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resolution 16/21**

Gabon

The present report is a compilation of the information contained in the reports of treaty bodies and special procedures, including observations and comments by the State concerned and of the Office of the High Commissioner for Human Rights (OHCHR), and in other relevant official United Nations documents. It is presented in a summarized manner due to word-limit constraints. For the full text, please refer to the document referenced. This report does not contain any opinions, views or suggestions on the part of OHCHR other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

I. Background and framework

A. Scope of international obligations¹

International human rights treaties²

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	ICERD (1980) ICESCR (1983) ICCPR (1983) CEDAW (1983) CAT (2000) CRC (1994) OP-CRC-SC (2007) CRPD (2007)	OP-CAT (2010) OP-CRC-AC (2010) CPED (2011)	ICCPR-OP 2 ICRMW (signature only, 2004)
<i>Reservations, declarations - and/or understandings</i>	-	OP-CRC-AC (Declaration: art. 3)	-
<i>Complaint procedures, inquiry and urgent action³</i>	OP-CEDAW arts. 1 and 8 (2004)	OP-ICESCR arts. 1, 10 and 11 (signature only, 2009)	ICERD art. 14 ICCPR art. 41 ICCPR-OP 1 art.1 OP-CRPD arts. 1 and 6 (signature only, 2007) CAT arts. 20, 21 and 22 OP-CRC-IC arts. 5, 12 and 13 CPED arts. 30, 31 and 32 ICRMW arts. 76 and 77

Other main relevant international instruments

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
<i>Ratification, accession or succession</i>	Convention on the Prevention and Punishment of the Crime of Genocide (1983) Rome Statute of the International Criminal Court (2000) 1951 Refugee Convention and 1967 Protocol (1973) ⁴ Geneva Conventions of 12 August 1949 (1965) and Additional Protocols thereto [except Additional Protocol III] ⁵ ILO fundamental conventions: Nos. 29, 105, 87, 98, 100, 111, 138 and 182 ⁶	Palermo Protocol (2010) ⁷	ILO Convention No. 169 ⁸ ILO Convention No. 189 ⁹ 1954 and 1961 stateless persons conventions ¹⁰ UNESCO Convention against Discrimination in Education

1. The United Nations Country Team in Gabon (UNCT-Gabon) and the Office of the United Nations High Commissioner for Refugees (UNHCR) welcomed the ratification in 2011 of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention). UNCT-Gabon added that the ratification of this legal instrument filled a legal gap at the national level with respect to internal displacement.¹¹

2. The United Nations High Commissioner for Human Rights (UNHCR) and the United Nations Country Team in Gabon (UNCT-Gabon) recommended acceding to the 1954 Convention relating to the Status of Stateless Persons and to the 1961 Convention on the Reduction of Statelessness.¹²

B. Constitutional and legislative framework

3. UNCT-Gabon noted that the national normative framework had been strengthened in 2010, both to incorporate international instruments into domestic law, and to respond to social phenomena affecting vulnerable persons, with the following texts and documents: Act 39/2010 on the judicial protection of minors (in conflict with the law) and Decree 0806/PR, of 25 November 2010, on the promulgation of Act 39/2010.¹³

4. UNCT-Gabon also took note of the adoption of the National Procedural Manual for Assisting Child Victims of Trafficking, in application of Act 09/2004 on the prevention and suppression of trafficking in children.¹⁴

C. Institutional and human rights infrastructure and policy measures

Status of national human rights institutions¹⁵

<i>National human rights institution</i>	<i>Status during previous cycle</i>	<i>Status during present cycle</i>
Commission Nationale des droits de l'homme du Gabon	No accreditation status	No accreditation status

5. UNHCR welcomed the establishment of a National Commission of Human Rights on 14 September 2011.¹⁶ However, UNCT-Gabon pointed out that it had yet to be ascertained whether the Commission's composition and functioning conformed to the Paris Principles.¹⁷ As reported by OHCHR in 2011, the members of the Commission had been appointed.¹⁸

6. In 2005, Gabon adopted the United Nations Plan of Action (2005–2009) for the World Programme for Human Rights Education focusing on the national school system.¹⁹

7. UNCT-Gabon noted that there were four reception centres in the capital and one in Port Gentil that worked to combat all forms of violence against children and, in particular, to ensure the protection of child victims of cross-border trafficking, street children and child victims of domestic abuse. UNCT-Gabon added that, in Libreville, approximately 60 social workers and specialized educators provided psychosocial care for children, including reintegration into their families in Gabon or in their country of origin. Furthermore, UNCT-Gabon noted the existence of mechanisms to prevent and combat trafficking at the national and provincial levels: a national committee to combat trafficking, and its provincial committees. There were two police services specialized in child protection, as well as a national observatory for children's rights.²⁰

