



JOINT AFRICAN UNION AND ECONOMIC COMMUNITY OF CENTRAL AFRICAN STATES ELECTORAL OBSERVATION MISSION FOR THE PRESIDENTIAL ELECTION IN THE REPUBLIC OF GABON – 27 AUGUST 2016

PRELIMINARY STATEMENT

I. INTRODUCTION

- 1- Following the decision of the Chairperson of the African Union Commission (AUC), **HE Dr. Nkosazana Dlamini ZUMA** and **HE Mr. Ahmad ALLAM-MI**, Secretary General of the Economic Community of Central African States (ECCAS), a joint AU-ECCAS mission was deployed for the presidential election held on August 27, 2016 in the Republic of Gabon.
- 2- The Joint Mission is led by **the Excellencies Mr. Cassam UTEEM**, former President of the Republic of Mauritius and **Mr. Abou MOUSSA**, former Special Representative of the UN Secretary General for Central Africa. It is composed of ambassadors accredited to the African Union in Addis Ababa, members of the Pan African Parliament, heads of electoral commissions, electoral experts and members of African civil society organisations.
- 3- The joint mission includes seventy-five (75) observers including twelve (12) long-term observers deployed since 7 August 2016. The observers come from thirty-two (32) African countries.¹
- 4- The evaluation of the election was based on the relevant provisions of the African Charter on Democracy, Elections and Governance (2012) the Declaration of the OAU / AU Principles Governing Democratic Elections in Africa (2002), the 2002 AU's Guidelines for

¹ Angola, Algérie, Benin, Burkina Faso, Burundi, Cameroun, Cape Verde, Congo, Comores Islands, Côte d'Ivoire, Ethiopia, Gambia, Guinea, Guinea Bissau, Equatorial Guinea, Libéria, Malawi, Mali, Mauritania, Niger, Nigeria, Central African Republic, Democratic Republic of Saharawi, Democratic Republic of Congo, Republic of Mauritius, Republic of Sao Tomé and Príncipe, Rwanda, Sénégal, Seychelles, Chad, Togo et Tunisia.

election observation and monitoring mission, the African Peer Review Mechanism, the Brazzaville Declaration of June 7, 2005 which extends the mandate of the General Secretariat of ECCAS on electoral issues as well as the existing legal framework for the organization of elections in the Republic of Gabon.

- 5- This statement presents the preliminary findings of the joint mission at the conclusion of the observation of the voting process and the counting of votes. The joint mission will continue to monitor the electoral process and a final report will be produced at the end of it.

II. OBJECTIVES AND METHODOLOGY OF THE MISSION

- 6- Pursuant to the mandate given to it by the AU instruments Governing Democratic Elections in Africa, the Joint Mission made an independent, professional and impartial observation of the election held on 27 August 2016 in the Gabonese Republic. To this end, it combined the long-term and short term observation.
- 7- In this context, the Joint Mission held meetings with key stakeholders in the electoral process, namely, government authorities (Ministry of Foreign Affairs, Ministry of Interior, Secretary General of the Presidency of the Republic), the Autonomous and Permanent National Electoral Commission (CENAP), some candidates running for president and the opposition coalition, the United Nations Regional Office in Central Africa (UNOCA), the diplomatic corps and the Delegation of the European Union. The mission also met with other international electoral observation missions present in Gabon (OIF, EU, NDI).
- 8- The Joint Mission plans to meet other stakeholders until its departure from the country.
- 9- Prior to the deployment, the Joint Mission organized an orientation session to familiarise its observers on the historical, political and legal framework for elections in the Gabonese Republic. On that occasion, observers discussed with representatives of civil society, the presidential majority and the opposition.
- 10- The Joint AU-ECCAS Mission deployed 26 teams in the 9 provinces of the Republic of Gabon. On election day, its teams visited 321 out of the 2,580 polling stations created for this election to accommodate the 628,124 voters.
- 11- Moreover, on 25 August 2016, the African Union submitted a pre-election statement that reports its observations and recommendations on the pre-electoral context in the Gabonese Republic.
- 12- The findings and preliminary observations of the Joint Mission are based on the findings and reports of observers deployed in the provinces on election day to observe the opening, conduct and the counting of votes.

