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By Dr. Stephanie M. Burchard

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President of Gabon Ali Bongo attends a roundtable event at an EU Africa summit in Abidjan, Ivory Coast on Wednesday, Nov. 29, 2017. (Source: AP Photo/Diomande Bie Blonde.)

LARGE-SCALE PROTESTS PERSIST IN TOGO

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Togo's President Faure Gnassingbé, center, during a group photo at an EU Africa summit in Abidjan, Ivory Coast, on Wednesday, November 29, 2017. (Source: AP Photo/Geert Vanden Wijngaert.)

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IDA's three federally-funded research and development centers provide objective analyses of national security issues and related national challenges, particularly those requiring scientific and technical expertise.

IDA's Africa team focuses on issues related to political, economic, and social stability and security on the continent.

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Gabonese Politics and the Bongo Family

Gabonese politics have been dominated by the Bongo family virtually since independence from France in 1960. Ali Bongo's father, Omar Bongo, ruled the oil-rich country from 1967 until his death in 2009. Bongo's son took over after a controversial and [violent](#) election in 2009.

Omar Bongo's [close relationship](#) with French interests reportedly allowed him to enrich himself and his family by selling oil to a French state-owned oil company at a reduced rate while sharing in the revenue. It is alleged that Gabonese state coffers received no more than 25 percent of the oil revenue because of this arrangement. While in office, the Bongos have amassed a fortune. They own [33 properties](#) in France alone, including a \$27 million villa.

After more than 50 years of near-dynastic control of the Gabonese state, many political elites have ties to the Bongo family. Former African Union commissioner and current opposition leader Jean Ping held a variety of ministerial posts under the elder Bongo. He also [fathered](#) two children with Pascaline Bongo, daughter of Omar Bongo and half-sister of Ali. Marie Madeleine Mborantso, who, as the head of the Constitutional Court, oversaw the proceedings validating Ali Bongo's 2016 election, is the [mother](#) of Ali Bongo's three half-siblings. She had a long-term relationship with Omar Bongo. (The French government is currently [investigating](#) Mborantso for financial impropriety and money laundering.)

President Ali Bongo won reelection in August 2016 by a narrow margin in an election observers claim was [flawed](#). Out of nearly 350,000 votes cast, only about [6,000](#) separated Bongo and his nearest rival, Ping. According to the official results, Bongo received 95 percent of the votes in his home constituency, with more than 99 percent turnout. The opposition protested the results, and Ping declared himself the winner, but the Constitutional Court ultimately [upheld](#) Bongo's victory. Violence broke out shortly after the election results were announced, primarily in Libreville, the capital, and Port Gentil, with protesters setting the National Assembly on [fire](#). Ping's party headquarters was [bombed](#), killing two. The opposition claims at least 50 people were killed by security forces in post-election violence. Government officials insist there were only three fatalities. More than 1,000 were arrested.

Reforming the Constitution

Periodic election-related demonstrations and arrests have taken place in the roughly 16 months since the poll. Some members of the opposition still refuse to recognize the results. In March 2017, President Bongo launched a two-month-long [national dialogue](#) to discuss political reform and social cohesion. The talks included representatives from around 50 political parties and more than 1,000 civil society groups. At the opening of the dialogue, Bongo described the post-election crisis as a "[family quarrel](#)." Ping and his supporters declined to participate. On May 26, the dialogue concluded with several [recommendations](#) in a report given to President Bongo. Presidential term limits, which the opposition had been advocating, were not among them.



President of Gabon Ali Bongo attends a roundtable event at an EU Africa summit in Abidjan, Ivory Coast on Wednesday, Nov. 29, 2017. (Source: AP Photo/Diomande Bie Blonde.)

The cabinet [approved](#) proposed changes to the constitution in late September 2017, and the National Assembly approved the changes in [December](#). The Senate approved its version in early January 2018. The full legislature approved a reconciled final version on January 10. The reforms will now be sent to the Constitutional Court for its assent.

The main [provisions](#) of the reforms relate to the presidency. Presidential elections will now require the winning candidate to receive more than 50 percent of the vote or face a second-round runoff. The runoff system was used for elections before reforms in 2003. In that year, while Omar Bongo was still president, the government reduced the threshold so that the winner needed only to receive a simple plurality of votes. In theory, this change will require the winning candidate to have broad appeal to reach the 50 percent-plus-one threshold. The opposition had been advocating for executive term limits, which were also scrapped in the 2003 reforms, but the new version allows the president to serve an unlimited number of seven-year terms. Polling data indicate that the vast majority of Gabonese would prefer term limits. A 2015 nationwide [survey](#) found that 92 percent agreed that the constitution should limit the president to serving a maximum of two terms in office, with 69 percent stating that they very strongly agreed with the adoption of term limits.

The changes also remove language in the constitution that states the president determines policy “in collaboration with the government.” Ministers and military commanders will now be subject to “obligations of loyalty and loyalty to the head of state,” which the opposition claims is akin to a loyalty oath. A new court to hear charges against government officials will be established. Because the president is assured immunity both while in office and after serving, it is unclear what jurisdiction over the president the court will have.

The opposition argues that the changes render Gabon a [functional monarchy](#), with power concentrated in the hands of the president. The vice president of the Senate, Jean-Christophe Owono Nguema, [fought](#) against the changes, claiming that it would establish [Bongo](#) as king.

Government Crackdown

While pursuing constitutional reform, the Gabonese government has also been cracking down on the opposition. Shortly after the approval of the constitutional reforms was announced, Ping was [legally barred](#) from leaving the country as he was attempting to board a flight to France. His testimony is reportedly required in a legal proceeding against another opposition leader, Pascal Eyougou. Ping was similarly prevented from leaving the country in [September 2017](#). On January 11, Gabonese civil society [launched](#) a “committee for the liberation of political prisoners.” The committee released a list of 29 people who it claims are being detained for political reasons. Violence against opposition members has also been [increasing](#) in recent months.

