



**AFRICAN UNION ELECTION OBSERVATION MISSION TO THE LEGISLATIVE
ELECTIONS IN THE GABONESE REPUBLIC**

PRELIMINARY STATEMENT

**ON THE OBSERVATION OF THE 2nd ROUND OF LEGISLATIVE ELECTIONS ON 27
OCTOBER 2018**

INTRODUCTION

1. Following the first round of legislative elections and the local elections held on 6 October 2018, Gabonese returned to the polls on 27 October 2018, to elect their members of the National Assembly in constituencies which had a runoff. In the Canton of Ellelem, Woleu Division, Woleu Ntem Province where voting was interrupted last time, voting took place there for the first round of legislative elections and in the case of a runoff, this will take place on 10 November 2018.
2. The results of the first round of legislative elections announced by the Gabonese Center for Elections (CGE) revealed the dominance of the Gabonese Democratic Party (PDG) and its allies. From the 143 seats 85 were won in the first round: the PDG and its allies (the Majority) won 74 and 6 seats respectively; the party 'Les Democratres' (opposition) won 3 seats and 2 independent candidates also won seats. Another salient fact about the first round was the defeat of some opposition leaders. It is within this context that second round of voting took place.
3. In applying the relevant instruments of the African Union (AU), the President of the Commission, His Excellency Moussa Faki Mahamat, deployed for the second time, the same short term election observation mission which observed the first round. The African Union Election Observation Mission was led by Her Excellency Madame Monique Ngaralbaye, former Minister of the Republic of Chad. The Mission comprised 30 Observers drawn from 15 member states and consisted of Pan-African Parliamentarians, Ambassadors accredited with the African Union at Addis Abeba, members from Election Management Bodies and African Civil Societies.
4. Same as during the first round of the elections, the objective of the Mission was to conduct an independent and impartial assessment of these elections. Prior to

and after being deployment to the different provinces, on 25 October 2018, the members of the Mission met with administrative authorities and those in charge of election matters. They also interacted with certain actors of the civil society and observed campaign activities of candidates on the last days in the different constituencies with seats in contest.

5. The AUEOM teams were deployed to all eight provinces where seats were in contest which were: Estuaire, Haut Ogooué, Moyen Ogooué, Ngounié, Nyanga, Ogooué Lolo, Ogooué Maritime and Woleu Ntem. The teams observed opening and counting operations in thirteen (13) polling stations and voting processes in one hundred and six (106) polling stations.
6. The role of the Mission was to, on the one hand observe the electoral processes in order to produce an impartial report on them and on the other hand, carry out an objective evaluation in line with international standards for democratic, free and transparent elections in respect of the Gabonese legal framework and international instruments ratified by the Gabonese Republic.
7. The present Preliminary Statement which is limited to observation done during the last days of the election campaign and voting processes in the constituencies with seats in contest; comes before the proclamation of the provisional results and the end of the process. A detailed and comprehensive result on the entire process will be sent to the different stakeholders in the electoral process and published on the website of the AU, two months after the proclamation of the final results.

I – FINDINGS AND OBSERVATIONS BETWEEN THE TWO ROUNDS OF VOTING

A – Election Campaigns and Political alliances or coalitions

8. Since the start of the election campaigns for the second round, on 13 October 2018, candidates contesting for seats were free to conduct their campaigns in their respective constituencies, to contact their voters through proximity meetings or door –to- door encounters. The Mission noted that the campaigning went on without any major incident.
9. The Mission also noted that several candidates formed alliances with candidates who failed to qualify for the second round. This strategy was profitable to candidates of the Majority; conversely, the absence of strong alliances within the opposition parties could explain their poor results. The Mission equally noted that some candidates withdrew during the second round.

10. The Mission notes with satisfaction, the calm and serenity which reigned all through this period.

B – Election Disputes

11. In line with the laws in force, petitions on alleged irregularities in the elections should be filed at the registry of the Constitutional Court within ten (10) days following the announcement of the provisional results by the CGE. The court has two months to adjudicate on the petitions. This timeframe covers the period for the deposit of petitions for the first and second rounds. It justifies why at this moment, the Mission is not in possession of statistics on the total number of petitions filed.
12. The Mission also noted that, the Law applicable to all Political Elections as revised on 26 January 2018 expanded the scope of irregularities which could call for the cancellation of election results. These will henceforth include fraud on the results, corruption of voters, participation of administrative authorities in election propaganda and the distribution of sums of money to voters. Despite these reforms, the Mission found that several candidates notably from the opposition criticised the imposition of fees for election petitions which they consider excessive and even dissuasive.

II – ELECTION DAY FINDINGS

A – Opening

13. The members of the Mission observed the opening procedures in thirteen (13) polling stations in eight (8) provinces concerned with the second round. Ten (10) of the polling stations were located in urban areas while three (03) were in rural milieus.
14. In about 38% of the polling stations visited, opening was on time while over 46% opened late. This lateness which ranged from 30 minutes to One (1) hour was due in part to the late arrival of election personnel and election material and also to unforeseen circumstances such as the lack of keys to open the door of the polling station.
15. Meanwhile, some polling stations opened ahead of time. This was the case of polling station N° 2 of the Ecole Publique Martine OULABOU A and polling station N° 1 of Ecole Publique Martine OULABOU B, in Libreville where voting began ahead of time and with the absence of electoral personnel representing the opposition.