8. UNCT-Gabon reported that capacity-building was needed for health workers, police officers, prison guards and teachers to ensure greater respect for children's rights in the provision of public services.²¹

9. In the area of health care, UNCT-Gabon noted that, in 2010, Gabon's Council of Ministers had adopted a new national health policy, as well as a National Health Development Plan for 2011–2015. According to UNCT-Gabon, the national health policy focused on respect for human rights, ethics and human dignity. It added that this policy vision sought to integrate a gender perspective and community responsibility into the health-care system.²²

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies²³

1. Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
CERD	August 1998	-	-	Tenth report overdue since 2007
CESCR	-	2011	-	Initial report: pending consideration
HR Committee	October 2000	-	-	Third report overdue since 2003
CEDAW	January 2005	2012	-	Sixth report: pending consideration
CAT	-	2011	-	Initial report: pending consideration
CRC	January 2002	-	-	Second report overdue since 2001; initial OPAC report due 2012; initial OPSC report overdue since 2009
CRPD	-	-	-	Initial report overdue since 2010
CPED	-	-	-	Initial report due 2013

2. Responses to specific follow-up requests by treaty bodies

Concluding observations

<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
N/A		-	

Views

<i>Treaty body</i>	<i>Number of views</i>	<i>Status</i>
N/A		

B. Cooperation with special procedures²⁴

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitation</i>	No	No
<i>Visits undertaken</i>		Trafficking in persons (14–18 May 2012)
<i>Visits agreed to in principle</i>		
<i>Visits requested</i>	Education (in 2007)	

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Responses to letters of allegations and urgent appeals</i>	During the period under review, no communication was sent	
<i>Follow-up reports and missions</i>		

C. Cooperation with the Office of the High Commissioner for Human Rights

10. Gabon is covered by the United Nations Centre for Human Rights and Democracy in Central Africa/OHCHR Central Africa Regional Office (Yaoundé, Cameroon).²⁵ In 2011, OHCHR supported the elaboration of a national plan of action and a roadmap for the implementation of recommendations deriving from all human rights mechanisms²⁶ and provided support to the Coordinating Mechanism.²⁷ In 2009, in consultation with the Government, OHCHR monitored the human rights situation during the presidential electoral period.²⁸ In 2008, Gabon hosted a regional conference on child trafficking organized by OHCHR in collaboration with the Economic Community of Central African States.²⁹

III. Implementation of international human rights obligations

A. Equality and non-discrimination

11. UNCT-Gabon stated that, in 2010, the members of the two chambers of Parliament had, in cooperation with the United Nations Population Fund, organized a march to promote and defend women's rights and had signed a declaration solemnly committing themselves to respect and promote those rights. The aim of the initiative was to speed up the authorities' progress in promoting women and their rights.³⁰

12. UNCT-Gabon added that Gabon had established the Women's Rights and Parity Observatory. In 2010, the Observatory had conducted an awareness-raising campaign through lectures and discussions in different venues selected for this purpose.³¹

13. UNCT-Gabon recalled that, in 1998, Gabon had established a President's Prize for the involvement of women in the country's economic development. It stated that the thirteenth competition for this prize had been organized in April 2012 in Libreville on the topic "Promoting the empowerment of Gabonese women for sustainable development".³²

B. Right to life, liberty and security of the person

14. UNCT-Gabon and UNHCR welcomed the abolition of the death penalty in February 2010.³³

15. In 2010, Gabon voted in favour of the adoption of United Nations General Assembly resolution 65/206 calling for a moratorium on the death penalty.³⁴

16. UNHCR indicated that, in 2011, some 83 refugees were reported to have been arrested, mostly at checkpoints. These persons were normally released after the imposition of fines for lack of valid documents. In some instances, refugee identification cards and asylum seekers' attestations were not recognized and were confiscated by law enforcement authorities. A few male refugees stated that they had received humiliating treatment.³⁵ SNU-Gabon expressed similar concerns.³⁶

17. According to the information contained in the UNICEF midterm review of country programmes in 2010, Gabon's commitment to address protection issues affecting children led to the passing of juvenile justice legislation and the adoption of the law related to female genital cutting and violence perpetrated on children.³⁷

18. According to UNCT-Gabon, the legal framework for the protection of children had been strengthened and further efforts should be encouraged in the following areas: the adoption of a child protection code and of a law specifically criminalizing domestic, school and institutional violence; the adoption of a legal text regulating the establishment and functioning of reception centres run by non-governmental organizations (NGOs) and religious institutions; and the establishment of juvenile sections in prisons in conformity with Act 39/2010. However, UNCT-Gabon expressed concern about the low quality of service delivered by institutions providing assistance to victims of human rights violations. It added that the same was true for the situation of the 114 children between the ages of 13 and 18 held at the main prison, for whom there was no social reintegration plan and who received no assistance from social workers.³⁸

