



FREEDOM IN THE WORLD 2020

Gabon

22

NOT FREE

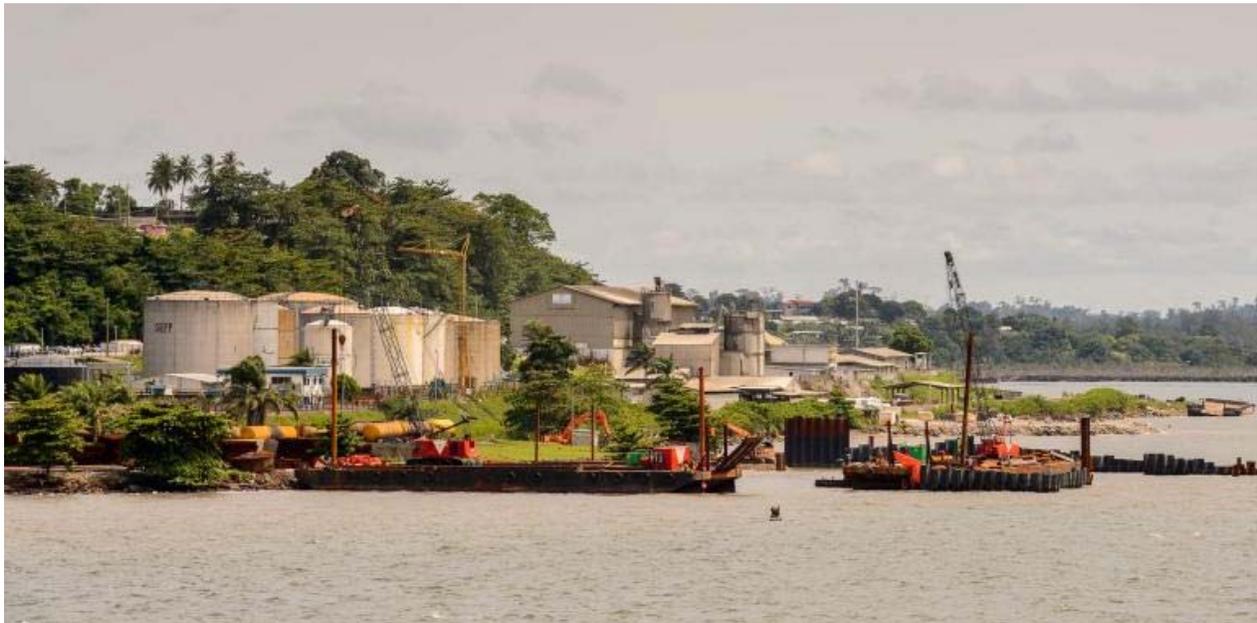
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<u>Political Rights</u>	3/40
<u>Civil Liberties</u>	19/60

LAST YEAR'S SCORE & STATUS

23/100 **Not Free**

Global freedom statuses are calculated on a weighted scale. See the methodology.



Overview

Although Gabon holds multiparty elections, President Ali Bongo Ondimba maintains political dominance through a combination of patronage and repression, having succeeded his father when he died in 2009 after more than 40 years in power. The executive branch effectively controls the judiciary. Other significant problems include discrimination against immigrants, marginalization of minority groups, and legal and de facto inequality for women.

Key Developments in 2019

- The government insisted throughout the year that President Bongo, who suffered a massive stroke in 2018, was in good health. Bongo made his first public appearance since the stroke in August, and in December, gave a very brief address at a summit of the Economic Community of Central African States (ECCAS).
- Civil society groups continued to press for information about President Bongo's cognitive health, even filing a lawsuit in to require him to undergo a medical exam to determine his fitness for office. In August, a Libreville appellate court agreed to hear the case. In response, the government suspended the presiding judge.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?

0/4

The president, who wields 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 at will.

