

**Peace Agreement Access Tool PA-X <https://pax.peaceagreements.org/>**

**Country/  
entity** Gabon

**Region** Africa (excl MENA)

**Agreement  
name** Accord de Paris

**Date** 7 Oct 1994

**Agreement  
status** Multiparty signed/agreed

**Interim  
arrangement** Yes

**Agreement/  
conflict level** Intrastate/intrastate conflict ( Gabonese Electoral Violence (1990-1994) )

**Stage** Framework/substantive - comprehensive

**Conflict  
nature** Government

**Peace process** Gabon peace process

**Parties** For the Executive:

For the Democratic Party of Gabon (PDG), the Interim General Secretary:  
Honourable Leonard ANDJEMBE

For the Unity People's Party (PUP), the President: M Louis Gaston MAYILA

For the Socialist Union of Gabon (USG), the First Secretary: Dr. Serge MBA  
BEKALE

For the Gabon Association for Socialism (APSG), the President: Victor  
MAPANGOUC MUCANI MUETSA

For the Liberal Reform Convention (CLR), the President, Honourable Jean  
Boniface ASSELE

For the Opposition HCR

**POLITICAL PARTIES**

For the Democratic & Republican Alliance (ADERE), the President, Gaston  
Noel MBOUMBOU NGOMA

For the African Forum for Reconstruction (FAR), the First Secretary,  
Honourable Leon MBOU YEMBI

For the People's Socialist Emancipation Movement (MESP), the Secretary  
General, Alfred ANTYUWE WORA

For the National Recovery Movement (MORENA), the President, Honourable  
Simon OYONO ABA'A

For the Independent Centre Party of Gabon (PGCI), the President, Jerome  
OKINDA

For the Progress Party of Gabon (PGP), the President, Me Pierre Louis  
AGONDJO OKAWE

For the Democratic Justice Congress (CDJ), the President, Marc Saturnin NAN  
NGUEMA

For the Radical Independent Republican Party (PARI), the President,  
Honourable Anacle BISSIELO

For the Social Democratic Party (PSD), the President, Pierre Claver MAGANGA  
MOUSSAVOU

For the United People's Party (PUP-CRISE), the President, Paulin NSOME

For the National Assembly of Foresters (RNB), the President, Pere Paul MBA  
ABESSOLE

For the Gabon People's Union (UPG), the President, Pierre MAMBOUNDOU  
**POLITICAL GROUPS**

Group: Jules Aristide BOURDES OGOULIGUENDE

Group: Leon MEBIANE

Group: Alexandre SAMBAT

Group: Di Djob DIVUNGUI DI NDING

Group: Jean-Pierre LEMBOUMBA LEPANDOU

**Third parties** International Observers For the Republic of France For the Republic of Congo

For the Republic of Benin For the Federal Republic of Germany and the  
European Union For Canada The Mediator: H.E. Kemoke KEITA, Ambassador  
of Guinea, representing the Secretary General of the OUA His Excellence El  
Hadj Omar Bongo, President of the Republic, Head of State

**Description** The agreement includes several annexes detailing the internal regulations of negotiations and how decisions in the final agreement have been taken. The annexes are included in the uploaded document but are not coded here. The agreement was initialled in Paris on 27/09/1994 and signed on 07/10/1994. Coding includes: I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS and II SYNTHESIS OF WORK AND CLAUSES (COMMITTEE I: ELECTORAL PROBLEMS AND PERSPECTIVES, COMMITTEE II: RULE OF LAW and COMMITTEE III: GOVERNMENT AND INTERIM PROGRAMME)

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**Agreement document** [GA\\_940927\\_AccordsdeParis.pdf](#)  | [Download PDF](#)

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## Groups

Children/ youth	Groups→Children/youth→Substantive Page 26-27, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE II: RULE OF LAW, III. LEGISLATIVE QUESTIONS, Point 1: Nationality Code: Considering the demographic characteristics of the autochthonous Gabonese population; Taking into account the countries which send immigrants to Gabon; Considering the high number of Gabonese citizens born to a foreign parent; Wishing for the cohesion and future of the Gabonese Nation; The two parties have agreed to revise the Code of Gabonese Nationality, to make it more open, particularly concerning: 1) dual nationality to recognise foreign partners of Gabonese citizens, as well as of children who have a Gabonese parent and a foreign parent; 2) easing the naturalisation process for children of immigrants born in Gabon and whose parents have been living in Gabon for at least ten (10) years; ... In order to preserve national identity, the selective immigration project shall be accompanied by a genuine pro-natalist policy, with pre-natal subsidies, paid maternity and breast-feeding leave, family allowances of between 10,000 and 20,000 francs per child, and, of course, satisfactory measures for the protection of mothers and children, as well as a good education system.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.