19. Nevertheless, UNCT-Gabon said that data collection was a priority in order to obtain clear evidence on children's rights. It would be useful to carry out an urgent assessment of the national legal framework in order to better target weaknesses in the protection of children's rights with reference to international standards in this area.³⁹

20. According to the information contained in the UNICEF midterm review of country programmes in 2010, trafficking and economic exploitation were a major threat to children, and although policies and laws to protect them were available and several structures had an operational mandate in this area, legislation was not regularly enforced and coordination was weak.⁴⁰

21. While recognizing that improvements had been made to the system of protection against trafficking in children, UNCT-Gabon noted that there were still difficulties related to lack of funding and general governance.⁴¹

22. During his visit to Gabon in July 2010, the United Nations Secretary-General strongly encouraged Gabon to step up its efforts to eliminate the trafficking and abuse of children. He added that everyone — Government, business, civil society, and police — must play their part in creating and implementing laws to protect children.⁴²

23. In May 2012, at the end of her official visit to Gabon, the Special Rapporteur on trafficking in persons, especially in women and children said that although the Government has adopted legislation to combat human trafficking, significant gaps remained. There were a number of challenges that needed to be addressed by the Government if it was to succeed in effectively combating trafficking in persons and protecting the human rights of trafficked victims of all ages.⁴³

24. The Special Rapporteur stressed that current laws limited protection to victims under the age of 18 and did not provide for all forms of exploitation including labour and sexual exploitation, slavery and removal of organs. The Special Rapporteur urged the Government to explicitly widen the forms and scope of protection to both trafficked women and men as per the Palermo Protocol, aimed at preventing, suppressing and punishing trafficking in persons.⁴⁴

25. The Special Rapporteur stated that Gabon was a destination and transit country for trafficked persons from the sub-region of West and Central Africa. Most common forms of trafficking in Gabon were domestic work for young girls, servitude, and to some extent forced and early marriage; while for boys, work in the informal sector including auto mechanics and hard labour was common, she said, while noting that root causes of trafficking included poverty and traditional practices, especially in West Africa, of sending

children to live with relatives and demand for domestic workers by rich Gabonese families.⁴⁵

26. The Special Rapporteur stressed that the trend, forms and manifestation of trafficking in persons were not well-understood in Gabon, and there was a general lack of awareness and knowledge of trafficking in persons beyond child trafficking for exploitative labour. As a result, other victims of trafficking remained invisible and unrecognized by not only the general population, but also the victims themselves and the competent authorities.⁴⁶

27. The Special Rapporteur also expressed her concern about the absence of a specific visa programme to enable victims of trafficking to remain legally in the country, and for the safe return and repatriation of victims of trafficking. In her view, there was always a risk of re-trafficking and re-victimization, especially for trafficked children, because family members are implicated in the exploitation of victims of trafficking.⁴⁷

28. The United Nations Development Assistance Framework (UNDAF) Gabon (2012–2016) indicated that, although the legal framework for child protection was gradually being strengthened with, *inter alia*, the ratification, in 2010, of a certain number of international instruments, in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, 75 per cent of children were still victims of or witnesses to physical violence, 8 per cent were victims of abuse or sexual exploitation, and others were victims of psychological violence.⁴⁸

C. Administration of justice and the rule of law

29. UNDAF Gabon (2012–2016) stated that the courts were being strengthened and that their independence was increasingly being respected.⁴⁹

30. UNCT-Gabon reported that, in 2010, Gabon had adopted an act on the judicial protection of minors, which included provisions on the administration of juvenile justice and the relevant judicial bodies, as well as protective measures to promote the rehabilitation and social reintegration of the children concerned. To give effect to this protection, the act called for the separation of minors from adults in prisons and for alternative detention measures to be used.⁵⁰

31. UNCT-Gabon indicated that poor knowledge of the law on the part of officials was a constraint which meant that, for example, they continued to try minors in the same way as adults or to treat child victims of trafficking as illegal immigrants instead of recognizing them as vulnerable persons and victims.⁵¹

32. In 2010, the ILO Committee of Experts urged Gabon to take the necessary steps to ensure the thorough investigation and robust prosecution of persons who engage in the sale and trafficking of children under 18 years of age, in accordance with the national legislation in force.⁵²

D. Right to privacy, marriage and family life

33. UNCT-Gabon welcomed the decision to issue birth certificates for children free of charge but considered that Gabon should also establish mechanisms designed to ensure that all children born on its territory would actually receive birth certificates.⁵³

