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The constitutional court upholds the presidential election victory of president Ali Ben Bongo Ondimba (2009-present) leading to his inauguration as president. Bongo appoints former foreign minister Emmanuel Issoze-Ngondet prime minister, replacing Daniel Ona Ondo. Issoze-Ngondet announces his new cabinet, with 39 ministers and only seven members from outside the ruling Parti Démocratique Gabonais (PDG) party. Bongo's defeated rival, Jean Ping of the opposition Parti Gabonais du Peuple (PGP), announces the creation of the Conseil Gabonais de la Résistance (CGR) (Gabonese resistance council), a movement to oppose Bongo.

Constitutional court upholds Bongo's election victory

The constitutional court on 23 September upheld president **Ali Ben Bongo Ondimba's** (2009-present) re-election, which the **Commission Électorale Nationale et Permanente (CENAP)** (electoral commission) had originally announced on 31 August.¹ The decision may result in an increased risk of further violent protest from the opposition, which still believes that Bongo rigged the election. The court revised the result slightly, and stated that Bongo won 50.66% of the vote, compared to CENAP's previously stated figure of 49.8%.² The losing candidate, **Jean Ping**, claims that the constitutional court's decision is "*unfair, antidemocratic and bearing uncertainties*", especially in Bongo's stronghold **Haut-Ogooué Province**, where he obtained over 99% of votes.³ Ping alleged that the constitutional court chose to disrespect the public's vote.⁴ Allegedly, verbal testimonies of polling station operators in the province demonstrated that Ping won at least 16% in the province.⁵ Local sources claim that the court's decision remains obscured,

*"The constitutional court had even given Bongo 50.66% of votes, up from 49.80% in the preliminary results. The court found this difference after it cancelled the results of 21 voting booths in **Libreville**, to the detriment of Ping, compensating for Bongo's excessive score in his native Haut-Ogooué Province."⁶*

Before the constitutional court's decision, Ping claimed that the president of the court, **Marie-Madeleine Mborantsuo**, would unduly favour Bongo, as she was the mistress of Bongo's father and former president, **Omar Bongo Ondimba** (1967-2009), with whom she had two children.⁷ Ping claimed that he agreed to take the legal route in order to show that he has exhausted all means to resolve the issue legally.⁸ Ping maintains that he won the election, and claims he will continue to mobilise his supporters in order to overturn the "*rigged elections*."⁹ Local sources voiced their disappointment with the court's decision,

¹ Gabon Review, 24 Sept 2016.

² Gabon Review, 24 Sept 2016.

³ Gabon Review, 25 Sept 2016.

⁴ Gabon Review, 25 Sept 2016.

⁵ L'Union, 23 Oct 2016.

⁶ Source, journalist, Libreville

⁷ Gabon Review, 25 Sept 2016.

⁸ Gabon Review, 25 Sept 2016.

⁹ Gabon Review, 25 Sept 2016.

“While the whole population awaited a fair verdict from the constitutional court, which Mborantsuo heads, on the day after the opposition lodged its appeals, the deception was total and suspicions of misappropriation of victory were confirmed. Ping, constrained to respect the country’s constitution, shot himself in the foot, knowing all too well... that a trap was laid out for him. There were even rumours that Mborantsuo received death threats, in case she did not rule in favour of Bongo.”¹⁰

The international community continues to highlight the irregularities that took place during and after the election despite the constitutional court ruling. The **European Union (EU)**, for example, says that the constitutional court *“was not able to satisfactorily rectify the anomalies observed during the vote counting.”*¹¹ **Federica Mogherini**, the EU foreign affairs commissioner stated,

*“Contrary to the protocol of agreement signed with government, there was only very limited access to the appeal process and litigation. The EU also regrets that the work of **African Union (AU)** observers could not be exploited more. Since the decision, the Gabonese people’s trust in the integrity of the electoral process can be legitimately put into question.”¹²*

