

# UPR MONITOR

International Service for Human Rights



Human Rights Monitor Series

## UNIVERSAL PERIODIC REVIEW, 2<sup>ND</sup> SESSION GABON (FINAL) REVIEWED ON 5 MAY 2008, MORNING

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### Overview

The delegation of Gabon was headed by the Chargé d’Affaires of the permanent mission of Gabon to the United Nations in Geneva, Mr Dieudonné Ndiaye and consisted of several representatives from relevant ministries and institutions. The delegation spent approximately 20 minutes on its initial presentation.

More than 35 States took part in the interactive dialogue and the delegation of Gabon replied at the end of the dialogue to questions raised rather than by clustering questions together. It did not address all of the questions despite having more time available to it. The review also took 40 minutes than the three hours allocated for the review.

The majority of States recognised the challenges facing Gabon in improving human rights protection, including poverty, infectious diseases and lack of resources. Some States only welcomed the efforts already being made by Gabon but most States encouraged it to undertake further efforts in a number of specific areas. These included:

- combating trafficking in children;<sup>1</sup>
- the situation of the pygmies;<sup>2</sup>
- improving access to health care<sup>3</sup> and efforts made to address HIV/AIDS<sup>4</sup> and other infectious diseases;
- access to education;<sup>5</sup>
- poor prison conditions that should be brought in line with international standards, and the need to strengthen the juvenile justice system;<sup>6</sup>
- concerns about arbitrary detention, length of custody and detention, access to lawyers, and arrest and detention of journalists;<sup>7</sup>
- a call for the elimination of traditional practices that discriminate against women, including forced and early marriages and bring domestic law in line with international standards in relation to the rights of women, in particular with regard to marriage, family relations, patrimony, and succession;<sup>8</sup>
- recommendations that Gabon ratify several international human rights instruments, including the *Convention on the Protection of All Persons from Enforced Disappearances*,<sup>9</sup> the *Convention on the Rights of all Migrant Workers and Members of their Families*,<sup>10</sup> the Optional Protocol to the *Convention against Torture (OP-CAT)*,<sup>11</sup> the second Optional Protocol to the ICCPR,<sup>12</sup> and the *Rome Statute of the International Criminal Court*;<sup>13</sup>
- a call for strengthened cooperation with international mechanisms through extending a standing invitation to all special procedures<sup>14</sup> and submitting regular reports to the treaty bodies;<sup>15</sup>
- a recommendation that the international community support Gabon in its efforts to promote and protect human rights.<sup>16</sup>

Many States made use of the three sources of information provided for the review through the State report, the compilation by the Office of the High Commissioner for Human Rights (OHCHR) of information from the United Nations system, and the summary of information received from other relevant stakeholders in framing their questions and recommendations.

At the end of the review, Gabon assured the Working Group that it would take account of all the questions asked and transmit them to the relevant authorities. Gabon has taken all the recommendations under consideration and is expected to respond to them before the adoption of the report by the Council scheduled for Wednesday 11 June 2008.

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<sup>1</sup> Pakistan, Democratic Republic of the Congo, Republic of Congo, Mexico, Netherlands, Japan, Chad, Cameroon.

<sup>2</sup> Democratic Republic of the Congo, Republic of Congo, Russian Federation, United Kingdom, Nigeria, Slovenia, Cameroon.

<sup>3</sup> Pakistan, Algeria, Tunisia, Hungary. Malaysia, Japan, Slovenia.

<sup>4</sup> Algeria, DRC, Philippines, China, Mexico, Japan.

<sup>5</sup> Pakistan, Algeria, Tunisia, UK, Malaysia, Slovenia, Sweden.

<sup>6</sup> Hungary, Italy, Slovenia, Malaysia.

<sup>7</sup> Germany, Canada, UK, Slovenia, Republic of Korea.

<sup>8</sup> Germany, Mexico, Bosnia and Herzegovina.

<sup>9</sup> France.

<sup>10</sup> Senegal, Mexico, Mauritania.

<sup>11</sup> Czech Republic, UK, Sweden.

<sup>12</sup> Finland, UK.

<sup>13</sup> Canada.

<sup>14</sup> Latvia, Czech Republic, Canada.

<sup>15</sup> Czech Republic, Bosnia and Herzegovina.

<sup>16</sup> Algeria, Morocco, Malaysia, Cuba, Chad.

