



Freedom in the World 2018

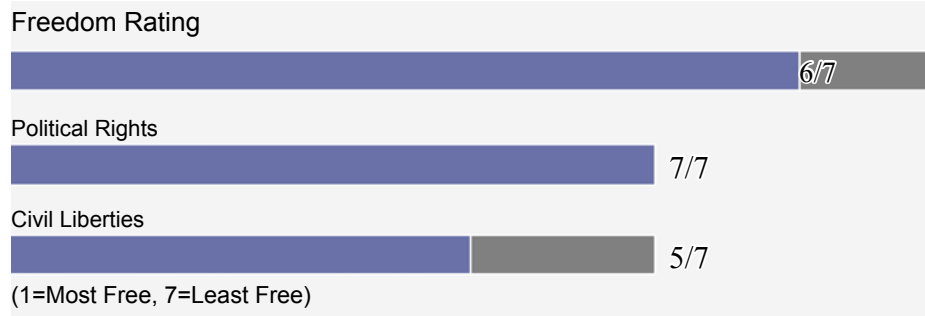
Gabon *Profile*

FREEDOM STATUS:
NOT FREE



Freedom in the World
Scores

Quick Facts



Aggregate Score: 23/100 (0=Least Free, 100=Most Free)

Overview:





Although Gabon holds multiparty elections, President Ali Bongo Ondimba maintains political dominance through a pervasive patronage system and restrictions on dissent, having succeeded his father when he died after more than 40 years in power in 2009. Media coverage that is critical of the government can draw legal repercussions. The executive branch effectively controls the judiciary, and prisoners suffer from harsh conditions. Other significant problems include discrimination against African immigrants, marginalization of indigenous people, and legal and de facto inequality for women.

Ratings Change:

Gabon's political rights rating declined from 6 to 7 due to the postponement of legislative elections for a second time, which underscored President Ali Bongo's dominance of the political and electoral systems.

Key Developments in 2017:

- In July, the Constitutional Court authorized the postponement of legislative elections, originally due by December 2016, for a second time, setting April 2018 as the new deadline.

- In August, opposition leader Jean Ping called for civil disobedience campaign, arguing that there was no other means of forcing political change in the aftermath of the deeply flawed 2016 presidential election.  
- In December, the National Assembly passed draft constitutional amendments that, if approved by the Senate, would strengthen the president's authority over the prime minister and cabinet; lawmakers rejected opposition calls to impose presidential term limits.

Political Rights and Civil Liberties:

POLITICAL RIGHTS: 4 / 40 (-4)

A. ELECTORAL PROCESS: 0 / 12 (-2)

A1. Was the current head of government or other chief national authority elected through free and fair elections?
0 / 4

The president, who is the chief executive authority, is elected by popular vote for seven-year terms. Presidential term limits were abolished in 2003. The president nominates and can dismiss the prime minister on his own initiative.

The August 2016 presidential election pitted incumbent Ali Bongo Ondimba against Jean Ping of the opposition Union of Forces for Change (UFC). A few days after the voting, the National Autonomous and Permanent Electoral Commission (CENAP) declared Bongo the winner with 49.8 percent of the vote, compared with 48.2 percent for Ping. In the province of Haut-Ogooué, a Bongo family stronghold, turnout was reported at a dubious 99.9 percent, with 95 percent backing the incumbent, even though turnout in the rest of the country was just 54 percent. Both Ping and observers from the European Union called for a recount, and the results were sent to the Constitutional Court for review.

Meanwhile, violent protests erupted, the parliament building was set on fire, and security forces stormed Ping's headquarters. Estimates of the death toll from the unrest ranged from fewer than 10 to more than 50, and hundreds of others were arrested, though most were later released or freed pending trial.

The Constitutional Court, headed by a longtime Bongo family ally, rebuffed an observation mission from the African Union during its deliberations on the recount results and ultimately validated Bongo's victory. The president was credited with 50.66 percent of the vote, leaving Ping with 47.24 percent. Ping refused to accept the results.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4 (-1)

Gabon's bicameral Parliament consists of a National Assembly, whose 120 members are elected by popular vote for five-year terms, and a 102-seat Senate, indirectly elected by regional and municipal officials for six-year terms. Bongo's Gabonese Democratic Party (PDG) claimed 113 of 120 seats in 2011 National Assembly elections, which were boycotted by some opposition parties over the government's failure to implement biometric technology for voter registration. PDG allies took five seats, leaving the opposition with just two. The PDG took 81 seats in the 2014 Senate elections.



