

Gabon 2024 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Gabon during the year. In the wake of the August 2023 military coup that deposed President Ali Bongo Ondimba and ended the Bongo family's 56-year dynastic rule, the Committee for the Transition and Restoration of Institutions, Gabon's ruling military body, and Transition Authorities (hereafter collectively called Transition Authorities) continued to implement their transition roadmap developed in November 2023. The Transition Authorities organized an Inclusive National Dialogue in April that included more than 600 participants from diverse sectors, political parties, and organizations to develop a report of the political, economic, and social recommendations for new legal codes, electoral laws, and a new constitution. Transition Authorities wrote a new draft constitution in October, which was put to a national referendum on November 16. While there were some voting irregularities and procedural problems, the national referendum was executed in an orderly and transparent manner. Voters overwhelmingly voted in favor of the new constitution. International observers regarded the balloting as free and fair.

Significant human rights issues included credible reports of: torture or cruel, inhuman, or degrading treatment; arbitrary arrest or detention; trafficking

in persons including forced labor; and significant presence of any of the worst forms of child labor.

During the year, Transition Authorities did not take credible steps or action to identify and punish officials who committed human rights abuses.

Section 1. Life

a. Extrajudicial Killings

There were no reports Transition Authorities or their agents committed arbitrary or unlawful killings during the year.

b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Section 2. Liberty

a. Freedom of the Press

The suspended constitution and law provided for freedom of expression, including for members of the press and other media, and Transition Authorities generally respected this right. According to the law, contempt of the president or of any government official “committed anywhere, on any

occasion, or by any means,” was punishable by six months’ to five years’ imprisonment and fines. The country’s High Authority for Communication (HAC) acted as the state media regulator.

Physical Attacks, Imprisonment, and Pressure

There were some reports of Transition Authorities intimidating individuals for speaking out against Transition Authorities or its authorities. There were credible reports of Transition Authorities calling individuals and threatening their lives and the lives of their families for publicly criticizing Transition Authorities.

A journalist reported calls from Transition Authorities threatening violence if they were to report on corruption or human rights abuses perpetrated by Transition Authorities. Most journalists reported no intimidation or threats concerning their reporting since the coup d’état.

Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups

Reporters Without Borders stated that arbitrary media suspensions by the HAC decreased during the year. Journalists reported perceiving the HAC was less biased under Transition Authorities, but some noted they self-censored to avoid problems.

b. Worker Rights

Freedom of Association and Collective Bargaining

The law provided for the rights of workers to form and join independent unions and to bargain collectively. The law provided for the right to strike, with restrictions. Antiunion discrimination was illegal, and the law provided for the reinstatement of workers dismissed for union activities. Transition Authorities required unions to register with the government to obtain official recognition, and the government routinely granted registration. Agreements negotiated by unions also applied to nonunion workers.

Strikes could be called only after eight days' advance notification and only after mandatory arbitration failed. Public-sector employees' right to strike could be restricted where the government determined it posed a threat to public safety. The law did not define the essential-services sectors in which strikes were prohibited; however, the armed services were prohibited from unionizing and striking. The law prohibited government action against strikers who abided by the notification and arbitration provisions and excluded no groups from this protection.

Transition Authorities generally enforced applicable laws. Resources to protect the right to form unions, bargain collectively, and strike were adequate. Penalties for violations of these rights were compensatory, determined on a case-by-case basis, and commensurate with those for other

laws involving denials of civil rights. Administrative and judicial procedures were sometimes delayed. Penalties were sometimes applied against violators.

Freedom of association and the right to collective bargaining were not always respected. Some unions were politically active, and the government accused them of siding with opposition parties. Transition Authorities sometimes restricted strikes.

Employers created and controlled some unions. Although antiunion discrimination was illegal, some trade unionists in both the public and private sectors complained of occasional discrimination, including the blacklisting of union members, unfair dismissals, and threats to workers who unionized. Union members reported no threats made by Transition Authorities. Labor union leaders reported that most labor violations stemmed from illegal dismissals, including of workers on strike, leaving them without social security and insurance benefits.

Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acceptable Work Conditions

Wage and Hour Laws

Transition Authorities maintained a national monthly minimum wage that was above the official poverty line. Authorities did not enforce wage laws adequately, although workers could file suit if they received less than the minimum wage. Labor inspections were infrequent. The labor code stipulated a 40-hour workweek with a minimum rest period of 48 consecutive hours. The law also provided for paid annual holidays. Transition Authorities required employers to compensate workers for overtime work as determined by collective agreements or government regulations. By law, the daily limit for compulsory overtime could be extended from 30 minutes to two hours to perform specified preparatory or complementary work, such as starting machines in a factory or supervising a workplace. It also could be extended for urgent work to prevent or repair damage from accidents. The daily limit did not apply to establishments in which work was continuous or to establishments providing retail, transport, dock work, hotel and catering services, housekeeping, security services, medical establishments, domestic work, and journalism. Employers generally respected minimum wage standards. Formal-sector employees could submit complaints regarding overtime, and the Labor Ministry's inspectors investigated such complaints. Transition Authorities penalized violations with a range of fines that were commensurate with those for

similar crimes.

Occupational Safety and Health

The Ministry of Health established occupational safety and health (OSH) standards. Formal-sector employees could submit complaints regarding health and safety standards, and labor inspectors investigated such complaints. In the formal sector, workers could remove themselves from situations that endangered health or safety without jeopardy to their employment, and authorities effectively protected employees in this situation.