Conclusion

The process governing the constitutional revision has been [secretive](#). There has been no public debate of the changes and, while several drafts of the reforms have been circulated on social media, the full text became publicly available only after the changes were approved by the legislature in January. While constitutional reform was initially undertaken to appease the opposition, the manner in which the constitutional reforms were approved seems inimical to reconciliation. Many of the reforms approved also do not appear to reflect popular sentiment. As a result, the country appears no closer to ending its current crisis than it was before the national dialogue began.

Legislative elections are tentatively scheduled for April 2018. They were originally scheduled for December 2016 but have been postponed twice, once for “[financial](#)” reasons and once by the Constitutional Court to [allow](#) the reform process to conclude. Bongo’s party, which is not popular, could lose its majority in upcoming legislative elections. In 2015, only 16 percent of those [polled](#) identified with the ruling party, and almost 70 percent reported no party affiliation. Indeed, several of the reforms that are being enacted may be designed to protect an unpopular president from a legislature that he cannot control.

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Background

Togo is a [low-income country](#) located in West Africa with a population of 7.6 million. The country shares borders with Ghana on the west, Benin on the east, and Burkina Faso on the north. Faure was installed by the military after his father, Gnassingbé Eyadéma (known as Eyadéma), died in office in 2005. Eyadéma, a former soldier, took power in a bloody military coup in 1967. Regional and international actors deemed Faure's 2005 ascension unconstitutional, forcing him to step down and hold elections later in 2005. Although Faure won, the poll was disputed by the opposition and was [extremely violent](#), leaving 500 dead. The electoral crisis was resolved through a power-sharing agreement with the opposition that was facilitated by the European Union and the Economic Community of West African States (ECOWAS). In 2010 and 2015, Faure again won disputed but less violent elections. In total, Eyadéma and his son Faure have ruled Togo for over 50 years. The 1992 constitution included term limits, but Eyadéma removed this provision in 2002. Togo is the only country in the West African region without presidential term limits.

Widespread Deadly Protests and the Government's Response

As outlined in earlier [editions](#) of *Africa Watch*, Togo's opposition has a long history of splits and factionalism. But this latest protest movement appears to be bringing the various factions together. As noted above, the protests are being staged by a [coalition](#) of 14 political parties. Tikpi Atchadam, of the Panafrican National Party (PNP, *Parti National Panafricain*), is the driving force behind the protest movement. The PNP is a new party that was relatively unknown until the recent protests. Atchadam is from the [north](#) of the country, which has historically been a stronghold of the ruling party. Opposition stalwarts such as Jean-Pierre Fabre of the National Alliance for Change (ANC, *Alliance Nationale pour le Changement*) are also playing an active role in the movement. The coalition's [demands](#) include the return of term limits, which they want to apply retroactively, meaning that Faure would have to step down; a two-round voting system; and judicial reforms.

The government's response to the protests has been heavy handed. Sixteen have died, and scores have been injured and detained in clashes between demonstrators and security forces. Last October, the government [banned protests](#) during the week, having cut off [internet access](#) in September in an effort to stifle demonstrations. Both these measures were subsequently lifted. The opposition has complained about the government's harsh tactics—Ouro Akpo Tchagnaou, an ANC representative in Sokodé, Atchadam's hometown, [noted the brutality](#): "Uniformed men are conducting punitive expeditions in houses. They're hitting everything that moves."

Mediation Attempts

Faure and the UNIR government have offered some political concessions. In September 2017, they [proposed](#) reinstating term limits but only if the measure would not apply retroactively, meaning that Faure could run in 2020 and 2025. The opposition rejected this idea and walked out of parliament in protest. UNIR then announced that the question of term limits would be put to a referendum, but a date has not yet been set.



Togo's President Faure Gnassingbé, center, during a group photo at an EU Africa summit in Abidjan, Ivory Coast, on Wednesday, November 29, 2017. (Source: AP Photo/Geert Vanden Wijngaert.)

International and regional bodies have called for a mediated solution to the standoff. Last September, United Nations Secretary-General [António Guterres](#) called for “constructive dialogue.” A number of mediation efforts have been discussed since then, but none have been agreeable to all parties. A United Nations mediation was proposed, but the opposition rejected the suggested mediator. Because Faure is currently the chair of ECOWAS, the body has remained largely silent on the matter. The Togo situation was [not discussed](#) at an ECOWAS summit this past December. But a current effort under the auspices of President Nana Akufo-Addo of Ghana and President Alpha Condé of Guinea appears to be gaining steam. On January 14, Faure, of the ANC, [said](#) that an opposition delegation would go to Ghana and Guinea to discuss a mediated solution. Faure also has [pledged](#) to resolve the impasse through dialogue: “I have faith in our ability to transcend our differences to evolve the institutional and political framework, while preserving the social fabric. I remain convinced that the only outlet that allows us to find the way back to progress is dialogue.”

Conclusion

The current protest movement in Togo is the most organized and sustained to date. But Faure, at least at the moment, maintains the support of the military and, through his position as the current head of ECOWAS, has been able to avoid strong censure from Togo’s neighbors. While the situation on the ground remains fluid, it appears that some degree of political reform is possible in Togo. Term limits appear likely to be reinstated, either through a referendum (85 percent of Togolese [support](#) term limits) or a negotiated compromise. The question remains whether term limits will apply retroactively. In the interim, continued protests and low-level violence are likely to continue.

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