III. PRELIMINARY FINDINGS AND OBSERVATIONS

A. Political context of the presidential election on August 27, 2016

- 13- With an area of 267,667 Km² and a population estimated in 2013 at 1.811 079 inhabitants,² the Gabonese Republic is a former French colony that gained independence on 17 August 1960, with Leon Mba as president..
- 14- In 1967, President Leon Mba died. He was replaced by Albert Bernard Bongo who later became Omar Bongo Ondimba. Since then, the country's political history is marked by the Bongo family. Upon his arrival in power, Bongo removed multiparty politics to establish a one-party state which was the Gabonese Democratic Party (PDG). Under the banner of the party-state, President Bongo presented a single candidate for 1973, 1979, 1986 elections which he won.
- 15- In 1990, under pressure from social demands and policies caused by the economic crisis and a conducive international political environment particularly following the La Baule speech, the Bongo regime agreed to hold a national conference in March-April. This led, among others, to the restoration of multiparty politics. Presidential elections were thus held in 1993, 1998, 2005, all won by the candidate Bongo amid systematic challenges by the opposition.
- 16- On 08 June 2009, President Omar BONGO ONDIMBA died after forty-two (42) years in power. According to the current Constitution, the power vacuum was opened and guaranteed by the President of the Senate, Mrs. Rose Francine Rogombe.
- 17- After a period of vicissitudes, the first post Bongo presidential election was held on 30 August 2009 in which eighteen (18) candidates introduced themselves including Ali Bongo Ondimba, the son of the late President and defense minister who emerged as the winner with 41.79% of votes.
- 18- Once again, the opposition contested the results, denouncing widespread irregularities. These challenges led to questioning of the opposition relating to the nationality of Ali Bongo Ondimba emerging from suspicion about his parentage.
- 19- The political debate on the nationality and eligibility of the incumbent was rekindled at the approach of the presidential election of 27 August 2016. Contesting the birth certificate, the opposition, led mainly by defectors from the PDG, applied to the Constitutional court for the invalidation of his candidacy. Without evidence, the Court declared the appeal inadmissible.
- 20- Following the decision of the Constitutional Court to validate the candidacy of Ali Bongo Ondimba, part of the opposition united around the candidate Jean Ping. Many candidates withdrew and to his benefit, among which were Casimir Oye Mba, Guy Nzouba Ndama, Roland Desire Aba'a Minko and Leon Paul Ngoulakia.

² 2013 general census in Gabon

21- It is in this political context particularly marked by the challenge of the legitimacy of the candidacy of the incumbent president that the presidential elections were held on 27 August 2016. In light of speeches made by all, including the opposition, the Mission believes that without the political actors being in control, the post-election period could be troublesome. There are fears of risks of violence.

B. Legal framework for the 2016 elections

22- The Constitution of the Republic of Gabon which was adopted on 26 March 1991 constitutes the basic legal text in electoral matters. Alongside this fundamental law which stipulates the great principles of political and electoral law in the Gabonese Republic, the election of the President of the Republic is based primarily on the following:

- Act No. 07/96 of 12 March 1996 laying down common provisions for all political elections. This has seen to date, fourteen (14) changes and the last dating 22 July 2013;
- Act No. 10/96 of 15 April 1996 on the eligibility requirements of the President of the Republic (No. 16/98 amended by Ordinance of August 14, 1998);
- Act No. 16/96 of 15 April 1996 on special provisions for the election of the President of the Republic (No. 18/98 amended by Ordinance of 14 August 1998 and the Act No 13/2003 of 19 August 2003 and No 011/2004 of 6 January 2005);
- Act No. 16/2011 of 14 February 2012 amending Law No. 24/96 of 6 June 1996 on political parties.