Racial/  
ethnic/  
national  
group

No specific mention.

Religious  
groups

No specific mention.

Indigenous  
people

No specific mention.

Other  
groups

No specific mention.

Refugees/  
displaced  
persons

No specific mention.

Social class

No specific mention.

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## **Gender**

Women,  
girls and  
gender

No specific mention.

Men and  
boys

No specific mention.

LGBTI

No specific mention.

Family

No specific mention.

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## State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

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**Governance**

Political institutions (new or reformed)

Governance→Political institutions (new or reformed)→Temporary new institutions

Page 3, I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS, Preamble:  
...

Concerned with preserving the achievements of the National Conference, and notably political pluralism and alternating power as virtues of all democratic systems, including the one established in Gabon since that conference;  
...

Page 4-5, I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS, CHAPTER II: DECISIONS, Article 7:

Rule of Law

- ensure the independence and effectiveness of the constitutional institutions;

- restore the authority of the Republican State;  
...

...

- adopt a statute for former Presidents of the Republic;  
...

...

- transform the Presidential Guard (Garde présidentielle, GP) into a Republican Guard (Garde Républicaine, GR);  
...

...

- create a National Council for Democracy, a consultative organ with moral authority;  
...

...

- reorganise State Auditing by abolishing the Ministry in charge and making this a service dimension attached to the Prime Minister;

Page 17-18, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE II: RULE OF LAW, I – INSTITUTIONAL QUESTIONS, Point 3 – The National Council of Democracy:

Having noted the numerous blockages in the process of democratisation of Gabonese society, since the end of the National Conference;

Noting the need for better relations between:

- the political parties and the administration;

- the political parties and certain institutions of the Republic;

- the political parties;

Wishing to preserve the achievements of the National Conference and to help pluralist democracy bloom in Gabon;

The two parties have agreed to create a consultative organ called the National Council for Democracy.

The National Council for Democracy shall be tasked with:

- elaborating a Code of Good Conduct to be used by members of the national political class;

- mediating disputes between political parties and the administration, political parties and certain institutions of the Republic, and between the political parties themselves;

- ensuring respect for the “Paris Agreements”, together with the International Monitoring Committee.

The National Council for Democracy shall receive the minutes of the National Electoral Commission.

The composition and functioning of the National Council for Democracy shall

Elections Page 3, I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS, Preamble:  
...  
Noting that the elections organised since the National Conference in 1990 and 1993 have not been uncontested and that this situation has created a climate of social tension with damaging consequences for the functioning of organisations and for economic and social activity, effects made worse by the devaluation of the Central African CFA franc;  
...

Page 4, I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS, CHAPTER II: DECISIONS, Article 6:  
Electoral problems  
- organise transparent elections, notably by revising the Electoral Code and setting up a National Electoral Commission, with jurisdiction throughout the national territory, and chaired by a magistrate, president of one of the three Courts (judicial, administrative and accounts);  
- establish an electoral calendar fixing the date for local elections at 12 months and legislative elections at 18 months from the date of formation of the Government for Democracy;

Page 5, I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS, CHAPTER II: DECISIONS, Article 7:  
...  
- enact a law on decentralisation before organising national elections;  
...

Page 9-14, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE I: ELECTORAL PROBLEMS AND PERSPECTIVES:  
[The entire Committee I section/chapter is on elections]

Page 16, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE II: RULE OF LAW, I – INSTITUTIONAL QUESTIONS, Point 1 - Independence and effectiveness of constitutional institutions:

Considering the need for a consistent and effective implementation of the “Paris Agreements”;

The two parties have agreed the following:

1. Article 39 of the Constitution shall be modified and replaced by a new article 39, worded as follows:

“New article 39: There shall be no imperative mandate.

However, in the case of resignation or exclusion under statutory conditions of a member of Parliament from the political party to which he belonged at the time of his election, and if this party presented his candidature, his seat becomes vacant at the time of his resignation or exclusion.

A by-election shall follow, within two months at the latest.

The right to vote of members of Parliament is personal.

The regulations of each chamber may exceptionally authorise delegated voting.

No one may act as delegate for more than one term.”