34. UNHCR recommended ensuring easy and effective access to birth registration of all children born. UNHCR further recommended reforming the Nationality Code to ensure that

citizenship is granted to all children and to prevent the renunciation by Gabonese nationals of their nationality without first mandating that they hold another nationality or have assurances that they will acquire another nationality.⁵⁴

E. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

35. According to UNESCO, during the 2011 World Press Freedom Day celebration Gabon made the commitment to redraft the media law and to align it with the needs of media development and media freedom. The new law will take into consideration the decriminalization of press offences.⁵⁵

36. UNCT-Gabon pointed out that there were relatively few community associations in place. For example, it noted that there were only two human rights NGOs.⁵⁶

37. UNDAF Gabon (2012–2016) stated that grass-roots civil society organizations, which were still relatively weak, were trying to make their voice heard in public debates. Their poor organization and fragmentation had not helped their development.⁵⁷

F. Right to work and to just and favourable conditions of work

38. UNHCR welcomed the fact that Section 177 of the Fair Labour Standards Act had set the minimum age for employment at 16 years.⁵⁸

G. Right to social security and to an adequate standard of living

39. UNCT-Gabon noted that the United Nations 2011 report on the human development index (HDI) showed that Gabon ranked among the countries with medium human development, with an index of 0.674. It added that, although its gross national per capita income placed it among the medium-income countries (US\$ 12,249 per capita in 2011, Human Development Report 2011), its social indicators were comparable to those of low-income countries.⁵⁹

40. UNDAF Gabon (2012–2016) stated that, paradoxically, despite its status as a medium-income country, Gabon had atypical social indicators, with a poverty profile similar to that of a low-income country. The third follow-up report on the Millennium Development Goals (MDGs), issued in 2010, indicated that there remained overall uncertainty that Gabon would be able to achieve the Goals by 2015. The country's efforts continued to run up against the following constraints: (i) the threshold and extent of poverty were still rather high despite the high level of per capita income; (ii) the majority of the population had poor access to infrastructure and basic social services; and (iii) administration, institutional coordination and planning capacities were weak and impeded measures to promote sustainable development.⁶⁰

41. UNCT-Gabon indicated that, although Gabon had made significant progress in achieving some of the Goals, the third follow-up report on the Millennium Development Goals noted that it was not certain the country would achieve those related to poverty alleviation (MDG 1) and health (MDG 4, 5 and 6) if current trends persisted.⁶¹

42. UNDAF Gabon (2012–2016) added that, according to the 2005 Gabonese Poverty Assessment and Monitoring Survey (EGEP), one in three Gabonese (33 per cent) was poor. Poverty rates were higher in rural areas (45 per cent) than in urban areas (30 per cent). Nevertheless, given the high level of urbanization, three quarters of the poor lived in urban areas. There was great disparity in the distribution of wealth. The non-poor accounted for

over 90 per cent of national income. Such inequalities considerably reduced the positive impact of economic growth on poverty reduction and hindered the efforts made to achieve the Millennium Development Goals.⁶²

H. Right to health

43. UNCT-Gabon indicated that Gabon had set up a special fund for economically disadvantaged Gabonese within the Caisse Nationale d'Assurance et de Garantie Sociale (the national insurance and social security fund) (CNAMGS). Furthermore, it indicated that the introduction of compulsory health insurance with coverage of the poorest and full coverage of prenatal care and childbirth were very good practices in relation to the right to health.⁶³ However, UNCT-Gabon also reported that the efforts Gabon had made to ensure adequate medical coverage for refugees through the CNAMGS health insurance had not been effective. UNCT-Gabon was of the view that Gabon should ensure the effective enjoyment of these rights, which it had undertaken to respect.⁶⁴

44. During his visit to Gabon in July 2010, the United Nations Secretary-General indicated that child mortality had declined over the last two decades. He also recognized progress made towards improving maternal health.⁶⁵

45. UNHCR noted that the cost of health care was very high due to the recent implementation of health insurance, which did not yet incorporate all groups of vulnerable people, including refugees. It added that the dispersion of refugees throughout the country and the scarcity of health facilities were further obstacles to the effective access to primary health care and to essential medicines. UNHCR added that despite the fact that refugees are legally entitled to benefit from the "Caisse Nationale d'Assurance Maladie et de Garantie Sociale", in practice they had continued to face problems in having their medical expenses covered. It recommended creating local health facilities throughout the country that refugees could access and ensuring sufficient supplies of medicines in rural zones, as well as extending the coverage of CNAMGS to refugees and asylum seekers, as provided by law, and covering the costs of laboratory tests for persons with HIV.⁶⁶