23- In terms of the regulations, various decrees and orders also cover the general aspects in all political elections. Other regulatory texts specifically apply to the election of the President of the Republic.

24- In view of their content, human rights and political freedoms are enshrined in these instruments. If the Constitution lays down the principle of freedom in the creation and exercise of political parties or groups, it also guarantees the freedom of the press and the right of every person to freely disseminate their opinions³.

25- In terms of the organization of the electoral framework, the Constitution establishes the universal, secret and equal suffrage. It recognizes in its Article 4 the right to vote of all Gabonese of both sexes aged eighteen (18) years of age and above and enjoying their civil and political rights. For its part, the law applicable to all political elections in Gabon incorporates the principles of universality, equality, freedom and secrecy of the vote. It recognises the conditions of preparation, conduct of various elections and the skills of each stakeholder.

26- The Law on Political Parties also provides for public funding of political parties' activities. These include state subsidies, under Article 52, the annual operating grants and those of election campaign.

³ Articles 1, 2 and 13

27- The Joint Mission believes that the point of view of the formal consecration of Rights and Freedoms, the constitutional and legal framework of the Gabonese Republic meets the principles promoted in the relevant instruments on human rights and democratic governance. However, in the field, players of the opposition and civil society have denounced a climate of administrative restriction of civil liberties, including the right to protest, and a wave of arrests of activists or sympathizers of their camp.

C. The electoral system

28- The President of the Gabonese Republic is the Head of State. As such, he ensures the smooth functioning of public authorities and ensures the continuity of the State. In consultation with the Government, he determines the policy of the nation that leads the government and is the executive power that he shares with the Prime Minister.⁴ The President of the Republic is assisted by a Vice President that appoints and he shall terminate the duties pursuant to Article 14a of the Constitution. Selected in Parliament or outside, he exerts a substitute function⁵ of the Prime Minister, the President appoints members of the Government and terminates their functions.

29- The President of the Republic, as described in his powers, is elected, since the reform of 19 October 2002 for seven years by direct suffrage. The number of mandates is unlimited and his election is acquired through one round to the candidate with the highest number of votes (relative majority).⁶ Article 3 of Act No. 16/96 of 15 April 1996 on special provisions for the election of the President of the Republic dedicated, since its amendment in January 2005, the single round.

30- The Mission noted, during the meetings with some stakeholders that the non-limitation of the office of the President of the Republic is a source of tension in the domestic political game.

31- Article 34 of the 1996 that provisions common dispositions to all elections states that for "the presidential election or referendum, the electoral district is the national territory to which the diplomatic and consular missions and representations abroad can be added." It opens the possibility for the Gabonese abroad to vote according to the agreed administrative specifications.

32- For its part, Article 68 refers, in terms of arrangements for the ballot adopted by the Election Commission, to a decree of the Council of Ministers on proposal of the Minister of Home Affairs. Article 79 stipulates in Paragraph 5 that the number of ballots must be the same for all candidates.

D. Electoral Administration

⁴ Article 8 of the Constitution

⁵ Article 14(b) of the Constitution

⁶ Article 9 of the Constitution

33- Act No. 07/96 of 12 March 1996 laying down common provisions for all political elections organizes the preparation and conduct of elections in the Republic of Gabon. Under Article 7 of the latter, in fact, these missions "respectively incumbent on the Administration, under the authority of the Minister of Interior, and the Autonomous and Permanent National Electoral Commission (CENAP)"

34- Article 8 of the common law provides that the Authority is custodian of the electoral register. As such, its responsibilities include::

- The updating of the electoral roll;
- The establishment of electoral lists and distribution of voter cards, with the participation of representatives of the Autonomous and Permanent National Electoral Commission;
- The distribution of election materials necessary for the organization of elections in collaboration with the Autonomous National Electoral Commission and Permanent;

It is also responsible for:

- Determining the centres and polling stations;
- Transmission of the electoral list and addition tables, the list of centres and polling stations CENAP and the Constitutional Court, after their establishment;
- The establishment of a program and conducting a civic education campaign for the citizens;
- The announcement of the election results at the invitation of President of the CENAP;
- Control of election materials available to the Election Commission.

