have been formed throughout the country.

8. With regard to discrimination against women, the representative stated that women enjoy the same rights as men. In addition to the creation of the Ministry for the promotion of women, various other measures have been taken to promote and protect women's rights: a national observatory for women's equality; special structures for single-parent families; a national contest for the economic and social promotion of women; coordination activities between NGOs and women's associations. One third of ministers are women, some 40 seats in the Senate and the National Assembly are occupied by women, and the Constitutional Court is chaired by a woman. Women can also be found occupying high-level posts in the Ministries of Interior, Justice, and Defence and for Foreign Affairs.

9. The Government of Gabon has been implementing a plan of action to protect and promote the rights of the Pygmy minority, which represents 1 per cent of the population. In cooperation with UNICEF, Gabon is currently implementing a development project, which includes a census of the Pygmy population, measures aimed at children and the improvement of health services. The President of the Republic decided that 13 per cent of the national territory should be designated to create national parks, which would protect the environment and forest inhabitants, in particular Pygmies. The representative also pointed out that Pygmies live in perfect harmony with the rest of the population.

10. The exercise of civil rights such as association and trade unionism are ensured by ad hoc national instruments. The Government acknowledges the important role of a free and pluralistic press in the country's democratic process. The activities of the media should conform to the directives emanating from the *Conseil National de la Communication* (National Council for Communication), a body established in 1992. The Press Code determines the conditions for the exercise of media prerogatives, rights and accountability. Private press counts approximately 50 newspapers.

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

B. Interactive dialogue and responses by the State under review

12. During the ensuing interactive dialogue, statements were made by 36 delegations. A number of them expressed their appreciation, inter alia, for the presentation of the national report and the decision to abolish death penalty.

13. Observing that Gabon's national report noted some shortcomings in the area of implementation as well as resource deficits, Pakistan asked the delegation to elucidate steps taken or planned to be taken to overcome such shortcomings, and what kind of international assistance, if any, was required to strengthen ongoing efforts. Pakistan also asked about Gabon's strategy to involve neighbouring States in activities to deal with child trafficking and exploitation.

14. Algeria highlighted that in 2000 the Human Rights Committee expressed satisfaction that the International Covenant on Civil and Political Rights (ICCPR) is directly applicable in Gabon, and about the creation of a ministry for human rights. Algeria recommended that the international community provide technical and financial assistance (a) in particular regarding health and the strengthening of institutional capacities, especially for the forest people, (b) to strengthen the capacities of social services, particularly for child health, combating HIV and improving hygiene; and (c), with an additional effort from the Gabonese authorities, to raise school attendance rate and develop facilities at the various levels of education, while favouring gender equality in the access to education.

15. While the programme to combat HIV/AIDS seems very ambitious, the Democratic Republic of the Congo indicated that the national report does not provide information on the number of persons affected by this pandemic or undergoing retroviral treatment. Noting Gabon's good policy on protecting minorities, particularly the Pygmy population, it requested more information about their social integration and involvement in political life. It also wanted to know whether trafficking and exploitation of children was limited to within the country or if children were trafficked abroad, and in that case, which were the main countries of destination.

16. The Philippines commended Gabon for its efforts to strengthen national measures to protect the rights of women and children, in particular with regard to health standards, combating the spread of HIV/AIDS and fighting human trafficking. On these issues, the Philippines asked about the existence of specific plans aimed at reintegrating people living with HIV/AIDS into society.

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

18. China welcomed the adoption of a series of laws to protect the right to health, rights of the child and right to education and to prevent trafficking of human beings, as well as the establishment of a ministry for human rights. China recognized that Gabon, as a developing country, faces serious challenges for the protection of human rights, in particular economic and social underdevelopment. China asked the Government of Gabon about the difficulties and challenges met in the implementation of the national plan to fight HIV/AIDS.

19. Finland recommended that Gabon take urgent measures to transform the decision to abolish death penalty into law as soon as possible, and consider acceding to the Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty. Finland also asked how decision-makers are going to act to end the atrocity of ritual killings, which still occur in Gabon, and pre-eminently before elections.

20. France requested Gabon to provide more information on the issue of the discrimination of indigenous peoples – Pygmies - and on the implementation of the United Nations Declaration on the Rights of Indigenous Peoples, considering that Gabon voted in favour of its adoption in the General Assembly. France also asked about the Government's intention to sign the International Convention for the Protection of All Persons from Enforced Disappearance, and recommended to Gabon to sign and ratify this important instrument at the earliest possible date.