16. The personnel of these polling stations affirmed to have opened earlier on the instructions of the chief of centre.
17. In 30% of the polling stations visited, undistributed voter cards were not available and 15% of ballot boxes were not sealed.
18. The environment outside all the polling stations visited was calm and no campaign materials or activities were observed.
19. The presence of security personnel was visible in most of the polling centres visited and their presence was discrete and professional.
20. Few queues were observed at the entrance to some polling stations though the general trend was the lack of enthusiasm in the voters.
21. In most of the polling stations visited, the election materials were available and in sufficient quantities. However, lateness in the distribution of election materials and the time used to authenticate ballot papers had a negative impact on the opening phase in some polling stations.

B. Voting Operations.

22. Of the 106 polling stations visited, 68 were located in the urban milieus and 38 in the rural areas. The five members of the polling stations as prescribed by the law were present in most of the polling stations visited. Amongst these members 30% were female.
23. In all polling stations visited, ballot boxes were placed in a manner which was open and visible to the public.
24. The verification of fingers for indelible ink before the issuing of ballot papers to voters was not systematic. All voters were however obliged to present identification documents (voter cards, national identity card or passport) in order to vote.
25. In the urban milieu, the undistributed voter cards were available in almost all the polling stations visited. This was not the case in the rural milieus where observers noted the absence of these cards in several polling stations.
26. The Mission noted an increase in the number of powers of attorneys used during the second round of voting as compared to the first.

27. Observers also noted that certain polling stations were not easily accessible to elderly persons, pregnant women and persons with disabilities. However, in the case of need during voting, assistance was offered to persons who requested for. This was done either by persons of their choice or by electoral personnel.
28. In all polling stations visited, the secrecy of the vote was guaranteed and procedures went on uninterrupted in almost all of the polling stations.
29. The Mission remarked the active and effective presence of the representatives of the two candidates in the polling stations and 30% of them were female.
30. In all the centers visited, observers noted the visible presence of security agents who distinguished themselves through their discretion and displayed professionalism even amidst tense situations.
31. Comparatively, observers noted improvement in the mastery of procedures by the electoral personnel, during the second round of voting.

C. Closing and Counting

32. The time of close of polls was respected by 70% of the polling stations visited. The delay in the other 30% ranged from 15 to 30 minutes. No queues were observed outside polling stations at the time of closing.
33. The Mission noted that there was insufficient lighting in some polling stations during the counting and this obliged polling officials to resort to other inadequate means of lighting.
34. The counting procedures were generally respected in most of the polling stations. However, in some of the polling stations visited, the content of the waste pocket of the envelope was neither counted nor verified before considering the validity of the vote.
35. In almost all the polling stations visited, the number of envelopes in the ballot boxes corresponded to the number of signatures in the electoral register. Also, no report was received of ballot papers not carrying the required authenticating signatures as required. The Mission however noted some irregularities in the polling stations cited above where the number of envelopes in the ballot box did not correspond to the number of signatures which figured on the electoral list.
36. In all the polling stations visited, the result sheets were signed by the president and assessors who in turn received copies of the results sheets. Results were posted in most of the polling stations.

37. The counting procedures were generally mastered by the polling officials.

CONCLUSION

38. As was the case with the first round of the election, turnout remained low. Turnout was more in the rural areas compared to the urban. Notwithstanding the lateness in the opening of some polling stations, the organisation of the election generally witnessed some improvement which deserves to be built on.

39. These National Assembly elections lay the foundation for the senatorial elections to come and their completion will close the electoral cycle started in August 2016.

RECOMMENDATIONS

At the end of its observation, the AUEOM recommends:

To the Government:

- To ensure that the Ministry of Interior takes the necessary steps to guarantee the proper execution of electoral operations, in particular, the distribution of election materials within reasonable timeframes;
- To ensure proper sensitization of voters to guarantee their participation in elections;
- To make available to the CGE, and timely, the means needed, to better carry out its missions;
- To consider the possibility of accrediting national observers.

To the CGE:

- To organise training sessions for electoral personnel in order to improve upon their competence and mastery of voting and counting procedures;
- To take measures aimed at ensuring the availability and motivation of electoral personnel;
- To provide the electoral personnel with distinctive attires to facilitate their identification;

- To ensure that polling stations have adequate lighting systems for counting to take place under convenient conditions.

To Political Parties and Candidates:

- To resort to legal means in order to contest the results of the election;
- To ensure the training of their representatives to enhance the performance of their role.

To Civil Society:

- To step-up the sensitization of the population in order to encourage their massive participation in electoral processes.

The Mission renews its thanks to Gabonese authorities and people for their warm welcome and hospitality offered during its stay in the country.

Done in Libreville, on 29 October 2018

For the Mission

Her Excellency Madam Monique Ngaralbaye