35- For its part, Article 10 of the common law of 1996 gives the CENAP the mission of "organization and administration of every political referendum and election." In the organization of elections, the electoral law provides that CENAP ensures that about permanent assignments covering:

- The appointment of its representatives in the administrative committees for the registration of electoral lists and review them;
- Verification of the list of polling stations, the general list of each municipality, each department, each province after the annual operations;
- The necessary corrections to be made to electoral rolls;
- The training of elections officials;
- Participation in meetings between the administration and the political parties;
- Archiving of all election documents;
- Regular information to the public about its activities and decisions.

36- Non-permanent missions of the CENAP under the voting administration are on the other hand listed in Article 14a. These include:

- To receive and consider the records of candidates for presidential, parliamentary, senatorial, municipal and county elections and establish the ballots and the minutes of forms;

- Ensure the smooth conduct of the campaign and bring in, if necessary, the relevant bodies;
- Oversee the voting;
- To organize the collection and transmission of the minutes of the polling stations results from centralized locations;
- Perform the counting of votes;
- Centralize election results for their announcement by the Minister of Home Affairs

37- Despite the fact that the establishment of a permanent electoral administration capable of ensuring the continuity of electoral services and the preservation of some institutional memory is welcomed, the stakeholders whom the mission met with denounced a division of competences clearly leaving a glimpse of domination from the Administration on CENAP, essentially, in the margin or side lined substantial operations in planning and execution of electoral operations.

38- From the perspective of its structure and composition, the CENAP includes a Bureau which is the central structure and local branches. The Bureau is appointed for a term of thirty (30) months. It is composed of:

- A (01) President chosen by the Constitutional Court;
- Two (02) selected vice presidents, respectively, for the majority in power and the opposition parties
- A(01) General Rapporteur appointed by the Minister of the Home Affairs;
- Two (02) rapporteurs after the key applied for the Vice-Presidents;
- Two (02) quaestors appointed following the key applied for the Vice-Presidents

39- The interlocutors of the mission stressed an imbalance of law and fact in the composition of the Bureau for the benefit of the majority in power. This disparity is accentuated during elections with the appointment, in the plenary and under Article 12a of the common law, representatives of parties and candidates involved and the technical ministries such as that of the Home Affairs, Defence, Communication, Education, Budget, Economy, Justice and Foreign Affairs (if presidential elections).

E. Registration of Electors

40- The law common to all political elections provides in Article 8 that the Administration is the repository of the electoral register. As such, it is responsible for establishing its permanent update and the distribution of voter cards. Under Article 37 of the Act and in anticipation of the election of August 27, 2016, a voter registration process was held in Gabon and abroad through hundred and fifty-seven (157) commissions enrolled in the national territory and thirty-three (33) consular commissions. This operation took place from 18 January to 02 March 2016. It came after the annual review conducted from 29 October to 13 December 2015.

41- The registration on the voters list is open, under Article 48 of the law common to all Gabonese citizens of both sexes provided they meet the following conditions:

- Above eighteen (18) years;
- Enjoy civil and political rights;

42- It should, moreover, be noted that the discrepancies set forth in Articles 26, 27 and 28 of the Act. After the operation, an electoral body comprising 628,124 voters was formed.

43- While welcoming the efforts made by the Gabonese authorities for the institution and conduct of a biometric registration of every citizen, the Joint Mission wishes to highlight the success of such an operation. Despite the resolution of the challenges caused by non-systematic statements from the administration handling the deceased and some concerned citizens not in possession of administrative documents required for registration, it regrets that the Advanced Biometric list was not achieved through a biometric use of the list and the voting card in the election on 27 August.