46. UNCT-Gabon took note of the decision (resolution 19/83 from 2011) to expand free care for persons living with HIV/AIDS to the whole population, as well as free access to antiretroviral (ARV) drugs. UNCT-Gabon encouraged Gabon to ensure the necessary follow-up so that beneficiaries would not be hit by shortages of ARV drugs, as had happened shortly after the decision had come into force. It was also of the view that Gabon might usefully cover the costs of serological testing, in particular the CD4 tests for persons living with HIV/AIDS. On the other hand, it said that the centralization of outpatient facilities in the main provincial towns, which restricted regular access to treatment for refugees and other people living with HIV/AIDS who lived in remote towns, was a source of concern.⁶⁷

47. UNHCR also acknowledged the implementation of resolution 19/83 by Gabon in 2011, which provided free medical care to persons testing HIV positive, including refugees. It added that medical care consisted of free access to ARVs, free prenatal care and delivery to all pregnant HIV-positive women.⁶⁸

48. UNCT-Gabon also indicated that cost and staff attitude made health services inaccessible to the majority of vulnerable children. It added that free services, such as vaccination, did not offer sufficient coverage despite the fact that Gabon had fully covered the costs of vaccine purchases since 2004. UNCT-Gabon said that Gabon should improve access to health care for children born to HIV-positive mothers; early diagnosis for such children was still only starting to become available.⁶⁹

49. UNDAF Gabon (2012–2016) added that there were numerous shortcomings in the health-care system, in particular the inefficiency of health departments and poor provision of primary health care, the poor functioning of the health-care information system, frequent shortages of medicines in basic health facilities, and the unequal distribution of human resources.⁷⁰

I. Right to education

50. In the area of education, UNCT-Gabon noted that the net school enrolment rate was one of the highest in the region. Nevertheless, according to UNCT-Gabon, failure and dropout rates have remained a source of concern especially since some of the children who drop out of school end up on the street.⁷¹

51. According to UNESCO figures, the net school enrolment rate was estimated to have been 94.7 per cent in 2010, with almost full gender parity.⁷²

52. UNDAF Gabon (2012–2016) stated that the proportion of pupils repeating a year and wastage rates were very high; on average more than one third of primary students repeated one year. This phenomenon was partly the result of overcrowding in large cities, such as Libreville, a lack of teachers in rural areas and in some cities, the quality of teaching/curricula, and the low level of skills among teachers. In addition, the school wastage rate was among the most worrying: 25 per cent of a given class did not complete primary school.⁷³

J. Persons with disabilities

53. In 2010, UNCT-Gabon welcomed the adoption, in agreement with disabled persons' organizations, of a decree on the accessibility of public buildings for persons with disabilities. It indicated that, in 2011, Gabon, with the assistance of the United Nations Subregional Centre for Human Rights and Democracy in Central Africa, had organized a workshop to raise awareness of the rights of persons with disabilities.⁷⁴

K. Minorities and indigenous peoples

54. UNCT-Gabon reported that, in 2007, the State, in conjunction with UNICEF, had initiated an integrated development project in areas inhabited by Pygmies in the provinces of Woleu-Ntem (Minvoul) and Ogooué-Ivindo (Lopé, Zadié and Ivindo), with the following main components: issuance of birth certificates for Pygmy children, vaccination of Pygmy children, formation of a team of traditional counsellors on the hygiene and health of Pygmies, and coordinated development, with the creation of microprojects and the introduction of basic social services, such as education, health, literacy and village water supplies.⁷⁵

55. UNCT-Gabon pointed out that there is neither a specific plan to protect the rights of indigenous peoples, nor an intervention strategy which would make basic services more accessible for them.⁷⁶

L. Migrants, refugees and asylum seekers

56. UNHCR stated that refugee issues are governed by Law 5/98 of 5 March 1998 (the Refugee Law). Whereas the Refugee Law includes both the refugee definition contained in the 1951 Convention and that in the 1969 Organization of African Unity Convention, it did

not list the rights of refugees. UNHCR added that the Refugee Law also provided that the National Commission for Refugees (NCR) was the government institution in charge of refugee protection. It noted that the Refugee Law was further complemented by Decrees 645, 646 and 647 of 19 July 2000.⁷⁷

57. UNHCR noted that the NCR had been experiencing difficulties for almost three years and had not been fully operational. With the exception of the decisions in August 2011, UNHCR reported that the NCR had not conducted any eligibility sessions since 2009. This had resulted in delays in the adjudication of asylum claims and in the issuance and renewal of identity documents for refugees and asylum seekers. Furthermore, UNHCR stated that there was a need for a presence of the NCR in the two main locations of residence of refugees and asylum seekers (Franceville and Tchibanga). It recommended restructuring the NCR and reviewing the decrees determining the attributions, organization and functioning of the Eligibility Sub-Commission and the Appeal Bureau, and also establishing a more efficient and expedient asylum procedure.⁷⁸