## General information on State under review

### **Membership of the Human Rights Council**

Gabon is a member of the Human Rights Council (the Council) 2007 to 2008.

### **Members of the troika**

Nigeria, China, Azerbaijan.<sup>17</sup>

### **National consultation**

Prior to the drafting and submission of the report broad consultations were held among Government departments and NGOs to ensure awareness of the new universal periodic review mechanism, although the details of the consultative process were not specified. The drafting of the report was done by the National Committee for the Drafting of Human Rights Reports. The Committee reports to the Ministry of Human Rights and consists of representatives of governmental departments and non-governmental organisations (NGOs).

## Information submitted to the Working Group

### **State report<sup>18</sup>**

Gabon submitted its State report on 8 April, 2008. The report details the national legislative framework in place and its international obligations for the protection and promotion of human rights. At national level the report details constitutional provisions for the development of the civil, criminal and labour code. It also highlights several public awareness campaigns addressing specific areas of concern, including children's health, combating trafficking and exploitation of children, women, persons with disabilities, minorities, and civil society. The main part of the report identifies major issues of concern in the areas of the rights of children, women, persons with disabilities, minorities and the pygmies, and refugees as well as in relation to civil society. The final section highlights Gabon's achievements in relation to human rights, most notably the abolishment of the death penalty. Difficulties arising in the area of child trafficking<sup>19</sup> and the lack of resources for the general implementation of laws and legislation were highlighted as shortcomings.

### **Official UN documents<sup>20</sup>**

Gabon has ratified most human rights treaties accepting some of the complaints and monitoring mechanisms and has been encouraged to ratify the remaining human rights instruments.<sup>21</sup> The creation of an inter-

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<sup>17</sup> Regional groups selected: African Group, Asian Group, Eastern European Group. The combination of regional groups had to be re-drawn twice because the first two combinations did not include the African Group. There were no objections by Gabon, or by the members of the troika, to the selection. For a full summary of the selection of troikas, see [http://www.ishr.ch/hrm/council/councilalert/council\\_update\\_7session.pdf](http://www.ishr.ch/hrm/council/councilalert/council_update_7session.pdf)

<sup>18</sup> 'Universal Periodic Review by the United Nations Council – Report by Gabon', available at <http://www.ohchr.org/EN/HRBodies/UPR/PAGES/GASession2.aspx>

<sup>19</sup> According to the State report these difficulties are due to inadequate reception facilities; the heavy cost of a lengthy stay (although the State does not specify where these are), insufficient supervisory staff; the difficulty of reintegrating into Gabonese society owing to pressure from the traffickers. The problems arise in particular from the obstacles faced by victims in returning to their countries of origin.

<sup>20</sup> A/HRC/WG.6/2/GAB/2 available at <http://www.ohchr.org/EN/HRBodies/UPR/PAGES/GASession2.aspx>

ministerial commission to identify and remove discriminatory legislative provisions was welcomed.<sup>22</sup> The establishment of a national human rights commission and a Children's Parliament, and the adoption of a law establishing as a criminal offence the trafficking in children were also commended.<sup>23</sup> Questions concerning the absence of juvenile courts and judges as well as the problem of commercial sexual exploitation of children and the increase in the large number of children trafficked were raised.<sup>24</sup> Concerns were expressed regarding equality and non-discrimination, in particular the lack of a definition of discrimination and the discriminatory nature of sections 253, 254 and 261 of the civil code. The issue of the persistence of customs, traditions and stereotypes that continue to violate women's rights and prevent equality between men and women was also raised, in particular the continued practices of polygamy and forced and early marriages.<sup>25</sup> Other concerns include the censorship, arrest, and arbitrary detention of journalists, which has been the subject of special procedures' communications.<sup>26</sup> In regard to standard of living, poverty and matters pertaining to minorities and indigenous people, including limited access to social services for children, a Plan of Action has been called for.<sup>27</sup>