F. Registration of candidates and conduct of election campaign

44- Article 4, Paragraph 3 of the Constitution states that all Gabonese of both sexes, who possess civil and political rights are eligible, as provided by the Constitution and by law,

45- For its part, Article 10 of the basic text, referring to these conditions with regard to the election of President of the Republic stressed that all Gabonese for both sexes enjoying their civil and political rights, elderly forty (40) years of age and residing in Gabon for twelve (12) months at least are eligible. He adds, in its Section 3, that any person who acquired nationality cannot be a candidate for the Presidency of the Republic. Only his offspring having resided continuously in the Gabon is from the fourth generation.⁷

46- Article 11 of the Act of 15 April 1996 on special provisions for the election of the President of the Republic lays down the conditions of the nomination was received and reviewed by the CENAP. This makes the list of candidates thirty (30) days before the election public. Once made public, the candidates can seek a remedy from the Constitutional Court on a candidate if entered within seventy-two (72) hours. It rules within five (05) days of referral.

47- Under the law, Decree No. 346 / PR / MIDSHP of 7 June 2016 fixing the deadline for the submission of nomination papers for election of the President of the Republic was taken. This was fixed to 12 July 2016 at 18 hours. At the end of the nomination period, the CENAP made public on 15 July 2016, an official list of fourteen (14) candidates out of nineteen

⁷ Please see articles 2 and 3 relating to the eligibility of the candidate

(19).⁸ Three of the main opposition⁹ candidates had applied to the Court 18 July 2016 in order to invalidate the candidacy of the outgoing President, whom they accuse of ineligibility due to his parentage. In its decision dated 25 July, the Court declared the appeal "inadmissible".

48- Two opposition candidates, Guy Ndama Nzouba and Casimir Oye Mba, withdrew for the candidate Jean Ping August 17, 2016, designating him as the "single opposition candidate." On 20 August 2016, Léon-Paul Ngoulakia, withdrew in turn in favor of Mr. Jean Ping followed on August 25 by Roland Desire Aba'a. This narrowed the total number of candidates to ten (10).

49- Despite the debate on the eligibility of the outgoing President and despite the tension created by the debate on the ineligibility of the outgoing president, the Mission notes with satisfaction that the open election of 13 to 26 August 2016 to 24 hours took place overall peacefully across the country. It was however marked by great inequality in resource commitment by the various candidates.

G. Media

50- Regarding the principles and fundamental rights, the Gabonese Constitution guarantees freedom of expression and communication in its Articles 1 and 2. It states in its Article 94 that the audiovisual and written communication is free in the Gabonese Republic, subject to respect for public order, freedom and dignity of citizens.

51- In practice the area of print and broadcast media in Gabon lies under the aegis of the Ministry of Communication, Post and Digital Economy ministerial and National Communication Council (CNC).

52- The Ministry ensures the implementation of Government policy in this area. As such, it ensures the promotion of the image of the country, issuing technical approvals for use of frequencies to private companies of radio and television sets and the technical conditions for use of those frequencies. The CNC for its part, shall, see to it inter alia:

- Respect of democracy and press freedom throughout the territory;
- Free access of citizens to free communication;
- Protection of childhood and adolescence in programming broadcast by public and private companies in the audiovisual communication;

⁸ Roland Désiré Aba'a Minko, Pierre Claver Maganga Moussavou, Jean Ping, Guy Ndama Nzouba, Ali Bongo Odimba, Léon Paul Ngoulakia, Raymond Ndong Sima, Casimir Oyé Mba, Dieudonné Minlama Mintogo, Bruno Ben Moubamba, Augustin Moussavou King, Abel Mbombe Nzondou, Gérard Elaa Nguema, Paul Mba Abessole

⁹ He is the former President of the African Union Commission Jean Ping, the former president of the National Assembly Guy Nzouba Ndama and former Minister Pierre-Claver Maganga Moussavou

- Respect the dignity and human rights through information and communication organs.