The August 2016 presidential election pitted incumbent Ali Bongo Ondimba against Jean Ping of the opposition Union of Forces for Change (UFC). The electoral commission declared Bongo the winner with 49.8 percent of the vote, compared with 48.2 percent for Ping. In Haut-Ogooué Province, a Bongo family stronghold, the commission claimed a turnout rate of 99.9 percent, with 95 percent for Bongo, even though turnout in the rest of the country was just 54 percent. Both Ping and observers from the European Union (EU) called for a recount.

Meanwhile, violent protests erupted, and security forces stormed Ping's headquarters. Although the government claimed the death toll from the unrest was under 10, journalists and opposition leaders estimated that more than 50 people had died, and hundreds were arrested.

The Constitutional Court, headed by a longtime Bongo family ally, rebuffed an observation mission from the African Union (AU) during the recount. Following the recount, the president was credited with 50.66 percent of the vote, leaving Ping with 47.24 percent. Ping rejected the results.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?

0 / 4

Gabon's Parliament consists of the National Assembly, whose members are elected by popular vote for five-year terms, and the Senate, which is indirectly elected by regional and municipal officials for six-year terms. Under the 2018 constitution, the size of the National Assembly increased from 120 to 143 seats, and the Senate was set to decrease in size from 102 to 52 members at its next elections in 2020. The

most recent Senate elections were held in 2014, with Bongo's Gabonese Democratic Party (PDG) claiming 81 seats.

National Assembly elections were originally due in 2016 but were repeatedly postponed. The incumbent assembly was finally dissolved in April 2018, leaving the Senate as the only legislative body for most of the year. The PDG claimed 98 seats in the National Assembly elections that October, which were boycotted by several opposition parties due to the government's failure to create a genuinely independent electoral commission. PDG allies won roughly 10 more seats, and no single party other than the PDG took more than 11. The elections were marked by credible allegations of fraud and repression. The president's eldest daughter was credited with more than 99 percent of the vote for the seat she won.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?

0 / 4

Gabon's electoral laws and framework do not ensure credible elections. The electoral commission, the Interior Ministry, and the Constitutional Court all play important roles in managing elections, and all are widely seen as loyal to the president.

In January 2018, Parliament gave its final approval to constitutional amendments that were developed in an opaque process without meaningful input from opposition parties or civil society. Among other changes, the amendments introduced a runoff system for presidential elections if no candidate wins a majority in the first round, and required ministers to pledge allegiance to the president. Lawmakers rejected opposition proposals including the imposition of presidential term limits.

B. Political Pluralism and Participation

B1 0-4 pts

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 dominates the nominally multiparty system. Opposition parties remain fragmented, and the government has disrupted their activities by denying them permits for public gatherings, arresting participants in their largely peaceful protests, and incarcerating their leaders.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

0 / 4

The PDG has monopolized the executive branch since the 1960s, and there is no realistic opportunity for the opposition to gain power through elections. In 2017, Ping called for a civil disobedience campaign, arguing that he had exhausted all institutional remedies for the fraudulent 2016 election. He and some other opposition leaders boycotted the 2018 National Assembly elections.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?

0 / 4

The Bongo family and its associates have acquired enormous wealth and economic control after decades in power. These resources are allegedly used to sustain political patronage networks and fund vote-buying during elections. The leadership also relies on security forces to intimidate the opposition. Ahead of the 2018 National Assembly elections, there were some reports of opposition candidates and supporters being detained and threatened with violence.

B4 0-4 pts

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 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 the major ethnic groups.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?

0 / 4

Government policy is set by the president and his senior aides. President Bongo suffered a massive stroke in October 2018, and his cognitive fitness for office remains uncertain. In November 2018, the Constitutional Court unilaterally altered the constitution to allow the vice president to assume some of the president's functions if he is "temporarily unavailable." The constitution had only provided for the president's permanent incapacitation, in which case the Senate president would serve as interim president and an election would be called within 60 days.

Parliament is dominated by the ruling party and provides little oversight of the executive branch.