### Other relevant stakeholders

Two stakeholders made a joint submission to the UPR.<sup>28</sup> Corporal punishment is purported to be prohibited in schools, however, the stakeholder was unable to obtain details of applicable legislation concerning the prohibition of this form of punishment. Corporal punishment remains a lawful disciplinary measure in the home. The legal status of corporal punishment has not been ascertained either within the penal system or alternative care settings. The stakeholder urges Gabon to urgently introduce legislation prohibiting corporal punishment in all settings, including the home.<sup>29</sup> Concerning minorities and indigenous peoples it was stated that the pygmies are amongst the poorest and most vulnerable groups in Gabon. Regarded as “sub human” and suffering from rigid stereotyping, segregation is reportedly actively practiced in all areas of life denying them their most basic human rights. The pygmies reportedly have no legal rights over land and deforestation programmes exacerbate their expulsion and exclusion. The stakeholders also reported that the pygmies have not been consulted about a project that includes roads, electricity, a port, a railway, dams and two hydroelectric power stations. In the opinion of the stakeholder the project does not meet with principles of transparency and human rights.<sup>30</sup>

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<sup>21</sup> Core human rights treaties to which Gabon is a party: International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), International Covenant on Economic, Social and Cultural Rights (ICESCR), International Covenant on Civil and Political Rights (ICCPR), Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), Optional protocol to CEDAW, Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), Convention on the Rights of the Child (CRC), Optional Protocol to the CRC on the involvement of Children in armed conflict (CRC-OP-SC), Convention on the Rights of Persons with Disabilities (CPD).

<sup>22</sup> Human Rights Committee.

<sup>23</sup> Human Rights Committee, CRC.

<sup>24</sup> CRC.

<sup>25</sup> CEDAW, ILO Committee of Experts, Human Rights Committee.

<sup>26</sup> Human Rights Committee, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Working Group on Arbitrary Detention.

<sup>27</sup> UNICEF, CRC.

<sup>28</sup> Global Initiative to End all Corporal Punishment of Children, Society for Threatened Peoples Indigenous.

<sup>29</sup> Global Initiative to End all Corporal Punishment of Children.

<sup>30</sup> Society for Threatened Peoples Indigenous.

## Interactive dialogue<sup>31</sup>

### Presentation by the State

The delegation of Gabon was headed by Mr Dieudonné Ndiaye, Chargé d’Affaires of the permanent mission of Gabon to the United Nations in Geneva. Mr Ndiaye introduced the State report and explained that the Vice-Prime Minister and Minister for human rights of Gabon had been supposed to head the delegation, but that he was unfortunately unable to attend due to unforeseen circumstances. The delegation was made up of a handful of representatives from relevant ministries.

Mr Ndiaye highlighted that Gabon guarantees protection of all citizens against abuses. He underlined that Gabon has abolished the death penalty and that this form of punishment has not been used since 1980. The presentation emphasised the Government’s efforts to promote health. Mr Ndiaye explained that Gabon has established a large-scale public information campaign on health, child health and mortality and has undertaken training of health care workers, and has carried out broad vaccination programmes. Mr Ndiaye also underlined legislative initiatives on combating trafficking of children, child labour and exploitation, including through the establishment of a special observatory on these issues and of special assistance facilities for victims of trafficking. The Government had also made numerous efforts to promote women’s rights. Mr Ndiaye highlighted that women occupy the highest posts in the country, including ministerial posts, and that they are also members of parliament, prosecutors, and presidents of courts and tribunals. Regarding the situation of the pygmy minority, Mr Ndiaye explained that the Government has drawn up plan of action to promote their rights and has established a special advisory team on health and hygiene. He reaffirmed that this cultural community enjoy the same rights as other people in Gabon. Mr Ndiaye stated that the pygmies ‘live in perfect harmony with other populations’. However, the Government remains open to all constructive suggestions to improve the living conditions of pygmies. Mr Ndiaye also noted that the press is often the barometer of the democracy of a country and stated that the Government has taken measures to strengthen the press.

In conclusion, Mr Ndiaye commented that despite the efforts taken to promote and protect human rights, the effect of these efforts remains limited because of limited resources and limited institutional and financial resources. Finally, he assured the Working Group that the delegation would transmit the suggestions to the competent authorities of Gabon.

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<sup>31</sup> Most statements made at the UPR Working Group can be found at <http://portal.ohchr.org/portal/page/portal/UPR>. Fill in the form at [www.ohchr.org/english/bodies/hrcouncil/form.htm](http://www.ohchr.org/english/bodies/hrcouncil/form.htm) to receive username and password. Audiovisual archives of the meetings of the Working Group ‘webcast’ are available at [www.un.org/webcast/unhrc/index.asp](http://www.un.org/webcast/unhrc/index.asp).