21. Senegal noted that Gabon has unreservedly ratified most human rights instruments and is seemingly ready to continue on this path by becoming party to the optional protocols to core conventions it has already ratified. Senegal added that in requesting the support of the international community, Gabon has indicated its intention to strengthen cooperation with human rights mechanisms, and asked whether Gabon is envisaging ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW).

22. Germany, referring to the recommendations of the Human Rights Committee and the Committee on the Elimination of Discrimination against Women to review its legislation regarding discriminatory practices against women, asked Gabon about legislative measures that are being taken to put an end to polygamy. Germany also expressed concern about the arrest and detention of journalists in Gabon, as reported by the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Working Group on Arbitrary Detention. In this regard, it enquired about measures taken to guarantee the right of freedom of opinion and expression. Germany recommended accelerating the progress of legal reforms to eliminate discriminatory provisions, especially from the civil and criminal codes; and to increase efforts to amend legislation regarding gender equality, in accordance with Gabon's international obligations, including the Convention on the Elimination of All Forms of Discrimination against Women.

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

24. Latvia hoped that Gabon will receive the visit of the Special Rapporteur on education. It also invited Gabon to consider extending a standing invitation to all special procedures.

25. Mexico recommended that Gabon consider harmonizing its civil and criminal codes with international human rights norms, particularly regarding marriage, family relations, patrimony and succession. It further recommended that the criminalization of child trafficking be brought in line with international standards, and recommended the legal prohibition of the worst forms of corporal punishment of children in all places. Mexico also called on Gabon to ratify the ICRMW.

26. The Czech Republic welcomed Gabon's signature of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and recommended its ratification in the near future. Regarding gender equality, the Czech Republic asked which measures have been adopted in response to the recommendations of the Committee on the Elimination of Discrimination against Women (CEDAW) to eliminate discriminatory provisions pertaining marriage and family relations and to the right of ownership, in particular if any changes have been made in the Civil Code on the provision that the husband is the head of the family and determines the place of residence of the family. Moreover, the Czech Republic asked Gabon on the measures aimed at eliminating the practice of forced and early marriage. In this regard, it recommended that Gabon adopt as a matter of priority legislative and other measures to guarantee gender equality and strengthen efforts to eradicate customs and traditions that discriminate women. It also recommended that Gabon submit regular reports to the treaty bodies, in particular to the Committee against Torture, the Committee on the Rights of the Child, the Human Rights Committee, the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Racial Discrimination, and that it issue a standing invitation to special procedures mandate holders.

27. Hungary recommended to Gabon to prepare, through its National Committee for the Drafting of Human Rights Reports, the outstanding initial and subsequent periodic reports to the

Committee on Economic, Social and Cultural Rights, and recommended that Gabon allow the Special Rapporteur on the right to education to visit the country. Recalling the concern of the Committee on the Rights of the Child on the issue, Hungary recommended that further steps be taken to ensure that juvenile courts are set up and that children are separated from adults in detention facilities. It also recommended that Gabon bring prison conditions in line with article 10 of ICCPR and the Standard Minimum Rules for the Treatment of Prisoners, making these rules available to the police, the armed forces, prison staff and anyone else responsible for conducting interrogations, as well as to persons deprived of their liberty. Finally, Hungary recommended to Gabon that it bring its legislation in line with article 19 of ICCPR by doing away with censorship and penalties against organs of the press and ensuring that journalists may safely exercise their functions.

28. The Netherlands recommended that Gabon report back to the Human Rights Council on the concrete steps taken to implement the action plan mentioned in the national report and on the difference this has made for the situation on the ground. On the issue of child trafficking, the Netherlands noted that the Committee on the Rights of the Child remained concerned about the weak implementation of legislation in this area. Therefore, it recommended that domestic legislation be amended to conform to the principles of Convention of the Rights of the Child.

29. Malaysia noted with encouragement Gabon's emphasis on the promotion and protection of children's rights. It requested information on whether Gabon planned to establish a juvenile court and if so, what is the envisaged timeframe for this. Malaysia supported the request of the Government for the international community to provide the material and financial support needed to achieve its programme of reforms.

