

5 August 2004

Original: English

**Committee on the Elimination of Discrimination
against Women**

Pre-session working group for the thirty-second session

10-28 January 2005

**List of issues and questions with regard to the consideration of
periodic reports**

Gabon

The pre-session working group, after examining the combined second, third, fourth and fifth periodic reports of Gabon (CEDAW/C/GAB/2-5), has prepared the following list of issues and questions (page numbers refer to the English version):

**Status of the Convention, Constitution, national machinery and preparation of
the report**

1. On pages 3 and 4 of the report, it is indicated that the Government of Gabon has chosen not to include the definition of discrimination against women found in article one of the Convention in the Gabonese Constitution. If this definition of discrimination against women is also not included in any domestic legislation, can women successfully challenge in the courts unintentional discrimination, differential treatment and treatment which impacts disadvantageously on women, and discrimination in the private sphere?
2. What is the exact status of the Convention in Gabon's legal order?
3. Please provide information on the process involved in preparing the report, indicating, in particular, whether non-governmental organizations, including women's organizations, were consulted.
4. Please clarify the relationship between the National Commission for the Family and the Advancement of Women and the Observatory for Women's Rights and Equality, as well as how both institutions interact with the Ministry for the Family, the Protection of Children and the Advancement of Women.
5. It is stated, on page 4 of the report, that since 1996 Gabon has carried out a number of studies on the discriminatory impact of its legislation, including those entitled "Women's rights: suggestions for bringing the Civil Code into line with the Constitution" and "Social and legal aspects of the status of Gabonese women".

Please provide information on their results and whether the Government has acted upon any of the findings and recommendations.

6. Have any measures been taken to publicize the Convention, including through the media, and to inform women about its provisions?

Stereotypes

7. Please elaborate on the impact of measures taken to combat stereotypes and traditional attitudes and cultural practices that represent obstacles to the social advancement of Gabonese women and the enjoyment of their human rights (see page 7 of the report).

8. On page 8 of the report, it is indicated that although for many years dowries have been officially prohibited under Act No. 20 of 31 May 1963, they remain very widespread, due to certain traditional beliefs — particularly the belief in its symbolic status. Have concrete steps been taken/envisaged to change those traditional beliefs or to penalize violations of the Act?

9. What measures has the Government taken to change the perception, prevalent among both men and women, that maternity and child-rearing are women's primary functions, and to combat stereotypical roles of women and men so as to promote the full participation of women in all sectors of society?

Violence against women

10. The report refers to violence against women under various articles, including articles 5, 6, 11 and 16. However, no clear picture emerges as to the forms and extent of violence perpetrated against women in the family and in the community at large, and of the legislative provisions (civil and penal law), including remedies, social support services, awareness-raising activities and programmes in place to prevent and eliminate violence against women. Kindly provide an overview of those aspects of the issue. Does the Government have any statistics or data that may give an indication of the extent of violence against women, including rape?

11. Are there any statistics on the numbers of persons who have been prosecuted and sentenced to terms of imprisonment for committing violence against women, including rape?

12. It is stated on page 8 of the report that in practice, it is hard for wives to report acts of violence inflicted upon them by their husbands. What is being done to encourage women to report instances of domestic violence and what facilities and measures of protection are available to them during the process?

13. On page 27 of the report, it is indicated that if a wife abandons the marital home without the authorization of a court, she reportedly risks being punished for adultery; thus, no matter how urgent the situation, the wife is forced to engage in a long and costly procedure in order to escape a violent situation. What measures, including law reform, are being contemplated to address this situation?

Trafficking and exploitation of prostitution

14. Although the report states on page 9 that prostitution and procuring have been penalized under Gabonese law, no information is provided about the exploitation of prostitution. Kindly provide this information, as well as information about measures

taken by the Government to ensure the implementation of the law, especially in regard to the punishment of all those who exploit prostitution, and information about measures taken to provide rehabilitation and support for the social reintegration of prostitutes.

15. Although the report discusses trafficking in children, there is little information on trafficking in women (see page 8 of the report). What has been the impact of the relevant amended legislation in this area and does it cover women as well as children?

Participation in public life and decision-making

16. On page 6 of the report, it is stated that certain obstacles have been identified in studies on women and decision-making, including backward thinking, women's lack of political education and the absence of a sense of common purpose among women. What actions are being taken or contemplated to remove those obstacles?

17. Please provide information about the activities of the Network of Gabonese Women Ministers and Parliamentarians to reverse the negative trend regarding the falling rate of women's participation in the National Assembly. Has the Government of Gabon considered introducing temporary special measures in accordance with article 4, paragraph 1, of the Convention, and the Committee's general recommendation 25?

18. It is indicated on pages 11 and 12 of the report that the participation of women at the international level remains very low compared to that of men, the main obstacle being the requirement for married women to obtain their husbands' consent. It is not clear whether unmarried women similarly require the consent of a male relative to participate at the international level. What actions are being taken or contemplated to remove those requirements and to increase women's participation at the international level?

Nationality

19. In the light of the information provided on page 12 of the report on nationality issues, what is being done to ensure that the authorities responsible for implementing Act No. 37/98 of 20 July 1998 (introducing the new Nationality Code) are made fully aware of the innovations in the Code and apply its provisions properly?

Health, education and employment

20. Please provide detailed information on women's awareness of and access to health-care facilities, clinics and medical assistance, including prenatal and post-natal care and family-planning information.

21. Please provide detailed information and data about the Plan of Action in Social and Health Matters, Act No. 001/2000 (see page 5 of the report), including its impact on women's health, in terms of both achievements and challenges.

22. Please provide more detailed information and statistical data about the diseases that most affect women and girls, including rates for HIV/AIDS disaggregated by sex, rural and urban areas and ethnicity.

23. On page 12 of the report, it is pointed out that the higher the level of study, the lower the proportion of female students, because of a range of problems, such as

lack of parental responsibility, domestic duties and early pregnancies. What is being done or contemplated to reverse this trend and to tackle the problems faced by female students?

24. What is being done to improve women's access to family-planning services, which is said to have been hampered by cultural beliefs (see page 18 of the report), and are courses in sex education being given in schools?

25. The report does not provide sufficient information on the de facto situation of women in employment in both the formal and informal sectors, including statistics on women's labour-force participation. Please provide this information, including what opportunities are available for women to gain access to the labour market and what programmes are in place to encourage and support them to do so.

Equality in civil matters and in marriage and family relations

26. Even though the Civil Code defines spousal rights and obligations in marriage, it includes certain inconsistencies that violate the principle of equality of spouses, in particular the stipulation that a husband is head of the family; decides on the couples' domicile; administers the joint property; is entitled to prohibit his wife from exercising her profession; decides whether his wife may apply for, extend or renew her passport if she wishes to travel; and may enter into polygamous marriages. Please indicate what measures are being taken or anticipated to review the inconsistencies in the Code with the principles of gender equality, including what steps are being considered to abolish the practice of polygamy.

27. What steps is the Government taking or contemplating to raise the minimum age of marriage for women from 15 years of age to 18 in order to bring domestic legislation in line with the Convention on the Elimination of all Forms of Discrimination against Women and the Convention on the Rights of the Child?

28. Please provide further information about the situation of widows, including on the reported inconsistencies with regard to inheritance rights and rights to usufruct, and the steps being taken to ensure that they do not suffer harassment and other injustices at the hands of the families of deceased husbands and fathers.