Table on the interactive dialogue

Country	Positive comments	Critical comments	Questions	Recommendations <small>(including questions as recommendations, bold text denotes recommendations that enjoy the support of the State under review)</small>	References to State report/ <b>UN compilation/ OHCHR summary</b>	Replies by the State under review
Pakistan	<p>Impressive national report that has been prepared through an elaborate process with widest possible consultation.</p> <p>Noted the emphasis on human rights in the Constitution.</p> <p>Welcomed the direct applicability of the <i>Covenant on Civil and Political Rights</i> (ICCPR) and the <i>Convention on the Elimination of All forms of Discrimination against Women</i> (CEDAW).</p> <p>Noted the efforts to fight child trafficking.</p>		<p>Elucidate steps taken or planned to overcome shortcomings in areas of health and education.</p> <p>Provide more information on efforts to involve neighbouring States in the fight against child trafficking</p>			
Algeria	Noted with appreciation	Noted the particular		Recommended that the international community	Noted that the Human Rights Committee had	

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	<p>participation of civil society in the preparation of the report.</p> <p>Welcomed the establishment of a ministry for human rights.</p> <p>Welcomed national health action plan noted in UN compilation para 30.</p>	<p>challenges in relation to the forest people.</p> <p>Took note of challenges with improving performance of children and problems with HIV/AIDS and Ebola.</p> <p>Noted critical situation in relation to education (OHCHR Compilation para. 35).</p>		<p>recognises Gabon’s need for technical assistance in relation to health and to strengthen institutional capacity in relation to the forest people.</p> <p>Recommended provision of financial assistance to strengthen the capacities of social services, in particular for child health, combating Ebola, and improving hygiene</p> <p>Recommended additional efforts by Government to raise the school attendance rate (OHCHR compilation p. 35)</p>	<p>appreciated the direct applicability of ICCPR.</p> <p>OHCHR Compilation para. 30</p> <p>OHCHR Compilation para. 35</p>	
Democratic Republic of the Congo	Satisfactory information on the human rights situation in Gabon.		The programme to combat HIV/AIDS is ambitious, but how many people are affected and how many receive anti-retroviral drugs?			According to a 2006 study over 6,000 people are living w HIV/AIDS and 57% are women. Almost 14,000 children are orphans as a result Women are particularly vulnerable and the

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			<p>Would like more information of social integration and political involvement of pygmies.</p> <p>Is trafficking in children limited to Gabon or are children also going abroad, and in that case, to which countries?</p>			<p>majority of people living with HIV/AIDS are women. Special measures have been taken to preserve the freedom of women that have become widows. Cooperatives of women have also been set up.</p> <p>Gabon has made considerable progress in improving the situation and involving organisations dealing with these issues.</p> <p>1.5% of the overall population are pygmies. The census was a first step and issuing birth certificates was a second step. A vaccination programme for pygmy children has been set up. Social services are adapted to the special needs of this cultural community and the Government provides</p>

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						<p>education and health care services.</p> <p>Gabon stated that these steps are limited and that there is a need for international cooperation and support.</p> <p>The Government faces several challenges in relation to the pygmies, including their nomadic lifestyle which makes provision of services difficult. The pygmies would like to live in their natural environment and this creates certain obstacles to the efforts made by the Government.</p> <p>It underlined that the pygmies are not a special group and that they live in full integration with the rest of society. However, the Government respects the particular features of this group.</p>

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Philippines	<p>National report was produced in an inclusive manner.</p> <p>Good progress despite many challenges, including poverty.</p> <p>Appreciated focused efforts on improving the rights of women and children.</p> <p>Statistics on people living with disabilities are welcome.</p> <p>Welcomed the abolition of the death penalty.</p>		<p>Is there a specific programme on reintegration of people living with HIV/AIDS?</p>	<p>Encouraged Gabon to continue awareness raising programmes.</p>		
Tunisia	<p>‘Rich and exhaustive report’.</p> <p>Welcomed efforts to improve children’s health, including vaccinations programmes.</p>					

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	<p>Welcomed efforts for children's education free of charge.</p> <p>Efforts to combat child trafficking are very welcome.</p>					
China	<p>Noted a series of legislative initiatives to ensure right to health, right to education, to fight trafficking</p> <p>Welcomed that an action plan to combat poverty has been elaborated.</p>	<p>Sympathetic to the challenges facing Gabon, primarily in the area of economic, social and cultural rights.</p>	<p>How is the action plan on combating HIV/AIDS being implemented and what are the challenges?</p>			
Finland			<p>What are the immediate actions taken to abolish the death penalty in practice?</p> <p>How will the Government end the practice of killing children for sale of</p>	<p>Recommended that the measures to abolish the death penalty be transformed into law and that Gabon ratify the second optional protocol to the ICCPR.</p>		

