



The Global Initiative
for Economic, Social and Cultural Rights

**SHADOW REPORT TO THE UNITED NATIONS COMMITTEE ON
ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

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**Submitted by:
The Global Initiative for Economic, Social and Cultural Rights (GI-ESCR)**

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The Global Initiative for Economic, Social and Cultural Rights (GI-ESCR) is an international non-governmental human rights organization which seeks to advance the realization of economic, social and cultural rights throughout the world, tackling the endemic problem of global poverty through a human rights lens. The vision of the Global Initiative for Economic, Social and Cultural Rights is of a world where economic, social and cultural rights are fully respected, protected and fulfilled and on equal footing with civil and political rights, so that all people are able to live in dignity.

The mission of the Global Initiative for Economic, Social and Cultural Rights is to strengthen the international human rights framework through creative standard setting, so that all people, and in particular marginalized individuals and groups, are able to fully enjoy their economic, social and cultural rights, and are able to do so without discrimination and on the basis of equality; provide innovative tools to policy makers, development actors and others on the practical implementation and realization of economic, social and cultural rights; enforce economic, social and cultural rights through international, regional and national mechanisms and seek remedies for violations of these rights, with a focus on creating beneficial jurisprudence aimed at transformative change; engage networks of human rights, women's rights, environmental and development organizations and agencies to advance the sustainable enjoyment of economic, social and cultural rights at both national and international levels; and work with advocates, social movements and grassroots communities at national and local levels to more effectively claim and enforce economic, social and cultural rights, including by engaging international mechanisms for local impact.

I. ARTICLES 3, 11 & 12 -- Women's Land and Property Rights in Gabon

While little information exists on the status of women's land and property rights in Gabon, the Social Institutions and Gender Index (SIGI) of the OECD Development Centre provides that Gabon's inheritance laws are discriminatory towards widows. It is reported that in most cases, widows cannot inherit property from their husbands without written authorisation of the family of the deceased. Moreover, they are deprived of their right to live and work on the land or property if they remarry into a family other than that of their deceased spouse. Therefore, widows are obliged to marry within their deceased husband's family if they wish to receive any benefits from their deceased husbands. There is no reported discrimination with respect to legal rights to inheritance for daughters.¹

In addition, while land laws in Gabon do not distinguish between men and women with respect to access to land for building purposes, in the event they are married, the land itself is always considered the property of husbands. As such, married women are unable to own land independently.²

12. Due to the lack of information provided on these issues, the Global Initiative for Economic, Social and Cultural Rights recommends that the following questions be posed to the State party representatives during the interactive dialogue process:

- What legal protections exist to ensure that women's land, property and inheritance rights are recognized in formal law? What avenues are available to women should they be in need of legal redress, and are there barriers in access to such legal avenues?
- What actions has the State party taken to ensure that women are aware of their land, property and inheritance rights?
- How does marriage and family law in Gabon address the question of marital property? Do women and men, girls and boys have equal inheritance rights in Gabon?
- How does the State protect the rights of women in situations where customary/religious law or traditional practice may discriminate against women in matters related to land, property and/or inheritance?

¹ SIGI, 'Gabon: Discriminatory Family Code,' <http://genderindex.org/country/gabon> [last accessed 2 September 2013].

² Ibid.