2. The fourth point of the first paragraph of article 84 of the Constitution shall be modified and shall henceforth read as follows:

“New fourth point: the regularity of presidential and parliamentary elections



Electoral commission Page 4, I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS, CHAPTER II: DECISIONS, Article 6:

Electoral problems

- organise transparent elections, notably by revising the Electoral Code and setting up a National Electoral Commission, with jurisdiction throughout the national territory, and chaired by a magistrate, president of one of the three Courts (judicial, administrative and accounts);
- establish an electoral calendar fixing the date for local elections at 12 months and legislative elections at 18 months from the date of formation of the Government for Democracy;

Political parties reform

Governance→Political parties reform→Other political parties reform  
Page 19, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE II: RULE OF LAW,II – INDIVIDUAL AND STATUTORY QUESTIONS, Point 1: Political parties: [Point 1 of chapter II on individual and statutory questions is entirely concerned with political parties. It includes general provisions on their function, legal status, operation, financing, groups, mergers, effects of mergers, absorption merger, splits and the effects of splits.]

## II – INDIVIDUAL AND STATUTORY QUESTIONS

### Point 1: Political parties

Wishing to promote and consolidate political pluralism in the current political system in Gabon;

Considering the role assigned by the Constitution to the political parties in enacting universal suffrage, the two parties have agreed the following:

#### A) GENERAL PROVISIONS

The parties and the political groups shall compete for votes.

They shall be free to form, and carry out their activities, within the framework established by law and according to the principles of a multiparty system.

They shall express themselves by democratic means and shall respect the Constitution and the laws of the Republic.

Freedom of expression, to meet and to demonstrate peacefully, shall be recognised for all legally recognised parties, provided that public order is respected.

Access to public service media shall be guaranteed for all legally recognised parties in accordance with current legislation.

The right to form political groups shall be guaranteed in accordance with the conditions established by law for associations.

Political groups may present candidates for any political election, however they shall not benefit from financial support by the State.

#### B) RECOGNITION

Civil society Page 3, I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS, Preamble:

...

Noting that the elections organised since the National Conference in 1990 and 1993 have not been uncontested and that this situation has created a climate of social tension with damaging consequences for the functioning of organisations and for economic and social activity, effects made worse by the devaluation of the Central African CFA franc;

...

Page 4, I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS, CHAPTER II: DECISIONS, Article 7:

Rule of Law

...

- recognise all political parties while discouraging fantasy or clan-based parties, and respecting the fundamental principles of democracy;
- finance not only the campaigns, but also the party operations for those parties with at least one deputy in the National Assembly, while retaining the principle of placing a ceiling on campaign funds;

...

Page 9, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE I: ELECTORAL PROBLEMS AND PERSPECTIVES, A-REMIT:

...

- Setting up and running a civic education campaign for voters;

...

Page 21-22, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE II: RULE OF LAW, II – INDIVIDUAL AND STATUTORY QUESTIONS, Point 2: Status of political and trade union leaders and personalities:

[This provision point provides for the security, accommodation, service vehicles and in some cases diplomatic passports for a number of categories of persons: POLITICAL LEADERS, MEMBERS OF THE GOVERNMENT, CONSTITUTED BODIES, MEMBERS OF PARLIAMENT, SENIOR OFFICERS OF THE MAJOR ARMED FORCES, ADMINISTRATIVE AUTHORITY LEADERS, TRADE UNION LEADERS AND MEMBERS, STATUS OF FORMER PRESIDENTS OF THE REPUBLIC]

Traditional/  
religious  
leaders No specific mention.

Public administration Page 17, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE II: RULE OF LAW, I – INSTITUTIONAL QUESTIONS, Point 2 - Restoring the authority of the Republican State:

Noting the need for all the Gabonese people and particularly the senior personalities of the State to respect the laws of the Republic;  
Noting the tendency to devalue the public function and to water down the responsibilities of the public and semi-public sectors, as well as the difficulties in developing administrative careers;  
Conscious of the difficulties encountered by local enterprises in view of late payments by the State to these enterprises;  
The two parties, reaffirming the principle of the neutrality of the State and the administration, have agreed the following:

- 1) Competence and high moral standards shall govern appointments to the highest public functions;
- 2) The Government for Democracy shall carry out a genuine administrative reform which shall privilege technical competence over any subjective considerations;
- 3) It shall take urgent measures to regularise its debts with local enterprises.