C2 0-4 pts

Are safeguards against official corruption strong and effective?	1 / 4
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Both corruption and impunity remain major problems. Authorities have reportedly used anticorruption efforts to target regime opponents. In 2017, the government criticized an ongoing French corruption probe focused on Marie-Madeleine Mborantsuo, a Bongo family ally who serves as president of the Constitutional Court. A special criminal court for cases involving the theft of public funds was established in 2018, but critics said prosecutions remained selective.

C3 0-4 pts

Does the government operate with openness and transparency?	0 / 4
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The government operates with minimal transparency. 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. The government has refused to disclose any information about Bongo's health condition, despite sustained public demands.

Score Change: The score declined from 1 to 0 because the government has refused to disclose basic information about the president's serious health problems and his ability to perform his duties.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media?	1/4
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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. The 2017 communications code contains provisions that restricted media freedom, including an obligation for media to promote “the country’s image and national cohesion.”

A new state media regulator created in February 2018, the High Authority of Communication, imposed suspensions on three news outlets in August 2018 in response to reporting on government corruption, and another newspaper was suspended for three months in November for an article on Bongo’s health. The government similarly suspended a correspondent with the French broadcaster RFI in August 2019 for questioning Bongo’s health. Separately, Landry Amiang Washington, an activist blogger arrested in 2016, remained in prison at the end of 2019.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?	3/4
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Although religious freedom is enshrined in the constitution and generally respected, some heterodox religious groups reportedly have difficulty obtaining registration from the government.

D3 0-4 pts

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

D4 0-4 pts

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

E1 0-4 pts

Is there freedom of assembly?	1/4
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Freedom of assembly is limited. In recent years the government has repeatedly denied permits for meetings and used tear gas and arrests to disperse unauthorized demonstrations. A 2017 law further limited the freedom to assemble, in part by making organizers responsible for offenses committed during a public gathering.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work?	1/4
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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 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?	1/4
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Workers are legally permitted to join unions, engage in collective bargaining, and strike, but the government has disrupted sit-ins and other labor activism in recent years, and has arrested participants.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?	0/4
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The courts are subordinate to the president. The judiciary is accountable to the Ministry of Justice, through which the president has the power to appoint and dismiss judges. Under the amended constitution, the country's highest judicial body, the Constitutional Court, is composed of three members appointed by the president, two by the National Assembly, one by the Senate, and three by the Superior Council of the Judiciary, which itself is headed by the president and justice minister. The 2018 constitution also created a new special court, the Court of Justice of the Republic, which alone has the authority to judge top executive and

judicial officials. It consists of seven members appointed by the Superior Council of the Judiciary and six members of Parliament. The Constitutional Court is headed by a longtime Bongo family ally.

In August 2019, a Libreville appellate court agreed to hear a lawsuit filed by civil society groups that would have required President Bongo to undergo a medical exam to determine his fitness for office. The government suspended the judge who made the ruling and blocked the proceedings.

F2 0-4 pts

Does due process prevail in civil and criminal matters?	1/4
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Legal safeguards against arbitrary arrest and detention are not upheld by police, and detainees are often denied access to lawyers. Lengthy pretrial detention is common. Cases of arbitrary arrests linked to opposition activism have reportedly increased since the 2016 election crisis. Several detained opposition figures have been denied due process.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?	1/4
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Prison conditions are harsh, and facilities are severely overcrowded, with limited access to proper medical care. Torture is outlawed by the constitution, but detainees and inmates continue to face physical abuse. Violent crime and ritual killings remain serious concerns in Gabon.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?	1/4
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The country's large population of noncitizen African immigrants is subject to harassment and extortion, including by police. Members of some minority groups 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+ people remains a problem. Those who live openly risk housing and employment discrimination.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

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. The government has imposed travel bans on opposition leaders in recent years.

G2 0-4 pts

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 0-4 pts

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. Abortion is a punishable crime under most circumstances. The minimum age for marriage is 15 for women and 18 for men. The civil code states that a wife must obey her husband as the head of household.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?

1/4

Wage standards and laws against forced labor are poorly 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.



On Gabon

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Country Facts

Global Freedom Score

22/100 Not Free

Other Years

2019

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