30. Cuba highlighted the importance of the awareness campaigns and training programmes the Government has put in place and of the creation of a ministry for the family and the protection of women and children, which are a sign of commitment and political will. Cuba would like to join the appeal of Gabon for support from the international community, and recommended to Gabon to continue its efforts in the area of economic, social and cultural rights.

31. The Russian Federation asked how the protection of the rights of Pygmies was ensured, and if this ethnic group was represented, particularly in national elections. The Russian Federation also asked which agencies would participate in the study on child labour and whether civil society would be invited to participate. It asked whether Gabon received any advisory assistance from the United Nations in order to fully implement the provisions of international instruments to which Gabon had acceded.

32. Morocco underlined the exhaustive legislative and institutional framework of Gabon, and noted that the work of a committee created in 2007 and composed of members of the Government and the civil society, in charge of the preparation of human rights reports, represented an example of best practice which should be followed by other countries. Morocco also recognized the specific steps taken by Gabon to ensure the promotion and protection of the rights of children, women, disabled persons and minorities. Morocco believed that the valuable efforts made by the Government deserved recognition, and thus recommended the Human Rights Council to support Gabon's appeal for assistance from the international community, as urged in paragraph 106 of its national report.

33. Recalling the views of treaty bodies that gender disparities may be further reduced and the recommendation made by CEDAW that Gabon incorporate a definition of discrimination against women in accordance with article 1 of the Convention in its Constitution and laws, Canada

recommended that Gabon take the necessary measures to follow up on CEDAW recommendations, notably by enshrining gender equality in its Constitution and by criminalizing domestic violence, and recommended that particular attention be paid to gender issues in the preparation of policies and laws. It also recommended that the police, the judiciary, public administration and the general population be sensitized to the importance of gender equality. Canada referred to the fact that the Working Group on Arbitrary Detention and the Special Rapporteur on freedom of opinion and expression noted that journalists and members of opposition groups are still subject to restrictions. Recalling the recommendation of the Human Rights Committee on the issue, Canada recommended that Gabon take measures to follow up on such recommendations, notably by putting an end to censorship of the press and to the harassment of journalists. Canada also recommended that Gabon revoke its laws on defamation, which limit the capacity of civil society to express a diversity of views. Finally, Canada recommended that Gabon issue a standing invitation to all special procedures and recommended that Gabon ratify the Rome Statute of the International Criminal Court.

34. The United Kingdom of Great Britain and Northern Ireland recommended that the Government accept the requested visit of the Special Rapporteur on the right to education. On the issue of indigenous peoples, there remains a concern whether basic human rights are still denied to this population. Regarding women's rights, the United Kingdom encouraged Gabon to strengthen domestic legislation for greater gender equality and to reinforce essential and fundamental rights for women. In this regard, the United Kingdom was interested to hear any specific plans for new laws to protect women's rights. The United Kingdom also welcomed the signature of the Optional Protocol to CAT and recommended its ratification. The United Kingdom recommended that Gabon ratify the Second Optional Protocol to ICCPR and urged Gabon to provide a full response about allegations of arbitrary detention and restrictions on press freedom.

35. Referring to Gabon's moratorium on the death penalty since 1980 and its decision to abolish it, Italy was particularly interested in finding out about progress on the development of internal procedures in implementing this decision. Particular challenges may relate to children's rights and special attention may be given to juvenile justice. Italy recommended that Gabon create a judicial system for minors and improve their situation including the separation of minors from adults in prisons.

36. Nigeria noted the efforts made by the Gabonese Government to implement international instruments, including awareness-raising and training campaigns to ensure children's health, to combat trafficking and exploitation of children as well as protecting women's rights. Nigeria supports the steps taken by the Government to integrate the Pygmy population into the mainstream society and recommended Gabon to redouble its efforts in this important endeavour, particularly in the area of educational development and provision of other basic amenities.

37. The United States of America noted that international news media have reported a recent sharp increase in ritual killings, including of young children, with suggestions that these ritual killings may be tied to the recent local and municipal elections. The United States asked whether the Government could confirm these reports and if so, would Gabon clarify the nature of these killings, and what action is the Government taking to address this problem and bring the perpetrators to justice. Finally, the United States asked about steps taken to ensure free and fair local and municipal elections on 27 April 2008.