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France			<p>organs and body parts?</p> <p>How does Gabon intend to implement the <i>Declaration on the Rights of Indigenous Peoples</i>?</p> <p>Is Gabon envisaging signing and ratifying the <i>Convention on the Protection of All Persons from Enforced Disappearances</i>?</p>	<p>Recommended that Gabon ratify the <i>Convention on the Protection of All Persons from Enforced Disappearances</i>.</p>	<p>Several NGOs have highlighted discrimination against minorities, such as pygmies.</p>	<p>Gabon affirmed its determination to implement its commitments under treaties that it has already ratified. It explained that the ratification procedures is initiated as soon as soon as possible, but that these processes are lengthy and material and financial resources are needed. A new procedure for adopting treaties will be set up shortly and Gabon expects that the procedure can be shortened as a result.</p>
Senegal	<p>Campaign aimed at raising awareness about human rights and building a culture of human rights are welcome measures.</p> <p>Gabon has ratified</p>		<p>Is Gabon envisaging ratifying the <i>Convention on the Rights of all Migrant Workers and Members of their Families</i>?</p>			<p>Gabon has been receiving migrants and is very interested in the <i>Convention on the Rights of all Migrant Workers and Members of their Families</i>. It took note of the recommendation and</p>

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	<p>most of the core human rights treaties and noted that Gabon is ready to become a party to the optional protocols to these treaties.</p> <p>Noted willingness to strengthen cooperation with human rights mechanisms.</p>					<p>will inform relevant authorities and report back on progress in this area.</p>
Germany			<p>What measures are being taken to ensure freedom of expression?</p> <p>What measures are the Government planning to take to eliminate traditional practices that discriminate against women?</p>	<p>Recommended accelerated reform of laws that discriminate against women (echoing CEDAW recommendation).</p>	<p>The Human Rights Committee and the Committee on the Elimination of Discrimination against Women have recommended elimination of discrimination against women through traditional practices, including polygamy.</p> <p>OHCHR compilation refers to communications from</p>	<p>Gabon stated that no State has perfect performance in relation to ensuring freedom of expression. The national legislation is not yet in conformity with international standards. The existing provisions can be misinterpreted and the Government deplores such abuses and seeks to hold perpetrators accountable.</p> <p>Gabon assured the</p>

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					the Special Rapporteur on freedom of expression and the Working group on arbitrary detention on arrests of journalists.	Working Group that women have the same rights as men and noted that one third of parliamentarians are women.
Republic of the Congo	<p>Congratulated Gabon for its efforts to combat trafficking in children.</p> <p>Encouraged efforts made to protect the rights of minorities and disabled persons.</p>		<p>How did the Government proceed to a census of the pygmies?</p> <p>What is the nature of the pressure of traffickers on the Government in relation to trafficking in children?</p>	Encouraged the Government to continue its programme of protection and promotion of human rights.		
Latvia	Welcomed the abolition of the death penalty.			<p>Hoped that Gabon would receive the visit of the Special Rapporteur on the rights to education.</p> <p>Invited Gabon to extend a standing invitation to all special procedures.</p>		Gabon affirmed that it is ready to receive visits from the special procedures. It noted that it had not asked any particular mandates to visit the country.
Mexico	Congratulated Gabon for the inclusion of civil society in the			Invited Gabon to consider harmonising the civil and criminal code with international	Referred to paragraphs 65 and 67 of the State report.	