Wage, Hour, and OSH Enforcement

Transition Authorities did not effectively enforce minimum wage, overtime, and OSH laws, particularly in the informal sector. The number of labor inspectors was not sufficient to enforce compliance. Transition Authorities Government penalized violations with a range of fines commensurate with those for similar crimes. Penalties were sometimes applied against violators depending on the sector.

Transition Authorities did not enforce the labor code in sectors staffed predominantly by undocumented foreign workers, such as in mining, timber, and domestic work. Employers forced foreign workers to work under substandard conditions, dismissed them without notice or recourse, and often physically mistreated them. Employers frequently paid noncitizens

less than they paid citizens for the same work and required them to work longer hours, often hiring them on a short-term, casual basis to avoid paying taxes, social security contributions, and other benefits.

Significant numbers of persons worked in the informal sector in the country, mainly in the retail and agriculture sectors. Transition Authorities did not enforce labor code provisions in the informal economy. No official entity provided social protection programs for informal economy workers.

c. Disappearance and Abduction

Disappearance

There were no reports of enforced disappearances by or on behalf of Transition Authorities.

Prolonged Detention without Charges

The law prohibited arbitrary arrest and detention and provided for detainees or persons arrested to challenge in court the lawfulness and arbitrary nature of their detention. The law also provided for compensation if a court ruled the detention unlawful. Transition Authorities, however, generally did not observe these requirements.

Although the law required arrest warrants based on sufficient evidence and issued by a duly authorized official, security forces in some cases

disregarded these provisions. The law allowed authorities to detain a suspect up to 48 hours without charge, after which it required the suspect be charged before a judge. Police often failed to respect this time limit and there were numerous reports of arrests without warrants.

Several credible accounts described cases where authorities of the Directorate General of Counterintelligence and Military Security or the Directorate of General Research arrested, detained, interrogated, and eventually released persons without charging them with a crime.

On September 26, Sydney Moussavou Kouma, age 15, was arrested and abused by law enforcement officers in Omboue, Ogooué Maritime Province, for allegedly insulting the country's head of state, Transition President Brice Clotaire Oligui Nguema. Kouma posted a video on September 23 miming a toilet scene where Oligui's T-shirt served as toilet paper. The local gendarmerie investigative unit arrested Kouma, shaved his head in a humiliating pattern, and posted videos of him sobbing and apologizing profusely to President Oligui and at the feet of Governor Paul Ngom Ayong.

Approximately two-thirds of prison inmates were held in pretrial detention that sometimes lasted up to three years. Some pretrial detentions exceeded the maximum sentence for the alleged crime. Prolonged pretrial detention was common due to overburdened dockets and an inefficient judicial system. The law limited pretrial detention to six months on a misdemeanor charge and one year on a felony charge, with six-month extensions if

authorized by the examining magistrate. Detainees generally lacked knowledge of their rights and the proper procedure for submitting complaints and might not have submitted complaints due to fear of retribution.

d. Violations in Religious Freedom

See the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

e. Trafficking in Persons

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Section 3. Security of the Person

a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

Article 11 of the constitution (suspended in August 2023 during the coup d'état) prohibited torture or cruel, inhuman, or degrading treatment or punishment, and other related abuses. The subsequent Transition Charter did the same. There were reports of prisons where unidentified personnel employed torture. Exiled activist Thibaut Herman Adzatys made statements

critical of Transition Authorities. On June 15, Hans Obame Otounga, Adzatys's brother, was arrested and reportedly physically tortured. On July 1, he was transferred to the central prison on charges of "sharing faked information," but his case was dismissed on July 29.

Impunity was a widespread problem among security forces, including the Republican Guard, Gendarmes, the General Directorate of Counterintelligence and Military Security, and the Directorate General of Research, among others. Authorities operated a national hotline to report abuses by security force members.

b. Protection of Children

Child Labor

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

Child Marriage

The minimum age for marriage was 15 for girls and 18 for boys and Transition Authorities generally enforced this requirement.

Nongovernmental organizations and the UN Population Fund, however, agreed early marriages were more common among Indigenous ethnic groups, who had significantly different lifestyles and societal norms.

Transition Authorities did not actively prevent these practices.

c. Protection to Refugees

Transition Authorities cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Provision of First Asylum

The law provided for the granting of asylum or refugee status, and transition authorities continued the established system for providing protection to refugees.

Resettlement

The nationality code allowed refugees to apply for naturalization; however, the process was long and expensive. At age 18, children born in the country of refugee parents could apply for citizenship.

d. Acts of Antisemitism and Antisemitic Incitement

The Jewish population was very small, and there were no reports of antisemitic incidents.

e. Acts of Transnational Repression

Authorities cooperated with other governments to facilitate their acts of

transnational repression.

Knowing Cooperation with Other Governments to Facilitate Their Acts of Transnational Repression

Steeve Akam, known as Ramon Cotta, a Cameroonian activist critical of Cameroonian President Paul Biya, was arrested on July 19 and disappeared for more than one month before resurfacing on August 20 in a Cameroonian prison, where he claimed to have been interrogated and tortured.

Gabonese authorities transferred Akam to Cameroon without judicial proceedings. Gabonese officials stated he was arrested for “threat to public order” and guilty of “illegal stay in Gabon.” Cotta reportedly lived in the Gabon as a refugee for more than 15 years after fleeing Cameroon due to accusations that he was conducting subversive activities.