The next National Assembly elections were due by December 2016, but the government postponed them until July 2017, citing a lack of funds. The Constitutional Court approved a second postponement that month, setting a new deadline of April 2018. The government claimed that it needed more time to enact electoral reforms.

Score Change: The score declined from 1 to 0 due to the expiration of incumbent National Assembly members' original mandates and the extension of their terms by more than a year.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4 (-1)

Gabon's electoral laws and framework do not ensure free and fair elections. CENAP, the Interior Ministry, and the Constitutional Court all play important roles in managing elections, and all are widely seen as loyal to the president. Even before the controversy and violence surrounding the

2016 presidential election, an Afrobarometer poll conducted in 2015 found that of 36 African countries surveyed, Gabonese citizens had the lowest level of trust in their electoral commission.



In December 2017, the National Assembly approved draft constitutional amendments that were developed without meaningful input from opposition groups, civil society, or the general public. The text was not made public during the legislative debate. Among other changes, the amendments introduced a runoff system for presidential elections if no candidate wins a majority in the first round, granted the president authority to set state policy unilaterally rather than in concert with the prime minister and cabinet, and required ministers to take an oath of allegiance to the president. Lawmakers rejected opposition proposals including the imposition of presidential term limits. The amendments were awaiting passage by the Senate at year's end.

Score Change: The score declined from 1 to 0 due to constitutional amendments that were adopted in an opaque manner by a National Assembly whose elected mandate had expired.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16 (-1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to

the rise and fall of these competing parties or groupings



1 / 4

The PDG, which has retained power since it was formed in 1968, holds a dominant position in Gabon's nominally multiparty system. The country's opposition parties are fragmented, and many are spinoffs of the PDG. Ping himself is Bongo's former brother-in-law and a former foreign minister. In 2017, the authorities reportedly denied opposition parties permits for public gatherings, arrested participants in largely peaceful opposition protests, and incarcerated opposition leaders. Bertrand Zibi Abeghe, a former PDG member who campaigned against Bongo in 2016, was arrested that August and remained in prison through 2017. Among other cases during the year, security forces arrested Alain Djally, an aide to Ping, in April; he was provisionally released in June.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

In light of the PDG's decades-old monopoly on the executive branch, the opposition's tiny presence in the legislature, and the outcome of the deeply flawed 2016 presidential vote, there is no realistic opportunity for the opposition to gain power through elections. In August 2017, Ping called for a campaign of civil disobedience, arguing that he had exhausted all institutional remedies against what he maintained was an illegitimate election result.

B3. Are the people's political choices free from domination by the military, foreign powers, religious

hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 0 / 4 (-1)



The Bongo family and its associates have acquired enormous wealth and control over the economy after decades in power. These resources are allegedly used to maintain political patronage networks and engage in vote-buying activities during elections. The leadership also relies on security forces to intimidate opposition politicians and supporters, as demonstrated during the attack on Ping's campaign headquarters in August 2016.

Score Change: The score declined from 1 to 0 due to the ruling elite's continued use of economic power and control over state institutions to limit citizens' political choices.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

While both women and ethnic minorities formally enjoy full political rights, in practice they have little ability to organize independently and gain political influence given the dominance of the PDG structure. Key government and military posts are held by loyalists from all major ethnic groups except indigenous populations, which are poorly represented in politics and government. In the most recent elections, women won just 15 of 120 seats in the National Assembly and 19 of 102 seats in the Senate.

C. FUNCTIONING OF GOVERNMENT

2 / 12 (-1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4 (-1)

Government policy is set by the president, who is not freely elected, and his senior aides. Parliament is dominated by the ruling party and provides little oversight of the executive branch. The democratic legitimacy of the National Assembly has been further undermined by the expiration of its original mandate in late 2016.

