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President Alassane Dramane Ouattara (2011-present) enacts the new constitution, after the 'Yes' vote wins 93.42%. Legislative elections will take place on 18 December, with the main opposition Front Populaire Ivoirien (FPI) seeking to regain a position within parliament. Nickel de l'Ouest de Côte d'Ivoire (NOCI) says it will invest \$365m to redevelop nickel mines in Woroba District, bordering Guinea.

Ouattara ratifies third constitution

President **Alassane Dramane Ouattara** (2011-present) on 8 November enacted the new constitution, following the constitutional referendum vote on 30 October.¹ The new constitution will radically change the political structure of Côte d'Ivoire, including the introduction of a bicameral legislature (senate and parliament) and vice-presidency.² Ouattara has not yet nominated his vice president, with rumours circulating about potential nominees:

*"The president should already have nominated a vice president. Everything leads us to believe that he will do this after the legislative elections (see below). With regard to the senate, Ouattara will now nominate the senators, probably in 2017. People like [presidential adviser] **Thierry Tanoh**, [prime minister] **Daniel Kablan**, [state inspector general] **Duncan Niamien N'Goran** and [former prime minister] **Jeannot Ahoussou-Kouadio** are favourites for the vice president role."*³

The constitutional reform will also revise the contentious **Article 35** of the constitution, which defines "ivoirité" (see *ARC Briefing Cote d'Ivoire July 2016*). Ivoirité was a term originally used to define a common identity between immigrants and the native population.⁴ Ivoirité in the previous constitution was defined as someone who is born of an Ivoirian mother *and* father.⁵ This prevented Ouattara from running for president in 1995 and 2000, because his father was reportedly **Burkinabé**.⁶ Ivoirité thus became an important political tool that led to an increase of xenophobia, accentuated during the 2002-2007 politico-military crisis.⁷ Ouattara's reform will now define Ivoirité as someone born of an Ivoirian mother *or* father.⁸

According to the **Commission Électorale Indépendante (CEI)** (electoral commission), the "Yes" vote, in favour of constitutional reform, won 93.42% of the vote, with a participation rate of 42.42%.⁹ The previous constitutional referendum, held in July 2000, obtained an 87% "Yes" vote and a 56% participation rate, 14% more than the current vote.¹⁰ This decrease in participation is the result of an opposition boycott that the **Front Populaire Ivoirien (FPI)** (the party of former president **Laurent Gbagbo** (2000-2011)) and the **Front du Réfus** opposition coalition initiated (see *ARC Briefing Côte d'Ivoire October 2016*). The Front du Réfus includes the second largest opposition force, the **Liberté et**

¹ Afriqinfos, 9 Nov 2016.

² Afriqinfos, 9 Nov 2016.

³ Source, PDCI member and journalist, Abidjan

⁴ Le Monde, 28 Oct 2016.

⁵ Le Monde, 28 Oct 2016.

⁶ Le Monde, 28 Oct 2016.

⁷ Le Monde, 6 Oct 2016.

⁸ Le Monde, 28 Oct 2016.

⁹ Afriqinfos, 9 Nov 2016.

¹⁰ Jeune Afrique, 30 Oct 2016.

Démocratie pour la République (LIDER) party. The opposition claimed that the level of participation was insufficient to ratify a referendum,

“The Ivoirian constitution does not impose a minimum requirement to validate a referendum. But that does not matter – the participation rate, as the CEI announced, is not good. It is important to remind people that this constitutional referendum was meant to act as a means of reconciliation after a 10-year politico-military crisis. If less than two million Ivoirians voted in favour of constitutional reform, there must be a problem.”¹¹

The opposition also criticised the government for its lack of transparency in the organisation of the referendum, and lack of consultation ahead of the campaign.¹² The opposition claims that the government sought to forcefully hold a referendum, when the opposition was not ready to campaign. The government only allowed seven days for the campaign and allegedly did not sufficiently communicate the contents of the proposed reform to the public.¹³

Unidentified youths pillaged and disturbed certain polling stations in major cities around the country.¹⁴ This included the neighbourhoods of **Yopougon** and **Marcory** in the capital **Abidjan** (**Autonomous District of Abidjan**), in **Gagnoa** (**Gôh-Djiboua District**), **Divo** (**Gôh-Djiboua District**), **Daloa** (**Sassandra-Marahoué District**) and **Dabou** (**Lagunes District**) – traditionally FPI-leaning areas of the country.¹⁵ The FPI and Front du Réfus accused the government of sabotaging opposition electoral strongholds.¹⁶ Interior minister **Hamed Bakayoko** confirmed that such events occurred in over a hundred polling stations – 0.5% of the 20,000 polling stations across the country.¹⁷ When evaluating the overall result, these incidents would appear insignificant.