... and Bongo is inaugurated president

Bongo was inaugurated as president on 27 September for a second seven-year mandate, just four days after the constitutional court confirmed his re-election (see above).¹³ The rapid inauguration of Bongo following the constitutional court’s decision appears to indicate that Bongo wants to quickly end doubt about his re-election. Four heads of state attended the inauguration: **Ibrahim Boubacar Keita** (2013- present) of **Mali**, **Faure Gnassingbé** (2005- present) of **Togo**, **Mahamadou Issoufou** (2011- present) of **Niger** and **Evaristo Carvalho** (2016- present) of **São Tomé and Príncipe**.¹⁴ The low turnout of **African** heads of state is an indication that Bongo is increasingly isolated amongst his peers.¹⁵ Gabonese civil society in particular has criticised Bongo re-election as a *“constitutional coup”*.¹⁶ Local sources comment that the rapid succession of confirmation of Bongo’s re-election and inauguration looks suspicious,

“The inauguration ceremony, which local and international press qualified as rushed... took place without din nor excitement from the Gabonese people.”¹⁷

As a local legal practitioner states,

“Democracy has gone backwards in Gabon, as the election served to consolidate the interests of a minority in power in the country... The speed of the inauguration is a sign that hides the weakness of the regime. This is why Bongo suggested opening dialogue with the opposition, by including some opposition members in the new government cabinet. However, these opposition members aren’t truly representative of their respective movements.”¹⁸

Bongo appoints Issoze-Ngondet as prime minister

Bongo on 28 September appointed **Emmanuel Issoze-Ngondet** as prime minister, replacing **Daniel Ona Ondo**.¹⁹ The announcement shows that Bongo, following his contentious re-election, is aiming to rapidly resume activity of his government, despite the opposition’s allegations of electoral fraud. Main opposition leader Ping continues to allege that both the elections and related court rulings were

¹⁰ Source, journalist, Libreville

¹¹ Gabon Review, 26 Sept 2016.

¹² Gabon Review, 26 Sept 2016.

¹³ Gabon Review, 27 Sept 2016.

¹⁴ Gabon Eco, 28 Sept 2016.

¹⁵ Gabon Eco, 28 Sept 2016.

¹⁶ Source, journalist, Libreville

¹⁷ Source, journalist, Libreville

¹⁸ L’Union, 23 Oct 2016.

¹⁹ RFI, 29 Sept 2016.

fraudulent.²⁰ However, his claims are significantly weaker after the constitutional court ruled in favour of Bongo (see above).

Issoze-Ngondet was foreign minister from 2012 to 2016. He also served as energy minister from January to June 2008, after serving as a diplomat in the **United Kingdom, Canada** and **South Korea** and as a **United Nations (UN)** representative for Gabon from 2008.²¹ The appointment marks a continuation of Bongo's change of strategy from his father Omar Bongo, who systematically appointed prime ministers from the **Fang** ethnic group, mainly from **Estuaire Province**.²² Issoze-Ngondet is from **Makokou** in **Ogooué-Ivindo Province**, while Ona Ondo is from **Woleu-Ntem Province**.²³ Issoze-Ngondet was an important player in Bongo's electoral campaign, especially in Ogooué-Ivindo.²⁴ This was where Bongo obtained his second highest result after Haut-Ogooué, with 65.96% of the vote.²⁵ Issoze-Ngondet is considered a loyalist of the ruling **Parti Democratique Gabonais (PDG)**, having been elected as a member of parliament (MP) for Makokou in 2011, before obtaining his position as foreign minister.²⁶ He is viewed as a competent politician, part of Bongo's inner circle of most trusted allies.²⁷ Issoze-Ngondet has a sound reputation but leading a government could present a significant challenge, as he is now required to keep a close eye on respective ministerial portfolios.²⁸ Reportedly, ousted prime minister Ona Onda no longer backed Bongo's politics and had limited control over important cabinet ministries such as oil and mining.²⁹ Apparently, most of this direction came from Bongo's chief of staff, **Maixent Accrombessi**.³⁰

