

# Gabon - Human Rights Scorecard <sup>1</sup>

Gabon is a West African country with a generous petroleum reserve and an economy that mainly relies on the primary sector. It has, however, struggled with rampant corruption since its independence from France in 1960 and the poverty and unemployment rates continue to be high. Despite holding elections every seven years, the Bongo family has governed the country since 1967 without transfer of power, and observers have noted irregularities in all the past presidential election processes<sup>2</sup>. The political climate is tense, protests often erupt and members of the opposition can be subjected to harassment and disappearances. Additionally, prison conditions are harsh and the situation of women is difficult. As such, Gabon is generally considered unsafe.

**Official language:** French

**Ethnic groups:** 28,6% Fang; 10.2 % Punu; 8.9% Nzebi; 4.1% Mpongwe; 48.2% Other

**Government:** Unitary dominant-party presidential republic

- President: Ali Bongo Ondimba

- Prime Minister: Julien Nkoghe Bekale

**Death penalty:** Abolitionist

**Population:** 2.025 millions

**Life expectancy:** 66.10 years

**Under-5 mortality:** 48.3 per 1000

**Adult literacy:** 83.2 percent



## Section 1: Overall Development

The overall development of a country – considering education, health, income, and other factors – is a strong indicator of whether average citizens have a reasonable chance to enjoy social and economic well-being and mobility.

### Human Development (UNDP Human Development Index (HDI)) <sup>3</sup>



#### 0.702 –High Human Development <sup>4</sup>

According to the UNDP, Gabonese enjoyed a gross national income per capita of \$16,431 and could expect to have on average 12.8 years of schooling. However, other countries with comparable gross national income per capita tend to have a much higher HDI.

## Section 2: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

### Freedom from arbitrary or unlawful deprivation of life



#### Largely disrespected <sup>5</sup>

There have been reports of unlawful killings by government agents in 2016 during the last election processes. NGOs report more than 100 killings by government agents during protests.

### Freedom from disappearance



#### Partially respected <sup>6</sup>

Allegations of disappearances of members of the opposition by government agents have been made during the 2016 presidential elections.

### Freedom from torture and other cruel, inhuman or degrading treatment or punishment



#### Partially respected <sup>7</sup>

The law prohibits such practices, but reports of government agents injuring inmates have been issued. Prison conditions are considered harsh, sometimes life threatening because of the rarity of the food and the poor hygiene conditions.

### Freedom from arbitrary arrest or detention



#### Partially respected <sup>8</sup>

The law prohibits such practices, but government agents arbitrarily arrested some civil society members, activists or labour leaders.

### Freedom from denial of fair public trial



**Largely disrespected**<sup>9</sup>

The judiciary is influenced by the government and is neither independent nor objective. Judges are often corrupted.

### Freedom from arbitrary interference with privacy, family, home or correspondence



**Largely disrespected**<sup>10</sup>

The constitution prohibits such interferences, but security forces often conduct searches and phone monitoring without any warrants.

## Section 3: Respect for Civil Liberties

*Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.*

### Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)<sup>11</sup>



**Score: 32.37, Rank: 108 / 180 – Partially controlled, limited of intimidated**<sup>12</sup>

Reporters risk being targeted or intimidated by government officials and they are prohibited to use pseudonyms or work for media outlets outside the country. The independent press lacks funding and is declining as some newspapers have been suspended.

### Freedom from academic censorship



**Respected**<sup>13</sup>

There were no reports of government interferences with the academic freedom.

### Freedom of peaceful assembly and association



**Partially respected**<sup>14</sup>

Even if the constitution provides freedom of assembly and association, the government often refuses to permit public meetings and protests.

### Freedom of religion



**Respected**<sup>15</sup>

The constitution prohibits religious discrimination and leaders of different faiths often meet and promote tolerance.

### Freedom of movement



**Partially respected**<sup>16</sup>

The law provides for this freedom, but the government sometimes restricts the right to foreign travelling for members of the opposition.

### Protection of refugees and stateless persons



**Partially respected**<sup>17</sup>

Refugees from Central Africa are sometimes victims of extortion, beating and harassment by security forces. However, the government usually cooperates with the UNHCR and NGOs.

### Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)<sup>18 19</sup>



**5 / 7 – Partly free**<sup>20</sup>

Crackdowns and restrictions on independent media, social media and the internet, as well as discrimination against women make the country only partly free for civilians.

## Section 4: Respect for Political Rights

Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc.

### Overall protection of political rights (*FreedomHouse Political Rights Index*)<sup>21</sup>



**7 / 7 – Not free**<sup>22</sup>

Observers qualify the election processes as irregular and unfair and corruption within the government is widespread.

## Section 5: Corruption and Lack of Transparency in Government

The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.

### Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)<sup>23</sup>



**Score: 31%, Rank: 124 / 180 – Highly corrupt**<sup>24</sup>

The government did not enforce nor implement the laws against corruption. It is practiced often with impunity by police officers, security forces and judges. However, the government recently launched an anti-corruption campaign and should be making progress.

## Section 6: Governmental Response to Criticism

This section deals specifically with the response heads of state have to civil society or international human rights reports.

### Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



**Largely disrespected**<sup>25</sup>

Human rights groups are subjected to intimidation, investigations and restrictions. They observe a lack of measures and reactivity of the government to their reports.

## Section 7: Discrimination and Societal Abuses

Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.

### Endangered Minorities (*Peoples Under Threat – Minority Rights Group International*)<sup>26</sup>



**No threat listed – Limited dangers to minorities**<sup>27</sup>

According to Minorities Rights Group International, Gabon does not have any minorities that face an immediate threat of violence.

### Rights of women (*World Economic Forum Gender Gap Index*)<sup>28</sup>



**Score: n/a – Very unequal rights**<sup>29</sup>

Even if rape is a crime in the Gabonese law, authorities rarely prosecute rape cases. No law prohibits sexual harassment, which makes it really common. Women face much societal discrimination. For example, married women need their husband's approval to get a passport and to travel.

### Rights of Children (*KidsRights Index Overall Score*)<sup>30</sup>



**Score: 68.8%, Rank: 121 / 182 – Somewhat protected**<sup>31 32</sup>

Children without birth certificates cannot attend schools. Many pregnant teenagers are also banned from schools. In rural areas, education is often not available after the sixth grade.

### Rights of persons with disabilities



**Partially respected**<sup>33</sup>

Although the law prohibits discrimination against persons with disabilities, many public buildings don't provide adequate access, including voting centers and schools.

### Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



**Respected**<sup>34</sup>

There were no reports of anti-Semitism or Islamophobia.

### Freedom from abuse and discrimination based on sexual orientation or gender identity



**Respected**<sup>35 36</sup>

There are no laws in Gabon that criminalize same sex activities. No reports of crimes targeting members of the LGBTI community have been issued.

## Section 7: Workers' Rights

*Workers' rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.*

### Rights to freedom of association and to collective bargaining



**Partially respected**<sup>37</sup>

The law allows workers to form unions and bargain collectively. The government usually grants registration rights to unions. However, the right to strike is restricted and some unions who have been accused of supporting opposing political parties have been threatened or blacklisted.

### Freedom from forced or compulsory labour



**Partially respected**<sup>38</sup>

The law prohibits forced or compulsory labour, but not bonded labour. The government enforced the law for child labour, but not for adult victims of trafficking or forced labour. Inspections are insufficient and resources to enforce the law inadequate.

### Freedom from forced labour for children, and a minimum age of employment



**Partially respected**<sup>39</sup>

The minimum age of employment in Gabon is 16. It can however be lowered if the Ministries of Labour, Education and Public Health authorises it. Also, inspections into child labour complaints are insufficient and inadequate, which leads to impunity and perpetuance.

### Right to acceptable conditions of work



**Respected**<sup>40</sup>

There is a minimum wage in Gabon, but the government does not enforce its implementation. There are laws for safety, overtime work and mandatory rest periods, but the government does not always enforce them and non-citizen workers usually can't benefit from these standards.

### Right to employment



**19.6% - Extreme unemployment**<sup>41</sup>

The unemployment rate in Gabon has been increasing since the last two years and is at a critical stage.

<sup>1</sup> A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

<sup>2</sup> Commonly-known information on the country is drawn from various Internet sources, including Google country pages, and Amnesty International. For death penalty see: Amnesty International Gabon's report. Amnesty International. January 1, 2019. Accessed February 11, 2019.

<https://www.amnesty.org/en/countries/africa/gabon/report-gabon/>.

<sup>3</sup> The UN Development Program HDI was created to emphasize that people and their capabilities should be the ultimate criteria for assessing the development of a country, not economic growth alone. The HDI can also be used to question national policy choices, asking how two countries with the same level of GNI per capita can end up with different human development outcomes. These contrasts can stimulate debate about government policy priorities. The Human Development Index (HDI) is a summary measure of average achievement in key dimensions of human development: a long and healthy life, being knowledgeable and have a decent standard of living. Accessed February 11, 2019. <http://hdr.undp.org/en/composite/HDI>

<sup>4</sup> "Table 1: Human Development Index and its components, Gabon" UNDP, based on 2018 or the most recent year available. Accessed February 11, 2019.

<http://hdr.undp.org/en/composite/HDI>.

<sup>5</sup> "Country Reports on Human Rights Practices for 2018 Gabon." U.S Department of State. January 1, 2018. Accessed February 11, 2019.

<https://www.state.gov/documents/organization/277245.pdf>.

<sup>6</sup> Ibid. U.S Department of State. For purposes of the present analysis, a "disappearance" is different than simple arbitrary detention because a "disappearance" is considered permanent.