The opposition also alleged the government had engaged in electoral fraud after several CEI observers accused certain stations of preventing voting.¹⁸ In one case, a CEI observer found that a polling station in **Plateau** (central Abidjan) only registered 40 voters, out of a total 455 registered – a participation rate of 8.79%.¹⁹ However, final results of the polling station showed participation rates of 31.1%.²⁰ The observer at the Plateau polling station wrote an anonymous letter to **César Etou**, head of the pro-Gbagbo **La Voie Originale** publication, claiming that he/she witnessed ballot box stuffing.²¹ The observer also claimed to have seen voters demanding payment of FCFA 2,000 (\$3.24), which they said they had been promised.²² The observer claims to have seen a large number of voters with traditionally northern surnames (such as Compaoré, Brahim, Kamagaté, Kaboré and Karim), which the person claims was clearly an attempt by Ouattara to sway voter turnout in traditionally FPI-voting areas.²³ The observer ends the letter claiming that this is proof that Gbagbo won the 2010 presidential election.²⁴ It is difficult to confirm whether the claims are true. They also lack credibility given that the agent directed the letter to a pro-Gbagbo publication, rather than the CEI. There is no evidence of the government or the CEI taking note of this alleged event. Ruling party members find these claims farfetched,

“The opposition speaks of falsification of figures, especially with regards to the participation rate. There is actually very little evidence which would prove these claims. It relies on low

¹¹ Source, PDCI member,

¹² [Africinfos](#), 9 Nov 2016.

¹³ [Africinfos](#), 9 Nov 2016.

¹⁴ [Africinfos](#), 9 Nov 2016.

¹⁵ [Africinfos](#), 9 Nov 2016.

¹⁶ [Africinfos](#), 9 Nov 2016.

¹⁷ [Africinfos](#), 9 Nov 2016.

¹⁸ [www.ivoirebusiness.net](#)

¹⁹ [www.ivoirebusiness.net](#)

²⁰ [www.ivoirebusiness.net](#)

²¹ [www.ivoirebusiness.net](#)

²² [www.ivoirebusiness.net](#)

²³ [www.ivoirebusiness.net](#)

²⁴ [www.ivoirebusiness.net](#)

participation rates in several polling stations. However, it is difficult to prove this was actually the case, even if the 42% participation rate does raise some doubts. The constitutional court has validated the result and the president ratified the new constitution. I think we can say that the debate is closed on this matter. There will probably not be an enquiry into this matter.”²⁵

Council of ministers agrees to hold legislative elections on 18 December

The council of ministers on 3 November announced that legislative elections will take place on 18 December.²⁶ The elections will take the form of a single round of elections; the candidate with the most votes will take the local seat in parliament.²⁷ The ruling **Rassemblement de Houphouëtistes pour la Démocratie et la Paix (RHDP)** coalition is likely to put forward joint candidates in order to avoid conflict between the coalition’s two main parties – former president **Henri Konan Bédié’s** (1993-1999) **Parti Démocratique de Côte d’Ivoire (PDCI)** and Ouattara’s **Rassemblement des Républicains (RDR)**.²⁸ These two parties unified in a symbolic gesture in February to run under the same banner until at least the 2020 elections (see *ARC Briefing Côte d’Ivoire February 2016*). However, this coalition could fracture before this if Bédié seeks to present his own choice for a presidential candidate for the 2020 presidential elections. Nonetheless, it appears that the RHDP will remain unified for the legislative elections. As one local commentator states, the main changes at the legislative elections are expected in FPI strongholds,

*“In the current state of affairs, we should expect a major shakeup within the elected officials. Ignoring internal struggles within parties, there should not be any major surprises overall. The notable changes will be seen in FPI-leaning areas, where **Pascal Affi N’Guessan** (FPI leader and former prime minister under Gbagbo) has candidates. In **Bongouanou (Lacs District)**, for example, N’Guessan’s stronghold, he himself is running for a seat. Heavyweights such as **Christine Adjobi** [former AIDS minister under Gbagbo], **Alcide Djédjé** [former permanent representative to the **United Nations (UN)**], **Agnès Monnet** [FPI secretary general] and to some extent **Marcel Gossio** [former director general of the **Port of Abidjan**], all have good chances.”²⁹*

Affi N’Guessan had called for the opposition to form a coalition ahead of the legislative elections.³⁰ This appears unlikely, however, whilst the FPI itself still faces a division over its leadership.³¹ Much of its support base remains loyal to Gbagbo, still under trial at the **International Criminal Court (ICC)** in **The Hague (The Netherlands)**, while Affi N’Guessan appears to struggle to unify the party.³² This battle for leadership was the main source of the FPI’s weakness in the October 2015 presidential elections. The legislative elections will represent an important moment for the opposition’s survival and relevance in domestic politics, while Ouattara and the RHDP’s dominance in parliament undermines the strength of Côte d’Ivoire’s democracy.