38. Japan would like to know what specific measures Gabon will take to improve the health situation and the access to safe drinking water. Regarding the sexual exploitation of children, Japan requested information on the legal and administrative measures taken so far and on the course of

action Gabon will take on this issue. Finally, regarding child trafficking and child labour, the Japanese delegation asked Gabon to elaborate on the current situation of the development of the comprehensive programme to address these issues as suggested by the Committee on the Rights of the Child.

39. Slovenia urged and recommended that an end be put to the discrimination against the Pygmy minority and that they be granted basic human rights, such as the right to vote, decent work conditions, non-discrimination, education and sufficient health care, and follow the provisions of articles 2 and 25 of ICCPR and articles 6, 12 and 13 of the International Covenant on Economic, Social and Cultural Rights (ICESCR). Slovenia furthermore recommended that Gabon bring detention and prison conditions in line with articles 9 and 10 of ICCPR and with the Standard Minimum Rules for the Treatment of Prisoners, making those rules available to the police, armed forces, prison staff and anyone else responsible for conducting interrogations, as well as to persons deprived of their liberty. Slovenia asked about what has been done to comply with the requirement of fully integrating a gender perspective in its consultations, in its national report for the UPR, and in the next stages of review, including its outcome. Slovenia recommended that Gabon systematically and continuously integrate a gender perspective in the UPR follow up process.

40. Bosnia and Herzegovina noted with satisfaction Gabon's ratification of the majority of the core human rights instruments. It also pointed out concerns expressed by CEDAW and ILO expert committees at the implementation of international obligations to eliminate discrimination between men and women. On this issue, Bosnia and Herzegovina enquired on the concrete measures undertaken to fully implement CEDAW recommendations to increase awareness of the importance of legal reform to achieve equality for women, and recommendations regarding forced and early marriages.

41. Brazil stated that the national report stressed the creation of a national committee for human rights, and complimented Gabon for the adoption in 2005 of a plan of action for the World Programme of Human Rights Education, with a focus on the national school system. While recognizing efforts of Gabon, Brazil noted the situation of minorities and indigenous peoples, especially the Bayoka, Babongo and Baka, which are considered amongst most vulnerable groups, suffering from discrimination and segregation.

42. Sweden enquired on allegations of torture and other ill-treatment in places of detention, including of refugees and other immigrants, noting that Gabon has not recognized the mechanism for individual complaints procedure and has not ratified the Optional Protocol. Sweden asked Gabon to elaborate on the view of ratifying the optional protocol and what other measures it is taking to eliminate the occurrence of torture, cruel or inhumane and degrading treatment. Secondly, in Gabon school is mandatory and free until the age of 16, however, the Committee on the Rights of the Child has expressed concern by the lack of access to education of Pygmy children. Sweden wished to know what measures the Gabonese government was taking to ensure the right to education to all children.

43. Guinea noted the recurrent practice of ritual crimes in Gabon, and wished to remain informed of specific measures taken to halt this trend. Guinea was convinced that Gabon, as a member of the Human Rights Council, would continue its cooperation with the Council and benefit from all recommendations that would be made.

44. Ethiopia asked Gabon to describe some of the challenges faced, strategies devised, and assistance received in the preparation of the reports and for its participation in the process. It also asked Gabon to indicate the level of implementation of recommendations from treaty bodies for

technical and financial assistance and the nature of Gabon's expectation on how technical and financial assistance will be addressed in the outcome of the review.

45. The Republic of Korea stated that the national report was mainly focused on the rights of women and children without taking stock of other civil and political rights. Citing the OHCHR compilation report, the Republic of Korea stated that the Human Rights Committee and certain special procedures have expressed concern in connection with arbitrary detention, the length of detention, access of detainees to lawyers and the arrest and detention of journalists. The Republic of Korea asked about the measures taken to respond to those concerns.

46. Chad recommended that the international community supports Gabon in implementing its vast programme launched for human rights promotion. Chad asked what practical mechanism Gabon has set up to reverse the trend of child trafficking.

47. Cameroon stated that it shares common ethnic populations and an ecosystem with Gabon. As host of a sub-regional centre for the promotion and protection of human rights, Cameroon asked whether Gabon is satisfied with the services this centre is supposed to provide, and whether the centre helped Gabon in the preparation of its report. Cameroon asked what collaboration Gabon might seek from neighbouring countries to address the issue of Pygmies and the plight of trafficking. Cameroon acknowledged the ministry of human rights, which is the only one in the region and hoped that such a ministry would be given sufficient resources.

