



Global Initiative to
**End All Corporal Punishment
of Children**

GABON

BRIEFING FOR THE HUMAN RIGHTS COUNCIL UNIVERSAL PERIODIC REVIEW – 2nd session, 2008

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Corporal punishment of children breaches their rights to respect for human dignity and physical integrity and to equal protection under the law. It is recognised by the Committee on the Rights of the Child and other treaty bodies, as well as by the UN Secretary General’s Study on Violence against Children, as a highly significant issue, both for asserting children’s status as rights holders and for the prevention of all forms of violence.

The Global Initiative to End All Corporal Punishment of Children has been regularly briefing the Committee on the Rights of the Child on this issue since 2002, and since 2004 has similarly briefed the Committee Against Torture, the Committee on the Elimination of Discrimination Against Women, the Committee on Economic, Social and Cultural Rights, and the Human Rights Committee. There is growing progress now across all regions in challenging this very common form of violence against children. But we are concerned that many States persist in ignoring treaty body recommendations to prohibit and eliminate all corporal punishment. We hope that the UPR Process will give particular attention to states’ response, or lack of response, to the concluding observations from treaty bodies, on this and other key issues.

In June 2006, the Committee on the Rights of the Child adopted General Comment No. 8 on “The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment”, which emphasises the immediate obligation on states parties to prohibit all corporal punishment of children, including within the home. Other treaty bodies and also regional human rights mechanisms have condemned all corporal punishment. In October 2006, the report of the UN Secretary General’s Study on Violence against Children was submitted to the General Assembly. It recommends universal prohibition of all corporal punishment, setting a goal of 2009.

This briefing describes the gaps in prohibition – and in information relating to the legality of corporal punishment – in Gabon, despite recommendation by the Committee on the Rights of the Child.

We hope the Review will highlight with concern Gabon’s record of ignoring treaty body recommendations and strongly recommend that Gabon introduce legislation as a matter of urgency to prohibit corporal punishment of children in all settings, including in the home.

I: Legality of corporal punishment in Gabon

The home

Corporal punishment is lawful in the **home**.

Schools and other settings

Corporal punishment is reportedly prohibited in **schools**, but we have been unable to obtain details of applicable legislation.

We have been unable to ascertain the legal status of corporal punishment in the **penal system**, as a sentence for crime or as a disciplinary measure in penal institutions, and in **alternative care settings**.

II: Recommendations by human rights treaty monitoring bodies

In 2002, following examination of the state party's initial report, the **Committee on the Rights of the Child** recommended that the state party "take all necessary steps to introduce the legal prohibition of the use of corporal punishment in schools and other institutions and at home" (CRC/C/15/Add.171, para. 40).