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	<p>preparation of the report.</p> <p>Acknowledged progress in relation to maternal and child health, trafficking in children, various contagious diseases, including HIV/AIDS, discrimination against women, disabled persons, and ethnic minorities.</p> <p>Welcomed efforts made for promoting the rights of children, women, minorities, migrants, and refugees.</p> <p>Welcomed the abolition of the death penalty.</p>			<p>standards in relation to the rights of women, in particular with regard to marriage, family relations, patrimony, and succession.</p> <p>Recommended that Gabon criminalise trafficking of children. Also recommended the prohibition of the worst forms of corporal punishment.</p> <p>Called on Gabon to ratify the <i>Convention on the Rights of all Migrant Workers and Members of their Families</i>.</p> <p>Encouraged Gabon and UN agencies to strengthen cooperation projects to improve standards of living and respect for human rights.</p>		
Czech Republic	Welcomed signature of the Optional		Which measures have been adopted in	Recommended that Gabon ratify the OP-		

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	Protocol to the <i>Convention against Torture</i> (OP-CAT).		<p>response to recommendations by CEDAW to eliminate discriminatory provisions in civil, family and criminal codes?</p> <p>What measures have been taken to eliminate forced and early marriages?</p> <p>Has the minimum age of marriage been raised to 18 for girls as well as boys?</p>	<p>CAT in the near future and establish an effective national preventive mechanism.</p> <p>Recommended that the age of marriage be raised to 18.</p> <p>Recommended that a standing invitation be extended to special procedures.</p> <p>Recommended that Gabon submits regular reports to the treaty bodies.</p>		
Hungary				<p>Recommended that Gabon prepare its initial and periodic reports that are due to the Committee on Economic, Social and Cultural Rights.</p> <p>Gabon should take further steps to establish juvenile courts and to</p>	<p>The Committee on the Rights of the Child have expressed concern about juvenile justice.</p> <p>The Human Rights Committee has made recommendations on the obstacles to freedom of the press</p>	<p>Gabon explained that the prisons were constructed during the colonial period. There are problems with overcrowding in several prisons but Gabon is trying to modernise the prison system and the prisons. Special health care units in prisons have</p>

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				<p>separate children from adults in prisons.</p> <p>Recommended that Gabon bring prison conditions in line with the ICCPR and the <i>Standard Minimum Rules for the Treatment of Prisoners</i>.</p> <p>Bring in line its practices with regard to the media with article 19 of the ICCPR to ensure full respect for the rights of journalists.</p>	<p>and harassment of journalists.</p>	<p>been established and the Government has created a special advisor on prison issues. New activities for inmates, including gardening has been introduced and educational facilities in prisons are being built. In underlined that technical and financial assistance is required for this project.</p> <p>A special prison for minors is being built and a juvenile tribunal will be established.</p>
Netherlands				<p>Recommended that Gabon reports back to Council on progress in the implementation of the national action plan on human rights (p. 19 of national report).</p> <p>All measures should be taken to ensure that domestic legislation in the area of trafficking of</p>	<p>The Committee on the Rights of the Child has voiced concern about weak implementation in area of trafficking of children. Also referred to the national report regarding this issue.</p>	

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				children is in conformity with the <i>Convention on the Rights of the Child</i> (CRC).		
Malaysia	Impressed with efforts made to fight child trafficking, improve children's access to health and education.		Requested further information on plans to establish a juvenile court.		Endorsed the reference in the national report to the need for the international community to provide the necessary support to Gabon.	
Cuba	Despite obstacles faced as a developing country, progress has been made in relation to children, women, and minorities.  Welcomed efforts to combat AIDS and provide immunisations.			Gabon should continue its efforts in the area of economic, social, and cultural rights to increasingly promote the progress that has already been witnessed.	Associated with the appeal in the national report for the support of international community.	
Russian Federation			How is the work of the special association on combating crime implemented?  How does the Government protect			Pygmies are free to send their children to schools, to marry, and can take part in elections.  For further details on the response of the Gabon

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			<p>the rights of pygmies? Do they take part in national elections?</p> <p>Which agencies took part in the study on violence against children and will civil society take part in consultations on this issue?</p> <p>Did Gabon receive support from OHCHR or other UN agencies in the implementation of treaty obligations?</p>			<p>regarding the situation of the pygmies, please the response to the DRC.</p>
Morocco	<p>Welcomed the excellent quality of the report and the full participation of civil society in its preparation.</p> <p>Noted the high number of national human rights bodies and institutions which demonstrates Gabon's</p>			<p>The international community should support Gabon in its efforts to promote and protect human rights.</p>		