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

49. Following the discussion/dialogue, the representatives of Gabon, in their responses, stated that since many of the questions asked were similar, they would gather together several answers. First, Gabon wished to reassure the international community of the Government's readiness to receive special procedures mandate holders. Regarding international conventions that are not ratified, Gabon reaffirmed its determination to honour its commitment, and noted that ratification procedures are entered into as soon as a convention is signed. Unfortunately, these procedures are lengthy and require material and financial resources, which may serve to explain the delays noted. The representative noted that a commission had been set up to shorten the procedure to enter into treaties, which has already issued its conclusions.

50. Regarding the issue of freedom of expression, the representative noted that although national legislation is not yet in conformity with international standards, there exist a number of legislative and regulatory texts which aim to protect journalists. However, these provisions may be misinterpreted; once the perpetrators are denounced, they are immediately arrested and taken before the courts.

51. Ritual killings are a new trend in Gabon. Along with the international community,

Gabon deplures them, while noting that statistics are not clearly established. As this is a new trend for which Gabon's legislation does not provide, this scourge has been brought before Parliament and an Inter-Ministerial Commission has been set up to examine the possibility of new legislation on this issue.

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

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

54. The representative noted that prisons in Gabon were built during the colonial period and most of them nowadays do not correspond to international standards. The State has taken measures to improve the conditions of prisons, such as the construction of health-care centers. In terms of legal measures, the representative noted the Decree of 17 October 2002 on the creation of the penitentiary body, which deals with measures to improve living conditions of inmates. A special adviser on prisons was created, and Government officials have undertaken visits to prison centers. As a result, the decision to build new prisons and to create educational facilities within them has been taken, so as to ensure better reintegration. The representative highlighted the need for technical and financial assistance in carrying out these projects.

55. On the issue of the promotion and protection of the rights of women, Gabon noted that a number of efforts had been made: women have the same rights as men and the gender approach has been fully integrated by the Government. Concerning HIV/AIDS, women are particularly vulnerable, with more than 50 percent of the people living with HIV/AIDS being women. According to a national report on the issue, in 2007, 55 per cent of the 6,373 individuals treated by antiretroviral drugs were women. The Government has set up several mechanisms to fight against this pandemic, such as free drugs for vulnerable categories. In addition, a number of measures have been taken to create a legal environment to preserve women's freedom.

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

57. The representative noted that Gabon had created the National Commission on Human Rights, the composition of which reflects the diversity of the nation, with a representative of the Senate, of the National Assembly, of the Bar, of the judiciary, of health-care workers, of the press,

of the assembly for the defence of women's rights and of children's rights, of NGOs, of trade unions, and of religious confessions, which acts as a balance to public authorities.

58. The representative noted that since the 1970s, Gabon had been a receiving country of migrant workers and their families, and that it was very interested in the ICRMW. It took note of the recommendation to sign and ratify it, and will share it with the relevant authorities.

59. The representative noted that the adoption of certain recommendations would require consultation with the relevant authorities of Gabon.

II. CONCLUSIONS AND/OR RECOMMENDATIONS

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

- 1. To raise the school attendance rate and develop facilities at the various levels of education, while favouring gender equality and access to education, with technical and financial assistance provided by the international community (Algeria);**
- 2. To implement its vast programme launched for human rights promotion, with the support of the international community (Chad, Morocco);**
- 3. To sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance (France);**
- 4. To ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty (Finland, United Kingdom of Great Britain and Northern Ireland); the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in the near future (Czech Republic, United Kingdom of Great Britain and Northern Ireland); the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Mexico); the Rome Statute of the International Criminal Court (Canada);**
- 5. To take urgent measures to transform the decision to abolish the death penalty into law as soon as possible (Finland);**
- 6. To consider extending a standing invitation to all special procedures of the Human Rights Council (Latvia, Czech Republic, Hungary, Canada);**
- 7. To consider the request of the Special Rapporteur on the right to education favourably and allow the Special Rapporteur's visit (Hungary, United Kingdom of Great Britain and Northern Ireland);**
- 8. To accelerate the progress of legal reforms to eliminate discriminatory provisions, especially from the civil and criminal codes; and to increase efforts to amend legislation regarding gender equality in accordance with Gabon's international obligations, including the Convention on the Elimination of All Forms of Discrimination against Women (Germany);**