“The pro-Gbagbo opposition, which also goes by the name of “Gbagbo or nothing” will not officially participate in this election. This decision could be costly for the FPI and other partisans of the former president. They are now disconnected from electoral reality during the last two elections (presidential and local); it is clear that they will have lost certain reflexes when they come back onto the political scene... In summary, if things remain as they are, the only credible opposition candidate in 2020 will be Affi N’Guessan once more, which could at least become a parliament group with a successful legislative election round.”³³

²⁵ Source, PDCI member and journalist, Abidjan

²⁶ Jeune Afrique, 3 Nov 2016.

²⁷ Jeune Afrique, 3 Nov 2016.

²⁸ Jeune Afrique, 3 Nov 2016.

²⁹ Source, member of PDCI political bureau, Abidjan

³⁰ Source, journalist, Abidjan

³¹ Source, journalist, Abidjan

³² La Tribune, 4 Nov 2016.

³³ Source, member of PDCI political bureau, Abidjan

NOCI to invest \$365m in nickel mining concessions

Nickel de l'Ouest de Côte d'Ivoire (NOCI) announced it will make a \$365m investment to redevelop nickel mines in **Woroba District**, bordering **Guinea**.³⁴ NOCI is a privately-owned Ivoirian company, with registered capital totalling FCFA 20m (\$30,000).³⁵ The government granted NOCI a mining exploration concession in March 2015, but the company did not divulge its investment intentions at the time.³⁶ NOCI will develop a larger concession encompassing the **Sipilou** (Switzerland-based **Glencore International AG**-owned), **Touba** and **Biankouma** concessions.³⁷ NOCI promises to create over 700 permanent jobs with the investment, and will divide the investment into two phases and two separate investments of \$210m and \$155m.³⁸ The concession, according to government spokesperson **Bruno Nabagné Koné**, has reserves of over 60 million tonnes of mineral, with 1.74% nickel content.³⁹

The founder of NOCI is **Ioannis Prokopis** (also spelled Yannis Procopis), formerly deputy chief investment officer at **United States (US)**-based hedge fund **CM Advisors**.⁴⁰ The board comprises Switzerland-based **Andreas Hubmann** (administrator), **Dubai (United Arab Emirates (UAE))**-based **Swapna Matthew Thanavelil** (chairperson) and **Kadjo Kouamé** (CEO).⁴¹ Despite its limited corporate profile, NOCI appears to be a local investment vehicle for, and financed, by Glencore, as Hubmann and Thanavelil are both directors for Dubai-based **Glencore Group Funding Ltd (GGF)**.⁴² Glencore International AG is the main shareholder in GGF.⁴³

Implications

The referendum results appear definitive, as the opposition's claims of electoral fraud are difficult to prove, while the CEI and government appear not to wish to begin enquiries into the matter. The result of the legislative elections will consolidate the dominance of Ouattara and the RHDP in domestic politics for several years, both within parliament and the senate.

The legislative elections mark the most important political event for the opposition since the October 2015 elections. The RHDP looks likely to further consolidate its dominance, as the FPI remains fractured and unable to unify its support behind Affi N'Guessan. If the FPI manages to secure a significant enough number of seats in parliament, it will have a much greater chance to challenge the RHDP in the 2020 elections, not least to have real influence on legislative decisions in parliament. For the moment, its political relevance is limited to mobilisation of protests.

NOCI's investment represents significant investment into Côte d'Ivoire's mining sector, which appears to have suffered more broadly across the region. Further communication is expected from NOCI and/or Glencore on the investments over the coming months.

³⁴ Reuters, 3 Nov 2016.

³⁵ Government Gazette, March 2015.

³⁶ Reuters, 3 Nov 2016.

³⁷ Reuters, 3 Nov 2016.

³⁸ Reuters, 3 Nov 2016.

³⁹ Reuters, 3 Nov 2016.

⁴⁰ Multiple sources: Financial Times, 31 Aug 2007; www.abidjan.net

⁴¹ www.abidjan.net

⁴² www.bloomberg.com

⁴³ www.difc.ae

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