Score Change: The score declined from 1 to 0 due to the second postponement of legislative elections, which left the country without a duly elected National Assembly for the entire year.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Relatively robust anticorruption laws as well as anticorruption institutions launched since Ali Bongo took office are not employed effectively, and both corruption and impunity remain major problems. Authorities have reportedly used anticorruption efforts to target regime opponents. In 2017, the government criticized a French corruption probe focused on Marie-Madeleine Mborantsuo, a Bongo family ally who serves as president of the Constitutional Court.

C3. Does the government operate with openness and transparency? 1 / 4



The government operates with little transparency, particularly regarding expenditures. Between 2008 and 2014, the presidency's budget increased by 1,073 percent, while the entire government budget increased by just 64 percent. The presidency's budget is not subject to the same oversight as those for other institutions. High-level civil servants are required to disclose their assets, but the declarations are not made public. Gabon was delisted as a candidate for the Extractive Industries Transparency Initiative (EITI) in 2013 because it submitted its validation report after the deadline. The constitutional amendments under consideration at the end of 2017 would reportedly strengthen the role of the auditor general, in cooperation with Parliament, in assessing public accounts and policy outcomes.

CIVIL LIBERTIES: 19 / 60 (-5)

D. FREEDOM OF EXPRESSION AND BELIEF: 8 / 16 (-1)

D1. Are there free and independent media? 1 / 4

Press freedom is guaranteed by law and the constitution but restricted in practice, and self-censorship to avoid legal repercussions for critical reporting is common. After the 2016

presidential election results were announced, the government shut down access to the internet for five days; service was then restored for 12 hours a day, with social media sites remaining blocked. Full access was not restored for about a month. A new communications code that went into effect in January 2017 was criticized by activists for several provisions that restricted media freedom, including an obligation for media to promote “the country’s image and national cohesion.”



In June, the National Communication Council (CNC) suspended the newspaper *Les Echos du Nord* for two months based on allegations that it had defamed Bongo, Prime Minister Emmanuel Issoze-Ngondet, and the government as a whole. Also that month, journalist Juldas Biviga and union leader Marcel Libama were arrested for defamation following a radio interview in which Libama accused a prosecutor of abuse of power. Both men received fines and a month in jail. Landry Amiang Washington, an activist blogger arrested in August 2016, remained in prison at the end of 2017.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Although religious freedom is enshrined in the constitution and generally respected in the predominantly Christian country, some heterodox religious groups reportedly have difficulty obtaining registration from the government. Security forces began monitoring Muslims in full face veils in 2015 after terrorists in nearby countries used such garments to disguise themselves.

D3. Is there academic freedom, and is the education system free from extensive political indoctrination? 2 / 4



(-1)

Omar Bongo University, Gabon's main center for tertiary education, is state-run, and academic freedom there is tenuous. Professors are believed to self-censor to protect their positions and avoid conflicts with the authorities. The tense political atmosphere since the 2016 election has further dampened critical discussion. Police used violence to disperse student protests regarding university tuition hikes and other grievances during 2017.

Score Change: The score declined from 3 to 2 due to further perceived pressure on academic discussion of sensitive political issues in the aftermath of the 2016 election crisis.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Ordinary individuals' freedom to express criticism of the government is limited by restrictive laws and deterred by the authorities' surveillance and detention of opposition figures and activists.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

(-1)

E1. Is there freedom of assembly? 1 / 4

Freedom of assembly is limited. In 2017, the government reportedly denied permits for meetings and repeatedly used tear gas and arrests to disperse unauthorized demonstrations. Parliament enacted a law in August that further limited the freedom to assemble, in part by making organizers responsible for offenses committed during a public gathering.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Relatively few nongovernmental organizations (NGOs) are able to operate in Gabon. Freedom of association is guaranteed by the constitution, but the process for formally registering NGOs is onerous and implemented inconsistently, leaving groups vulnerable to accusations that they are not in compliance with the law.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4 (–1)

Workers have the formal right to join unions, engage in collective bargaining, and strike under certain circumstances, but authorities cracked down on union activism during 2017. In March, the government obtained a court order to halt a strike by the teachers' union CONASYSED that had begun in October 2016. The union was also barred from conducting any activities on the grounds that it had disturbed public order. In separate incidents in February, police reportedly used excessive force to disperse striking oil workers as well as

students demonstrating in support of the striking teachers. Similar tactics were used against an Oil Ministry strike later in the year.