... and Issoze-Ngondet names new cabinet

Newly elected prime minister Issoze-Ngondet, on 2 October, announced his new cabinet.³¹ Issoze-Ngondet has sought to appoint cross-party members into his new cabinet, in a conciliatory gesture following the tension of the election period. However, the new 39-minister government includes only seven members from outside the ruling PDG party.³² Local sources claim that the new government will only last for nine months, before there will be a major reshuffle to include more members of the opposition.³³ They include **Bruno Ben Moubamba** of the **Union du Peuple Gabonais (UPG)**, defeated presidential candidate **Pierre-Claver Maganga Moussavou** of the **Parti Social-Démocrate (PSD)**, who refused to support Ping's candidacy in August, and **Estelle Ondo**, a stalwart member of the opposition **Union Nationale (UN)**.³⁴ High profile cabinet members include:

- Moubamba, vice prime minister;
- **Pacôme Moubélet-Boubeya**, foreign minister;
- **Guy-Bertand Mapangou**, water and energy minister;
- **Alain-Claude Bilie-By-Nze**, telecommunications minister and government spokesperson;
- **Régis Immongault Tatagani**, economy minister;
- **Alexis Boutamba**, justice minister;
- **Etienne Dieudonné Ngoubou**, oil minister;

²⁰ RFI, 29 Sept 2016.

²¹ RFI, 29 Sept 2016.

²² RFI, 29 Sept 2016.

²³ RFI, 29 Sept 2016.

²⁴ L'Union, 3 Oct 2016.

²⁵ Source, journalist, Libreville

²⁶ L'Union, 3 Oct 2016.

²⁷ Source, journalist, Libreville

²⁸ Source, journalist, Libreville

²⁹ Source, journalist, Libreville

³⁰ Source, journalist, Libreville

³¹ Gabon Review, 3 Oct 2016.

³² Gabon Review, 3 Oct 2016.

³³ L'Union, 23 Oct 2016.

³⁴ Gabon Review, 3 Oct 2016.

- **Madeleine Berre**, trade, industry and tourism minister;
- **Christian Magnagna**, mines minister;
- **Mathias Otounga Ossibadjouo**, budget minister;
- **Lambert Matha**, interior minister.³⁵

Bongo claims he will reconcile with the opposition in order to move forward with an effective government and parliament.³⁶ However, many opposition members claim that the current government is not inclusive, and is designed to perpetuate single-party rule.³⁷ Moubamba and Ondo reportedly accepted their roles without consultation with the opposition, which has been viewed as a way for Bongo to weaken the opposition.³⁸ Moubamba was one of the first members of the opposition to accept the election result, reportedly because he has a bad relationship with Ping.³⁹ Allegedly, Moubamba is a political opportunist who sought to break up the opposition, under Bongo's guidance.⁴⁰ Reportedly, Moubamba will not feature in Issoze-Ngondet's government once he carries out the expected reshuffle.⁴¹ Moreover, Ondo's appointment was a great surprise to the UN, as she was considered a loyal member and staunch opponent of Bongo.⁴² This was seen within the local press as part of Bongo's alleged tactic to divide the opposition.⁴³

On the other hand, opposition leaders such as **Louis-Gaston Mayila**, president of the **Union pour la Nouvelle République (UPNR)**, says that he would accept a sincere reconciliation effort but solely with international supervision from the UN, EU and AU.⁴⁴ However, Ping appears unlikely to accept such an effort, as he continues to maintain that he won the election, and that he was elected president – few commentators believe he will retract from this position,

“The opposition continues to divide, while the framework around Ping is eroding to the point where he could find himself isolated, especially as he still believes he is the elected president. Ping is without real power.”⁴⁵

Ping announces creation of anti-Bongo movement

Ping of the opposition **Parti Gabonais du Peuple (PGP)** on 10 October announced the creation of the **Conseil Gabonais de la Résistance (CGR)** (Gabonese resistance council), a movement to oppose Bongo.⁴⁶ The announcement is an indication that Ping will continue to resist Bongo's rule, and seek to rally support domestically and abroad. However, local sources believe that the movement will not gain much traction,

“Ping's CGR initiative generated little enthusiasm from the public, because they fear that the government could target them, while the army is deployed around the country and many opposition members remain in prison.”⁴⁷

Ping proposed measures to isolate Bongo from power, including the unification of political parties, sensitising the population, and mobilising domestic and international support.⁴⁸ Ping made the announcement following a 'day of contemplation' on 6 October to commemorate deaths during the

³⁵ Unless otherwise noted - Koaci, 2 Oct 2016.