58. UNCT-Gabon suggested improving the processing of applications for refugee status by establishing a transparent, more equitable and efficient procedure and by restructuring the National Commission for Refugees which had not been working properly for several years, with a view to re-establishing and maintaining an environment that afforded better protection.⁷⁹

59. UNCT-Gabon reported that Gabon had offered former refugees who had chosen to become residents of Gabon the possibility of acquiring resident status through the acquisition of a residence permit. Thus, 3,110 former refugees and asylum seekers had obtained resident status, with the relevant costs paid by UNHCR, prior to the entry into force of the official declaration on the cessation of refugee status on 11 November 2011. In addition, around 5,000 others have been granted a grace period in order to regularize their stay in Gabon.⁸⁰

60. UNCT-Gabon expressed concern about the lack of respect for the rights conferred by the refugee identification card compared to those afforded by the residence permit issued to foreign residents, as the authorities, particularly the law enforcement authorities and the security forces, accorded it little recognition or value. UNCT-Gabon was of the view that Gabon should raise public awareness of this protection tool.⁸¹

61. UNHCR recommended modifying the legislation to allow asylum seekers to work and ensuring that asylum seekers who are not allowed to work are exempted from presenting proof of employment in order to be able to acquire residence permits, and to facilitate naturalization for those refugees who fulfil the residency requirements.⁸² UNCT-Gabon expressed similar concerns.⁸³

62. UNCT-Gabon recommended carrying out an enquiry to assess the extent of statelessness, to identify the risks it brought, and to determine its primary causes.⁸⁴

63. UNHCR indicated that Gabon had, in general, complied with the non-refoulement principle.⁸⁵

64. UNHCR stated that, in December 2010, Gabon had decided to consider the cessation of refugee status for some 9,500 refugees. It added that the cessation process was carried out from February to November 2011 and had concluded the Congolese refugee situation in the country. UNHCR welcomed the willingness by the Government to extend the validity of refugee status to those still in need of international protection in compliance with the 1951 Convention. Ten (10) out of the 84 applications registered had their status extended by the Eligibility Sub-Commission.⁸⁶

65. UNCT-Gabon added that the implementation of these exemption procedures had allowed UNHCR to obtain recognition for certain international principles. For example, a

period of 15 days had been accorded in cases rejected by the Eligibility Sub-Commission for an appeal to be lodged. Nevertheless, 61 applications for exemption were still pending a repeat examination by the Appeal Bureau, in order for a final decision to be taken. The time taken to deal with these cases and three other cases which were still pending was a source of concern. UNCT-Gabon suggested that Gabon should organize a series of meetings of the Appeal Bureau in order to decide on the appeals submitted, and thus comply with Act 5/98 and Decrees 646 et seq.⁸⁷

66. UNHCR indicated that as of December 2011, a total of 1,773 refugees and 2,368 asylum seekers were registered in collaboration with the authorities. The majority originated from neighbouring countries. There were also 8,651 other persons of concern to UNHCR refugees and asylum seekers who had opted for residency permits (3,110) and those who did not choose either option (approximately 5,500) at the end of the cessation process. Persons of concern to UNHCR are predominantly settled in urban areas, as there are no refugee camps, and scattered throughout nine provinces.⁸⁸

67. UNCT-Gabon reported that a building serving as a detention centre for persons in an irregular situation awaiting repatriation to their country of origin had been opened in June 2010 under the authority of the Directorate-General of Documentation and Immigration.⁸⁹

Notes

¹ Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 1 April 2009* (ST/LEG/SER.E/26), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Gabon from the previous cycle (A/HRC/WG.6/2/GAB/2).

² The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on Communications
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
CPED	International Convention for the Protection of All Persons from Enforced Disappearance.

³ A table in the previous UPR compilation contained the following information under Recognition of specific competences of treaty bodies: Individual complaints: ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and CPED, art. 31; Inquiry procedure: OP-CEDAW, arts. 8 and 9; CAT, art. 20; OP-CRPD, arts. 6 and 7; Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; and CPED, art. 32.

⁴ 1951 Convention relating to the Status of Refugees and its 1967 Protocol.