<sup>7</sup> Ibid. U.S Department of State.

<sup>8</sup> Ibid. U.S Department of State.

<sup>9</sup> Ibid. U.S Department of State.

<sup>10</sup> Ibid. U.S Department of State.

<sup>11</sup> The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 180 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (16 countries), Largely free, diverse and independent; 15 – 24.99 (37 countries), Mostly free, diverse and independent; 25 – 29.99 (31 countries), Partially free, diverse and independent; 30 – 39.99 (39 countries), Partially controlled, limited or intimidated; 40 & higher (57 countries), Highly controlled, limited or intimidated.

<sup>12</sup> "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. January 1, 2018. Accessed February 11, 2019.

<https://rsf.org/en/ranking/2018>.

<sup>13</sup> "Country Reports on Human Rights Practices for 2018 Gabon." U.S Department of State. January 1, 2018. Accessed February 11, 2019.

<https://www.state.gov/documents/organization/277245.pdf>.

<sup>14</sup> Ibid. U.S Department of State.

<sup>15</sup> "Gabon" International Religious Freedom Report for 2017. January 1, 2017. Accessed February 11, 2019.

<https://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>.

<sup>16</sup> "Country Reports on Human Rights Practices for 2018 Gabon." U.S Department of State. January 1, 2018. Accessed February 11, 2019.

<https://www.state.gov/documents/organization/277245.pdf>.

<sup>17</sup> Ibid. U.S Department of State.

<sup>18</sup> Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).

<sup>19</sup> Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed Dec. 9, 2014

<https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

<sup>20</sup> "Gabon." Freedom in the World 2018: Gabon. January 1, 2018. Accessed February 11, 2019. <https://freedomhouse.org/report/freedom-world/2019/gabon>.

<sup>21</sup> See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed Dec. 9, 2014 <https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

<sup>22</sup> "Gabon." Freedom in the World 2018: Gabon. January 1, 2018. Accessed February 11, 2019. <https://freedomhouse.org/report/freedom-world/2019/gabon>.

<sup>23</sup> Transparency International (TI) publishes a "Corruption Perceptions Index" annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows: 80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt

<sup>24</sup> "Gabon" Corruption by Country. January 1, 2018. Accessed February 11, 2019. <https://www.transparency.org/country/GAB>.

<sup>25</sup> "Country Reports on Human Rights Practices for 2018 Gabon." U.S Department of State. January 1, 2018. Accessed February 11, 2019.

<https://www.state.gov/documents/organization/277245.pdf>.

<sup>26</sup> The Peoples under Threat assessment by Minority Rights Group International highlights countries most at risk of genocide and mass killing. The ranking is created by compiling data on the known antecedents to genocide or mass political killing. Accessed Jan. 8, 2017 <http://peoplesunderthreat.org/>.

<sup>27</sup> "Gabon." Peoples under Threat, Minority Rights Group International. 2018. Accessed February 11, 2019. <http://peoplesunderthreat.org/>.

<sup>28</sup> This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights

<sup>29</sup> "Country Reports on Human Rights Practices for 2018 Gabon." U.S Department of State. January 1, 2018. Accessed February 11, 2019.

<https://www.state.gov/documents/organization/277245.pdf>.

<sup>30</sup> This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable

<sup>31</sup> "The KidsRights Index: Overall Ranking." The KidsRights Index. Accessed February 15, 2019. <http://www.kidsrightsindex.org/>

<sup>32</sup> "Gabon." Amnesty international. Accessed February 15 2019. <https://www.hrw.org/africa/gabon?fbclid=IwAR04s8-nb5yYvpcyr03uO-GeWmC3sgIO4TJk01QMAFyCUWF7GkVohSf904#>

<sup>33</sup> "Country Reports on Human Rights Practices for 2018 Gabon." U.S Department of State. January 1, 2018. Accessed February 11, 2019.

<https://www.state.gov/documents/organization/277245.pdf>.

<sup>34</sup> Ibid. U.S Department of State.

<sup>35</sup> "ILGA World Map." International Lesbian Gay and Intersex Association. January 1, 2018. Accessed February 15, 2019. <http://ilga.org/>. See also Ibid. U.S Department of State.

<sup>36</sup> ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.

<sup>37</sup> "Country Reports on Human Rights Practices for 2018 Gabon." U.S Department of State. January 1, 2018. Accessed February 11, 2019. <https://www.state.gov/documents/organization/277245.pdf>.

<sup>38</sup> Ibid. U.S Department of State.

<sup>39</sup> Ibid. U.S Department of State.

<sup>40</sup> Ibid. U.S Department of State.

<sup>41</sup> "Global Employment Trends." International Labour Organization. January 1, 2018. Accessed February 15, 2019. [http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS\\_233936/lang--en/index.htm](http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS_233936/lang--en/index.htm).