³⁶ Matin Équatorial, 20 Oct 2016.

³⁷ Source, journalist, Libreville

³⁸ L'Union, 3 Oct 2016.

³⁹ L'Union, 3 Oct 2016.

⁴⁰ Source, journalist, Libreville

⁴¹ Source, journalist, Libreville

⁴² Source, journalist, Libreville

⁴³ L'Union, 3 Oct 2016.

⁴⁴ Matin Équatorial, 20 Oct 2016.

⁴⁵ Source, journalist, Libreville

⁴⁶ Gabon Review, 10 Oct 2016.

⁴⁷ Source, journalist, Libreville

⁴⁸ Gabon Review, 10 Oct 2016.

political tensions that followed the 27 August presidential vote.⁴⁹ Ping made a statement condemning Bongo's current mandate as a coup, while also calling on Gabon's allies such as the US and EU to support him in the attempt to isolate Bongo politically and economically,

*"I invite all parties, politicians and friend of Gabon to pursue our efforts concerning the respect of the Gabonese people's sovereignty and to call for re-establishment of republican legality. In the face of the military-electoral coup d'état that took place after the elections on 27 August, it would seem therefore necessary to organise a resistance to Bongo's regime, throughout the country and around the world... While we envisage measures of isolation against this illegitimate, dictatorial and totally discredited regime within the international community, I also deem it urgent to promote all action which seeks to enact targeted sanctions against the authors and accomplices of this coup."*⁵⁰

Ping's proposition to isolate and boycott the Bongo government appear difficult to implement, and without wide-ranging support, futile. Commentators see even an effective boycott as insufficient,

*"The CGR will not be enough to dismantle the Bongo regime, because the Gabonese people continues to suffer from the government's bad management of the country, which remains almost entirely dependent on the oil sector."*⁵¹

Implications

The constitutional court's ratification of Bongo's re-election raises questions about independence of Gabon's judiciary. This is especially true after the court failed to explain the anomaly in Bongo's stronghold Haut-Ogooué province. If reports of death threats against Mborantsuo are accurate, it would further consolidate a perception that Bongo has a firm grip on power and Gabon's purportedly independent institutions. International actors continue to criticise Bongo for failing to explain the full details of the election result. However, further intervention from international actors looks increasingly improbable as time passes. Meanwhile, the opposition's support for Ping appears to be fracturing, as Bongo's government looks more firmly implanted.

The constitutional court's quick approval of the election decision and Bongo's inauguration hints at a broader political victory for the incumbent, and a final blow to Ping's hopes of a reversal of the election decision. Even though Ping did make very clear before the constitutional court's decision that he did not trust its capacity to make a fair ruling, ultimately, accepting to take part in its court proceedings left him vulnerable to a defeat. It would appear that Ping did not have a back-up plan to defeat at the constitutional court, and is unlikely to reverse the decision.

Issoze-Ngondet's appointment appears a reward from Bongo to a PDG loyalist, while ousted Ona Ondo was reportedly marginalised in decision making. It may also be a reward for Issoze-Ngondet's campaigning effort in Ogooué-Ivindo, where Bongo obtained his second highest provincial election result. His cabinet, even though he claims it is conciliatory, does not reflect an understanding and proactive opposition. The next major ministerial reshuffle will be an important factor to evaluate the level of Bongo's reconciliation with the opposition over the first year of his tumultuous re-election.

Ping's attempt to revive opposition against Bongo after the election appears very unlikely to succeed. Although Ping has support from many influential foreign actors, they are equally unlikely to offer more than verbal criticism of Bongo's regime.

⁴⁹ Gabon Review, 10 Oct 2016.

⁵⁰ Gabon Review, 10 Oct 2016.

⁵¹ Source, journalist, Libreville

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