Country	Positive comments	Critical comments	Questions	Recommendations (including questions as recommendations, bold text denotes recommendations that enjoy the support of the State under review)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
	commitment to human rights.					
Canada	<p>Welcomed that Gabon has become a multi party democracy.</p> <p>Noted legal measures taken to combat trafficking in children and efforts to promote gender equality.</p>			<p>Recommended that Gabon takes necessary measures to follow up on treaty bodies' recommendations.</p> <p>Gabon should undertake awareness-raising campaigns for the police, judiciary and public at large on gender equality.</p> <p>Recommended that Gabon ensures follow up to recommendations of the Human Rights Committee regarding the rights of journalists.</p> <p>Gabon should revise its laws on slander.</p> <p>It should also issue a standing invitation to all special procedures.</p> <p>Gabon should ratify the</p>	<p>According to the treaty bodies it is still possible to reduce gender inequality.</p> <p>The Committee on the Elimination of Discrimination against Women has recommended that Gabon adopts a definition of gender discrimination in its constitution and criminalise domestic violence.</p> <p>The Special Rapporteur on freedom of expression and the Working Group on arbitrary detention have expressed concern about arrests of journalists.</p> <p>The Human Rights Committee has invited</p>	

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				<i>Rome Statute of the International Criminal Court.</i>	Gabon to revise its laws to comply with the ICCPR article 19 to allow journalists to carry out their work in safety.	
United Kingdom	<p>Welcomed the efforts made in the area of education but more is still needed.</p> <p>Welcomed the signing of OP-CAT.</p> <p>Welcomed the abolition of the death penalty.</p>	<p>Concerned about the situation of pygmies.</p> <p>Gender equality</p> <p>Concerned about restrictions on press freedom and arbitrary detention.</p>	<p>Posted questions in advance on civil society and national human rights institutions and would welcome further information.</p> <p>Does the Government have any new plans to protect women's rights?</p>	<p>Recommended that Gabon accepts the requested visit of the Special Rapporteur on education.</p> <p>Recommended that Gabon ratifies OP-CAT.</p> <p>Asked the Government to provide full disclosure of restrictions of press freedom.</p> <p>Recommended that Gabon ratify the second optional protocol to the ICCPR.</p>	NGO report indicates that pygmies are still denied numerous basic rights.	The independent national commission on human rights reflects the diversity of the country.
Italy	Welcomed decision to abolish the death penalty.		Requested more information on efforts to implement the decision to abolish the death penalty.	Special attention should be given to juvenile justice, a juvenile court should be set up and separation of children and adults in prisons		On prisons and juvenile justice, please see response to Hungary.

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Nigeria	<p>Detailed and impressive report prepared in an inclusive manner</p> <p>Noted progress in area of human rights through ratification of major international instruments.</p> <p>Combating trafficking and efforts to promote women's rights are quite commendable.</p>			<p>should be ensured.</p> <p>Gabon should redouble efforts to integrate pygmies into the mainstream population.</p>		
USA		<p>International news media have reported on ritual killings of small children.</p>	<p>Can the Government confirm that ritual killings have taken place and whether they are politically motivated?</p> <p>What measures are being taken to bring perpetrators to justice for such crimes?</p>			<p>Gabon said that ritual killings are a new trend. It explained that statistics on the prevalence of this practice have not yet been clearly established. However, given the scope of the scourge an inter-ministerial commission has been set up to make proposals for new legislation to</p>

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Japan		Promotion of right to health is an urgent challenge, including in relation to HIV/AIDS, high maternal mortality and child mortality.	<p>What specific measures are the Government planning to take to improve health situation and ensure access to safe drinking water?</p> <p>What measures have been taken to combat commercial sexual exploitation of children, child labour, and trafficking in children?</p> <p>What is the status of a Government programme on trafficking in children and child labour?</p>		The Committee on the Rights of the Child has recommended that the Government establish a programme on trafficking in children and child labour.	<p>address this issue.</p> <p>Gabon explained that children are protected under the law and that exploitation and trafficking is a current theme. Gabon is a receiving country and regional consultations have been held and efforts have been made to develop guidelines and structures for addressing this problem. A system for returning children to their families of origin provides a link between the public authorities and children.</p>
Slovenia		Concerned about the situation of pygmies and discrimination, segregation, and exploitation of this minority.	What has Gabon done to comply with the requirement to integrate a gender perspective in its preparation for the UPR?	Gabon should put an end to discrimination of pygmies and grant them the right to vote, decent work conditions, education, access to health care.		<p>The recommendation to protect and promote the rights of the pygmies is directly linked to respect for their freedom.</p> <p>On prisons, please see response to Hungary.</p>