53- The duties of the CNC are particularly focused on the election periods. It ensures indeed that the rules regarding the conditions of production, programming and broadcasting of programs on election campaigns.¹⁰ In case of violation of law by the parties, the CNC may make public or take appropriate sanctions observations.¹¹

54- Article 2 of Decree No. 001310 / PR / MCPTNTI regulating the access of candidates and political parties to the public media during elections stipulates that they have equal access to public media in particular to encourage the exercise of pluralism of opinion and participation in debates on issues of national interest. This Decree establishes the principle of allocation of airtime for all stakeholders.

55- Despite this provision, the Mission observed an imbalance in coverage by public media campaign activities of certain candidates over others and that, in violation of Article 12 of Act No 16/96 of 15 April 1996 on special provisions for the election of the President of the Republic. This breach of equality in the treatment reached its climax before the period of the election campaign through the diffusion of the republican visits of the head of state throughout the days. These have been the pretext for him to anticipate the campaign activities and take a lead over his competitors.

H. Civil society and election observation

56- Civil society should play a key role in monitoring the electoral process. Its members have mastered the field and better understand the actors. It should therefore be the backbone of the local election observation to ensure the presence and citizens followed at all levels of the unfolding of the electoral process.

57- During discussions with the Gabonese civil society, the Mission was able to note a genuine desire on the part of the latter to take an essential part in the ongoing electoral process through voter education and observation of all phases of the process. It should be noted that the requirements of the CENAP for the accreditation of national organizations to observe the elections excluded them de facto.

58- The Mission remains concerned that all stakeholders met stressed the partiality of civil society which is strongly biased towards the image that the national politics project; some leaders and the organizations they represent are taxed to serve political interests.

59- The Mission believes it is most urgent that the Gabonese civil society moves away from political squabbles and assumes its role of mediator and defender of society.

¹⁰ Article 95 of the Constitution

¹¹ Article 96 of the Constitution

I. Voter Education

- 60- The common law of 1996 in political elections in the Gabonese Republic confers on the Administration, in Article 8, the main responsibility of establishing a program of civic education of citizens and to lead the campaign. For its part, Article 14 of the Act gives the CENAP the obligation to inform and educate voters about the voting process.
- 61- The Mission observed that the national institutions in charge of managing the electoral process have used audio-visual media and public to the press. These bodies regularly conveyed messages inviting citizens to go check voter lists posted in polling centres and to withdraw their voter cards. They constantly informed voters about the voting procedures.
- 62- The CENAP, meanwhile, has developed a "Voter's Guide" to provide the necessary information to the voters for their full participation in the ballot of August 27, 2016.
- 63- The Mission regrets, however, that awareness and information mechanism of voters did not include all the other stakeholders, particularly civil society organizations, to be able to carry the message to the nooks and corners of the country, by virtue of their nature and coverage the territory.

J. Participation of women, youth and persons with disabilities

- 64- The Mission noted that despite no legal provision provides for the promotion of political participation of women, people with disabilities and youth, the Mission found, however, that many of them are on the list election and actively participated in the activities of political parties.
- 65- It welcomes, particularly the presence of women on election day and their presence in offices as election officers, witnesses of candidates and election observers. The Mission encourages the sense of taking part more and more in the electoral process in Gabon.

IV. OBSERVATION OF VOTING DAY

A. Opening and establishment of polling stations

- 66- Section 82 of the Electoral Act prescribes the opening of voting to seven (7) hours. In most polling stations visited by the members of the Joint Mission, the voting started with a delay of up to thirty (30) minutes to more than two (02) hours. The causes of the late start were mainly due to the delay in the construction of facilities to cast the vote and the absence of an election officer at the time of opening. In rare cases, the delay caused by the late delivery of election materials.