- ⁵ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III).
- ⁶ International Labour Organization Convention No. 29 (1960) concerning Forced or Compulsory Labour; Convention No. 105 (1961) concerning the Abolition of Forced Labour; Convention No. 87 (1960) concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 (1961) concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 (1961) concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 (1961) concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 (1961) concerning Minimum Age for Admission to Employment; Convention No. 182 (2001) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
- ⁷ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- ⁸ ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries.
- ⁹ ILO Convention No. 189 concerning Decent Work for Domestic Workers.
- ¹⁰ 1954 Convention relating to the Status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.
- ¹¹ Rapport de l'Équipe-pays du système des Nations Unies au Gabon dans le cadre de l'Examen périodique universel (EPU), par. 26. See also UNHCR submission, p. 2.
- ¹² UNHCR submission, p. 4. See also Rapport de l'Équipe-pays du système des Nations Unies au Gabon dans le cadre de l'Examen périodique universel (EPU), par. 34.
- ¹³ Rapport de l'Équipe-pays du système des Nations Unies au Gabon dans le cadre de l'Examen périodique universel (EPU), par. 1.
- ¹⁴ Ibid.
- ¹⁵ According to article 5 of the rules of procedure for the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) Sub-Committee on Accreditation, the different classifications for accreditation used by the Sub-Committee are: A: Voting Member (fully in compliance with each of the Paris Principles), B: Non-Voting Member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); C: No Status (not in compliance with the Paris Principles).
- ¹⁶ UNHCR submission to the UPR on Gabon, p. 2.
- ¹⁷ Rapport de l'Équipe-pays du système des Nations Unies au Gabon dans le cadre de l'Examen périodique universel (EPU), par. 5.
- ¹⁸ OHCHR Report, p. 52.
- ¹⁹ See General Assembly resolution 59/113B and Human Rights Council resolutions 6/24, 10/3 and 12/4. See also letters from the High Commissioner for Human Rights dated 9 January 2006 and 10 December 2007 at <http://www2.ohchr.org/english/issues/education/training/Summary-national-initiatives2005-2009.htm> (accessed on 4 January 2012).
- ²⁰ Rapport de l'Équipe-pays du système des Nations Unies au Gabon dans le cadre de l'Examen périodique universel (EPU), par. 4.
- ²¹ Ibid., par. 42.
- ²² Ibid., par. 7.
- ²³ The following abbreviations have been used for this document:
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| CERD | Committee on the Elimination of Racial Discrimination |
| CESCR | Committee on Economic, Social and Cultural Rights |
| HR Committee | Human Rights Committee |
| CEDAW | Committee on the Elimination of Discrimination against Women |
| CAT | Committee against Torture |

- CRC Committee on the Rights of the Child
 CRPD Committee on the Rights of Persons with Disabilities
 CED Committee on Enforced Disappearance.
- ²⁴ Abbreviations used follow those contained in the communications report of special procedures (A/HRC/18/51 and Corr.1).
- ²⁵ OHCHR report 2011, OHCHR in the field: Africa, p. 218.
- ²⁶ See OHCHR Report 2011, pp. 102–103, available from: http://www2.ohchr.org/english/ohchrreport2011/web_version/ohchr_report2011_web/allegati/downloads/0_Whole_OHCHR_Report_2011.pdf.
- ²⁷ Ibid., p. 157.
- ²⁸ See OHCHR Report 2009, p. 166, available from: http://www.ohchr.org/Documents/Publications/I_OHCHR_Rep_2009_complete_final.pdf.
- ²⁹ See OHCHR Report 2008, p. 78, available from: http://www.ohchr.org/Documents/Press/OHCHR_Report_2008.pdf.
- ³⁰ SNU-Gabon submission to the UPR on Gabon, para. 13.
- ³¹ Ibid., para. 14.
- ³² Ibid., para. 15.
- ³³ Ibid., para. 26. See also UNHCR submission to the UPR on Gabon submission, p. 2.
- ³⁴ See A/65/PV.71, 21 December 2010, pp. 18–19, available at <http://www.un.org/en/ga/65/resolutions.shtml>.
- ³⁵ UNHCR submission to the UPR on Gabon, p. 4.
- ³⁶ SNU-Gabon submission to the UPR on Gabon, para. 37.
- ³⁷ UNICEF midterm review of country programmes, West and Central Africa region (E/ICEF/2010/P/L.17), p. 6, para. 24.
- ³⁸ Rapport de l'Équipe-pays du système des Nations Unies au Gabon dans le cadre de l'Examen périodique universel (EPU), par. 10.
- ³⁹ Ibid., par. 39.
- ⁴⁰ UNICEF midterm review of country programmes, West and Central Africa region (E/ICEF/2010/P/L.17), p. 5, para. 21.
- ⁴¹ SNU-Gabon submission to the UPR on Gabon, para. 24.
- ⁴² Libreville, Gabon, 1 July 2010 – Secretary-General's remarks at visit to child protection centre in Libreville, available from: <http://www.un.org/sg/statements/index.asp?nid=4650>.
- ⁴³ OHCHR press release of 23 May 2012, available from: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12187&LangID=E>.
- ⁴⁴ Ibid.
- ⁴⁵ Ibid.
- ⁴⁶ Ibid.
- ⁴⁷ Ibid.
- ⁴⁸ PCNUAD Gabon 2012–2016, p. 7.
- ⁴⁹ Ibid., p. 9.
- ⁵⁰ Rapport de l'Équipe-pays du système des Nations Unies au Gabon dans le cadre de l'Examen périodique universel (EPU), par. 16.
- ⁵¹ SNU-Gabon submission to the UPR on Gabon to the UPR on Gabon, para. 24.
- ⁵² International Labour Conference, 100th Session, 2011, report of the Committee of Experts on the Application of Conventions and Recommendations, ILC.100/III/1A, p. 329.
- ⁵³ Rapport de l'Équipe-pays du système des Nations Unies au Gabon dans le cadre de l'Examen périodique universel (EPU), par. 36.
- ⁵⁴ UNHCR submission to the UPR on Gabon, p. 4.
- ⁵⁵ World Press Freedom Day 2012: UNESCO Libreville Office, Gabon, available from: <http://www.unesco.org/new/en/communication-and-information/flagship-project-activities/world-press-freedom-day/other-events-around-the-world/unesco-libreville-office/>.
- ⁵⁶ SNU-Gabon submission to the UPR on Gabon, para. 5.
- ⁵⁷ PCNUAD Gabon 2012–2016, p. 9.
- ⁵⁸ UNHCR submission to the UPR on Gabon, p. 2.
- ⁵⁹ SNU-Gabon submission to the UPR on Gabon, para. 19.
- ⁶⁰ PCNUAD Gabon 2012–2016, p. 5.