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		Concerned about the length of police custody and pre-trial detention, and detainees' access to lawyers.		Bring prison conditions into line with the ICCPR and the <i>Standard Minimum Rules for the Treatment of Prisoners</i> .  Gabon should systematically integrate a gender perspective in its follow up to the UPR.		
Bosnia and Herzegovina			What concrete measures have been taken to fully implement CEDAW and increase awareness of importance of legal reform for achieving equality of women?  Recommended that Gabon implement the recommendations of CEDAW related to forced and early marriage?	Hoped that the Government will be ready to ratify outstanding international instruments and implement them comprehensively.  Increase cooperation with treaty bodies and special procedures.	Referred to CEDAW and ILO Committee of Experts had expressed concerns about discrimination against women.	
Brazil	Noted the comprehensive and carefully prepared report.	Situation of minorities and indigenous peoples are				

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	<p>Welcomed that the Government has allowed NGOs to be members of its human rights committee.</p> <p>Commended the adoption of a plan of action on education.</p>	<p>among the most vulnerable populations suffering from discrimination and segregation.</p>				
Sweden		<p>Gabon has not recognised the individual complaint procedure under CAT.</p>	<p>Had posted two questions in advance on OP-CAT and on education.</p> <p>Elaborate on views regarding ratification of OP-CAT and measures taken to eradicate torture.</p> <p>What measures are taken to ensure access to education for all children?</p>		<p>NGOs have reported instances of torture in places of detention, including of refugees and immigrants.</p> <p>National report states that education is mandatory and free until year 16, but figures on access to education vary.</p> <p>The Committee on the Rights of the Child has expressed concern about access to education for children</p>	

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Guinea	Gabon has ratified many important international instruments.		What specific measures have been taken to address ritual crimes?		of pygmies. National report affirms that the association to combat ritual crimes has denounced this practice.	Please see reply to USA.
Ethiopia	Remarkable achievements have been made.		<p>What challenges were faced in preparing the report?</p> <p>What kind of assistance did the Government receive from OHCHR in the preparation of the report?</p> <p>What is the specific nature of Gabon's expectations for technical and financial assistance?</p>		Treaty bodies have recommended technical assistance to Gabon.	
Republic of Korea	Welcomed awareness-raising campaign on human rights.	National report mainly focuses on rights of women and children and leaves out many important civil and political rights.	What has been done to respond to the concerns of treaty bodies and special procedures in relation to arbitrary detention, length of custody and detention, access to		In the OHCHR compilation the Human Rights Committee and several special procedures have expressed concern about arbitrary detention, length of	

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			lawyer, and arrest and detention of journalists?		custody and detention, access to lawyer, and arrest and detention of journalists.	
Chad	Succinct and clear report.  Noted ratification of most important international instruments.		What practical mechanism has been set up to prevent child trafficking?	International community should support Gabon in implementation of its commitments.		
Cameroon			Is Gabon satisfied with the services provided by the sub-regional UN centre on human rights? Did it provide assistance in the preparation of the report?  What collaboration will Gabon seek from neighbouring countries (like Cameroon) in relation to addressing the plight of pygmies and the problem of child trafficking?			
Mauritania	Important efforts to strengthen human		Is Gabon envisaging ratifying the			

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	rights situation of women and children.		<i>International Convention on the Rights of all Migrant Workers and Members of their Families?</i>			

Adoption of the report [7 May, 12:30 pm]

China introduced the report on Gabon on behalf of the troika. It explained that 36 countries had made statements and that Gabon had participated actively in the interactive dialogue. The review had been conducted with ‘fairness and objectivity’ and Gabon had participated fully. The report was developed in a consensual manner by the troika and Gabon. It proceeded to make a minor amendment to recommendation number four adding that the UK had also recommended ratification of the OP-CAT. China thanked the delegation for its cooperation and the Secretariat’s staff for their high quality work and assistance to the troika members.

In its concluding comments, Gabon thanked all States for their participation. It assured the Working Group that all of the comments, questions, and recommendations had retained its attention. Since its election to the Council, Gabon had always supported an international legal order giving pride of place to promotion and protection of human rights. Gabon stated that it would continue to associate itself with the efforts to find solutions to poverty, environmental protection, armed conflict, diseases, and social justice.

The President noted that delegations would have two weeks to make editorial suggestions on the report and invited delegations to submit any editorial comments by 21 May 2008. The report was adopted.

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