67- Pursuant to Article 75 of the electoral law, all visited polling stations were located in public buildings, including schools, and were easily accessible to voters. In some cases, observers noted a change of location of polling centres and causing difficulties for voters to meet.

B. Election Materials

68- The Joint Mission noted that the election materials were deployed at polling stations in sufficient quantities throughout the polling day. However, it was observed that there was a delay in the delivery of equipment in many of the polling stations. This led to the late start of voting in these offices.

69- Observers have expressed major reservations about the indelible ink used to mark the fingers of voters. They also noted that in some localities ballots of the candidates who withdrew have not been removed thus creating confusion among the stakeholders on the election day.

C. Election officers

70- Under Article 76 of the common law, the direction of the ballot is ensured by a bureau consisting of a president, two vice presidents and two assessors. This office is assisted by a secretary appointed forthwith a majority of its members.

71- In the polling stations visited, the Joint Mission noted the presence of six (6) members to conduct the poll. In rare cases, however, this was reduced to five (5) or three (3) staff members.

72- In the conduct of operations, the Joint Mission noted that the electoral staff interacted well with both voters and candidate representatives and observers. In many cases, the electoral staff refused access to observers deployed in operations in violation of the law, international standards and best practices in election observation.

73- However, in several polling stations visited by the Mission, electoral staff was not sufficiently informed of the procedures for opening and closing the vote. The mission statement and trial and error that followed dramatically slowed the operations of opening, voting and counting.

D. Voting Procedures

74- The members of the polling stations have complied to the prescribed voting procedure by the electoral law. Access to the booth was subject to the presentation of the voter card accompanied by the identity card or passport or a certified copy of the birth certificate or the judicial ruling regarding rural voters zones. Verifying the identity of the voter in terms of the electoral list was systematic and prior to delivery of the ballots in accordance with

the requirements of Articles 54 and 92 of the common electoral law. After the vote, the finger of the voter was automatically marked with indelible ink.

75- Overall, the voting and counting operations took place calmly and in serenity. No major violence was observed or brought to the attention of the Mission.

E. Secret ballot

76- Pursuant to Article 95 of the Electoral Code of the common law, all polling stations were equipped with a booth to guarantee the secrecy of the vote. The voting booths were adequate so that voters could make their choice away from the intrusion of those present in the office.

77- The layout of the booths did not however allow for easy manipulation of ballots by voters.

F. Delegates of candidates

78- Under Article 90 of the Electoral Code, a candidate has the right to be represented in the polls by a duly authorized representative to follow the operations of voting and counting. On the ground, the members of the Joint Mission noted the presence of representatives of candidates in most polls. The most commonly represented candidates were Ali Bongo and Jean Ping.

79- If the representatives of the candidates remained until the end of the counting process, the Mission found that all did not seem to understand the importance of their mission. Given the importance of their role in the conduct of elections, the Mission believes that candidates benefit from exercising diligence in choosing their representatives in the polling stations and ensure their training.

G. Security

80- The Mission states that wherever its members went, there was a strong presence of security forces. These were visible in the polling centres and the entry of most polling stations. Overall, the security forces were discrete. In some cases, however, the Mission noted an intrusive and pervasive presence by the security forces.

H. Voter Turnout

81- If the voter mobilization appeared timid in the early hours of voting, the Mission noted a net inflow of these at midday. Long lines were observed at most polling stations.

I. Participation of women

82- The Mission noted significant mobilization of women in the queues at the entrance of the polling stations. As members of polling stations, women accounted for a small percentage of the staff in the offices visited by the Mission. They were not more in the ranks as candidates' representatives (agents). The Mission regrets the lack of women on the list of candidates for the presidential election.

J. Closing and counting of votes

83- Due to the late start of voting in almost all polling stations, the closure of voting took place with a delay of between thirty (30) and two (02) hours. Counting operations were conducted without interruption in accordance with Articles 103, 104 and 105 of the Electoral Code. They were held under the supervision of representatives of the candidates and in the presence of voters. All operations were conducted in a peaceful and conducive atmosphere. No argument was raised by the Mission throughout the recount. It should be noted that the observers from the Joint Mission were sometimes denied access to polling stations during counting.