9. To adopt as a matter of priority legislative and other measures to guarantee gender equality and strengthen efforts to eradicate customs and traditions that discriminate women, and that the minimum legal age for marriage of girls is increased to 18 years (Czech Republic);
10. To consider harmonizing its civil and criminal codes with international human rights norms, particularly regarding marriage, family relations, patrimony and succession (Mexico);
11. To integrate, in a systematic manner, a gender perspective in the UPR follow-up process (Slovenia);
12. To take the necessary measures to follow up on the recommendations of CEDAW, notably by enshrining gender equality in its Constitution and by criminalizing domestic violence, and to place particular attention on gender issues in the preparation of policies (Canada);
13. To sensitize the police, the judiciary, public administration and the general population to the importance of gender equality (Canada);
14. To bring the criminalization of child trafficking in line with international standards (Mexico);
15. To prohibit by law the worst forms of corporal punishment of children in all places (Mexico);
16. To take further steps to ensure that juvenile courts are set up and that children are separated from adults in detention facilities (Hungary);
17. To amend domestic legislation to conform to the principles of Convention of the Rights of the Child (The Netherlands);
18. To create a judicial system for minors and improve their situation, including the separation of minors from adults in prisons (Italy);
19. To bring detention and prison conditions in line with articles 9 and 10 of ICCPR and with the Standard Minimum Rules for the Treatment of Prisoners, making these rules available to the police, the armed forces, prison staff and anyone else responsible for conducting interrogations, as well as to persons deprived of their liberty (Slovenia);
20. To bring prison conditions in line with article 10 of ICCPR and the Standard Minimum Rules for the Treatment of Prisoners (Hungary);
21. To bring legislation in line with article 19 of ICCPR by doing away with censorship and penalties against organs of the press and ensuring that journalists may safely exercise their functions (Hungary);
22. To take measures to follow-up on the recommendations of the Human Rights Committee, by putting an end to censorship of the press and to the harassment of journalists (Canada);

23. **To revoke laws on defamation, which limit the capacity of civil society to express a diversity of views (Canada);**
 24. **To provide a full response about allegations of arbitrary detention and restrictions on press freedom (United Kingdom of Great Britain and Northern Ireland);**
 25. **To redouble efforts to integrate the Pygmy population in the mainstream society, particularly in the area of educational development and provision of other basic amenities (Nigeria);**
 26. **To put an end to the discrimination against the Pygmy minority and to grant them basic human rights, and to follow the provisions of articles 2 and 25 of ICCPR and articles 6, 12 and 13 of ICESCR (Slovenia);**
 27. **To submit regular reports to the treaty bodies, in particular to the Committee against Torture, the Committee on the Rights of the Child, the Human Rights Committee, the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Racial Discrimination.(Czech Republic);**
 28. **To prepare, through its National Committee for the Drafting of Human Rights Reports, the outstanding initial and subsequent periodic reports to the Committee on Economic, Social and Cultural Rights (Hungary);**
 29. **To report back to the Human Rights Council on the concrete steps taken to implement the action plan mentioned in the report and on the difference this has made for the situation on the ground (Netherlands);**
 30. **To continue efforts in the area of economic, social and cultural rights (Cuba).**
- 61. The response of Gabon to these recommendations will be included in the outcome report adopted by the Human Rights Council at its eighth session.**
- 62. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and /or the State under review thereon. They should not be construed as endorsed by the Working Group as a whole.**

Annex

Composition of the delegation

The delegation of Gabon was headed by Mr. Dieudonné Ndiaye, Chargé d'affaire ad interim, Permanent Mission of the Republic of Gabon, and composed of six members:

- (a) Ms. Pauline Danielle Meyet, Directeur Général des Droits de l'Homme;
- (b) Mr. Ousmanou Hamidou, Ministère des Droits de l'Homme;
- (c) Mr. Samuel Nang Nang, Conseiller chargé des Droits de l'Homme, Permanent Mission of the Republic of Gabon;
- (d) Mr. Saturnin Aboghe, Conseiller, Permanent Mission of the Republic of Gabon; and
- (e) Ms. Adèle Patricia Louzet, Première Secrétaire, Permanent Mission of the Republic of Gabon.