- ⁶¹ Rapport de l'Équipe-pays du système des Nations Unies au Gabon dans le cadre de l'Examen périodique universel (EPU), par. 19.
- ⁶² PCNUAD Gabon 2012–2016, pp. 5 et 6.
- ⁶³ Rapport de l'Équipe-pays du système des Nations Unies au Gabon dans le cadre de l'Examen périodique universel (EPU), paras. 9 and 25.
- ⁶⁴ Ibid., par. 38.
- ⁶⁵ Libreville, Gabon, 1 July 2010 – Secretary-General's remarks to the National Assembly of Gabon, available from: <http://www.un.org/sg/statements/?nid=4649>.
- ⁶⁶ UNHCR submission to the UPR on Gabon, p. 5.
- ⁶⁷ Rapport de l'Équipe-pays du système des Nations Unies au Gabon dans le cadre de l'Examen périodique universel (EPU), par. 27 and 28.
- ⁶⁸ UNHCR submission to the UPR on Gabon, p. 2.
- ⁶⁹ Rapport de l'Équipe-pays du système des Nations Unies au Gabon dans le cadre de l'Examen périodique universel (EPU), par. 11.
- ⁷⁰ PCNUAD Gabon 2012–2016, p. 7.
- ⁷¹ Rapport de l'Équipe-pays du système des Nations Unies au Gabon dans le cadre de l'Examen périodique universel (EPU), par. 11.
- ⁷² UNESCO-Bureau International d'Éducation, Données mondiales de l'éducation, VII Ed. 2012/11, disponible à <http://unesdoc.unesco.org/images/0019/001903/190335f.pdf>.
- ⁷³ PCNUAD Gabon 2012–2016, p. 7.
- ⁷⁴ Rapport de l'Équipe-pays du système des Nations Unies au Gabon dans le cadre de l'Examen périodique universel (EPU), par. 17 et 18.
- ⁷⁵ Ibid., par. 22.
- ⁷⁶ Ibid., par. 24.
- ⁷⁷ UNHCR submission to the UPR on Gabon, p. 1. See also SNU-Gabon submission to the UPR on Gabon, para. 3.
- ⁷⁸ UNHCR submission to the UPR on Gabon, p. 2.
- ⁷⁹ Rapport de l'Équipe-pays du système des Nations Unies au Gabon dans le cadre de l'Examen périodique universel (EPU), par. 32.
- ⁸⁰ Ibid., par. 30.
- ⁸¹ Ibid., par. 33.
- ⁸² UNHCR submission to the UPR on Gabon, p. 4.
- ⁸³ Rapport de l'Équipe-pays du système des Nations Unies au Gabon dans le cadre de l'Examen périodique universel (EPU), para. 31.
- ⁸⁴ Ibid., par. 35.
- ⁸⁵ UNHCR submission to the UPR on Gabon, p. 1.
- ⁸⁶ Ibid., p. 1. See also SNU-Gabon submission to the UPR on Gabon, para. 29.
- ⁸⁷ Rapport de l'Équipe-pays du système des Nations Unies au Gabon dans le cadre de l'Examen périodique universel (EPU), para. 29.
- ⁸⁸ UNHCR submission to the UPR on Gabon, pp. 1–2.
- ⁸⁹ Rapport de l'Équipe-pays du système des Nations Unies au Gabon dans le cadre de l'Examen périodique universel (EPU), par. 23.
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