K. Management of records/Minutes

84- Pursuant to section 108 of the Electoral Code, the members of polling stations conducted the drafting of the result sheets of elections operations as required by law immediately after the end of the count. The Mission notes that copies duly signed by the assessors, the vice presidents and the president of the polling station were presented to the delegates of the candidates. As the law does not provide for it, the results have not been displayed in front of the polling stations. Furthermore, the results of each polling station were made public by the President to the attention of people attending the recount.

L. The compilation of results

85- The Mission regrets that its observers were not allowed in the open compilations centres to centralize the results of polling. The Mission recalls that observation, be it national or international, increases the credibility and pacification of the population during the electoral process. This practice contravenes international standards and good practices.

86- However, at the headquarters of the fourth district of Libreville, there was a rare case where the Mission was able to access the compilation at about 23 30 pm on election day, it was observed that the latter was done manually by a reduced number of persons (roughly 7).

Conclusion and Recommendations

A. Conclusion

1. The presidential election of 27 August 2016, considering the stakes and its inclusive and competitive nature, is a significant political breakthrough in the Gabonese Republic.
2. This election, in light of the observed mobilization, allowed the Gabonese people to participate effectively in the process of selecting their President of the Republic.
3. The Joint Mission welcomes the fact that, despite the obvious tensions, the election was generally held in a peaceful climate. It counts on the high sense of responsibility of all those involved in bringing and respecting the choice of the Gabonese people as expressed at the polls August 27, 2016.
4. The Joint Mission urges political actors and their supporters to resort to legal channels in case of any disagreement. It finally congratulates the people of Gabon for their involvement in the success of the electoral process. It thanked the political and administrative authorities, the CENAP and all other stakeholders in the electoral process for the arrangements made to facilitate its work.
5. In light of the observations made in polling stations visited in the country, the joint mission notes that in general, the poll of 27 August took place in calm, peace and stability.

The joint mission would however make the following recommendations:

B. Recommendations

To the Government

- Continue dialogue with the different actors of the national political landscape towards the strengthening of democracy and democratic institutions in the Republic of Gabon;
- Promote the establishment of an independent electoral institution with the primary and sole responsibility of overseeing all phases of the electoral process;
- Take positive measures to encourage and strengthen the participation of women in all levels of the political and administrative life of the country;
- Promote the adoption of a uniform legal text governing all relevant aspects of the electoral process;
- Promote the reform of the electoral law in view of establishing the use of a single ballot for all elections in the Gabonese Republic.

To the Election Administration

- Communicate more with politicians and other stakeholders in order to clear up misunderstandings and create a climate of confidence necessary for the peaceful conduct of the electoral process;
- Insist on strengthening the capacity of electoral staff at all stages of the vote;
- Improve the identification of polling stations in order to avoid confusion among voters;
- Display systematically the polling lists of voters expected to vote there;

- Ensure a balance in the distribution of voters in the same polling centre;
- Institutionalise biometric voter cards and provide polling stations with biometric equipment for the identification of voters;
- Set up civic and voter education especially in rural areas by involving civil society;
- Improve the participation of women as members of polling stations;

To political parties

- Preserve the current climate of peace by avoiding inflammatory speeches or acts of defiance in the spirit of conciliation;
- Integrate and fully ensure in their political strategies the proper training of their representatives in the polling stations (DROs);
- Encourage the representation of women in political party leadership bodies and improve their participation as party representatives;

To civil society

- Contribute to the sensitisation and the civic education of citizens throughout the country;
- Participate actively in a neutral and impartial manner in national matters in general and in electoral processes in particular.

**His Excellency Mr Cassam UTEEM,
Head of Mission**