Score Change: The score declined from 2 to 1 due to increased repression of labor unions during the year, including a ban on activities by a teachers' union involved in a months-long strike.

F. RULE OF LAW: 3 / 16 (-3)

F1. Is there an independent judiciary? 0 / 4 (-1)

The judiciary is accountable to the Ministry of Justice, through which the president has the power to appoint and dismiss judges. The country's highest judicial body, the Constitutional Court, is composed of three members appointed by the president, three by the head of the National Assembly, and three by the head of the Senate. The constitutional amendments under consideration at the end of 2017 would reduce the parliamentary appointees to three and give the Superior Council of the Judiciary—headed by the president and justice minister—three appointees, potentially increasing presidential control. All nine judges' terms would be extended from seven to nine years.

The Constitutional Court's handling of the 2016 election results and its subsequent approval of two lengthy delays in the National Assembly elections further demonstrated its lack of impartiality. Critics noted that Mborantsuo, the court's president for more than 20 years, had been a mistress of late president Omar Bongo, bearing him two children and winning

appointment to another high court at age 28. She has been accused of amassing illicit wealth while in office.



Score Change: The score declined from 1 to 0 due the Constitutional Court’s pattern of deference to the executive, most recently demonstrated by its approval of the government’s request to postpone legislative elections for a second time.

F2. Does due process prevail in civil and criminal matters? 1 / 4 (-1)

Legal safeguards against arbitrary arrest and detention are not upheld by police in practice, and detainees are often denied access to lawyers. Lengthy pretrial detention is common. Cases of arbitrary arrests linked to opposition protests and activism have reportedly increased since the 2016 election crisis. The opposition figures detained during 2016 and 2017 have been denied due process. For example, Alain Djally was reportedly held in solitary confinement without access to his lawyer during his time in detention, and Bertrand Zibi Abeghe remained in detention with no trial date well over a year after his arrest. Both men were arrested without warrants.

Score Change: The score declined from 2 to 1 due to the denial of due process rights to political detainees and a reported increase in arbitrary arrests since the 2016 election.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4 (-1)

Prison conditions are harsh, and facilities are severely overcrowded, with limited access to proper medical care. Torture is specifically outlawed by the constitution, but detainees and inmates continue to face physical abuse, including those detained for political reasons during 2017. Violent crime and ritual killings remain serious concerns.



In the postelection clashes of 2016, the authorities used indiscriminate and often deadly force against political opponents and protesters, causing a number of fatalities. Members of the security forces involved in these and other alleged abuses apparently enjoyed impunity in 2017.

Score Change: The score declined from 2 to 1 due to impunity for election-related deaths in 2016 and continuing physical abuse of political and other detainees.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

The country's large population of noncitizen African immigrants is subject to harassment and extortion, including by police. Indigenous people reportedly experience discrimination in the workplace and often live in extreme poverty.

Women have equal legal rights on some issues but face significant de facto discrimination in employment and other economic matters. Sexual harassment in the workplace, which is not prohibited by law, is reportedly common.

Gabon has no specific statute outlawing same-sex sexual activity, but bias against LGBT (lesbian, gay, bisexual, and transgender) people remains a problem. Those who live openly risk housing and employment discrimination.



G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

There are no laws restricting internal travel, but police often monitor travelers at checkpoints and demand bribes. Married women seeking to obtain a passport or travel abroad must have permission from their husbands. In September 2017, the government temporarily banned senior opposition leaders, including Ping, from leaving the country.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Bureaucratic and judicial delays can pose difficulties for businesses. Enforcement of contracts and property rights is weak, and the process for property registration is lengthy. Bongo and his associates play a dominant role in the economy, impairing fair competition and favoring those with connections to the leadership.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family,

protection from domestic violence, and control over appearance? 1 / 4



Personalized forms of violence are believed to be widespread, and perpetrators generally enjoy impunity. Rape and domestic abuse are rarely reported to authorities or prosecuted. Spousal rape is not specifically prohibited. The minimum age for marriage is 15 for women and 18 for men. About 22 percent of women aged 20–24 were first married before age 18, according to UN data.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Wage standards and laws against forced labor are weakly enforced, particularly in the informal sector and with respect to foreign workers. Both adults and children are exploited in a number of different occupations, and foreign women are trafficked to Gabon for prostitution or domestic servitude.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

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