Page 17-18, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE II: RULE OF LAW, I – INSTITUTIONAL QUESTIONS, Point 3 – The National Council of Democracy:

Having noted the numerous blockages in the process of democratisation of Gabonese society, since the end of the National Conference;

Noting the need for better relations between:

- the political parties and the administration;
- the political parties and certain institutions of the Republic;
- the political parties;

Wishing to preserve the achievements of the National Conference and to help pluralist democracy bloom in Gabon;

The two parties have agreed to create a consultative organ called the National Council for Democracy.

The National Council for Democracy shall be tasked with:

- elaborating a Code of Good Conduct to be used by members of the national political class;
- mediating disputes between political parties and the administration, political parties and certain institutions of the Republic, and between the political parties themselves;
- ensuring respect for the “Paris Agreements”, together with the International Monitoring Committee.

The National Council for Democracy shall receive the minutes of the National Electoral Commission.

The composition and functioning of the National Council for Democracy shall be defined and specified by particular texts, within the framework of measures to implement the “Paris Agreements”.

Page 18, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE II: RULE OF LAW, I – INSTITUTIONAL QUESTIONS, Point 4 - Reorganisation of State Auditing:

Considering the need for a consistent and effective implementation of the “Paris Agreements”;

The two parties have agreed the following:

1. Article 39 of the Constitution shall be modified and replaced by a new article 39, worded as follows:

“New article 39: There shall be no imperative mandate.

However, in the case of resignation or exclusion under statutory conditions of a member of Parliament from the political party to which he belonged at the time of his election, and if this party presented his candidature, his seat becomes vacant at the time of his resignation or exclusion.

A by-election shall follow, within two months at the latest.

The right to vote of members of Parliament is personal.

The regulations of each chamber may exceptionally authorise delegated voting.

No one may act as delegate for more than one term.”

2. The fourth point of the first paragraph of article 84 of the Constitution shall be modified and shall henceforth read as follows:

“New fourth point: the regularity of presidential and parliamentary elections and of referenda for which it announces results.”

3. The Administrative Tribunals shall rule on the regularity of elections of members of local collectivities.

Where there is no Administrative tribunal, the Tribunal of First Instance shall replace it.

4. The current mandate of the National Assembly shall be extended for six months.

5. During the period between signing of the “Paris Agreements” and renewal of the National Assembly:

- the National Assembly may not be dissolved;

- the Government for Democracy may not be overthrown, nor dismissed, following a vote of confidence by the National Assembly;

- in case of resignation or death of a member of the Government, he shall be replaced from the party to which he belonged.

6. The provisions in the first two paragraphs of article 39 of the new constitution cited above shall apply equally to the advisers of local collectivities.

**Power sharing**

Political power sharing      No specific mention.

Territorial power sharing      No specific mention.

Economic power sharing      No specific mention.

Military power sharing      No specific mention.



**Human rights and equality**

Human  
rights/RoL  
general

Page 3, I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS, Preamble:

...

Concerned with strengthening the Rule of Law to guarantee fundamental liberties, in which citizens are equal before the law with rights and responsibilities;

...

Page 4-5, I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS, CHAPTER II: DECISIONS, Article 7:

Rule of Law

- ensure the independence and effectiveness of the constitutional institutions;
- restore the authority of the Republican State;
- recognise all political parties while discouraging fantasy or clan-based parties, and respecting the fundamental principles of democracy;
- finance not only the campaigns, but also the party operations for those parties with at least one deputy in the National Assembly, while retaining the principle of placing a ceiling on campaign funds;
- adopt a statute for former Presidents of the Republic;
- adopt an ethical code for journalists, to transform the media into autonomous public services, to revise the laws governing the press, etc.;
- define the remit of the different security forces and, in particular, restore each unit to its conventional remit;
- transform the Presidential Guard (Garde présidentielle, GP) into a Republican Guard (Garde Républicaine, GR);
- attach the police to the Ministry of the Interior;
- attribute maintenance of order to the Police and the Gendarmerie, except where they are overloaded, in which case forces from the third category may be needed;
- create a National Council for Democracy, a consultative organ with moral authority;
- revise the Nationality Code in order to open up the conferment of Gabonese nationality while taking care to preserve national cultural identity and privileging selective immigration;
- undertake a law programme on the damage suffered during the demonstrations between 1990 and 1993;
- enact a law on decentralisation before organising national elections;
- reorganise State Auditing by abolishing the Ministry in charge and making this a service dimension attached to the Prime Minister;

Page 33, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE III: GOVERNMENT AND INTERIM PROGRAMME, Point 2 – The interim programme of the Government:

...

The future depends on how we are able to overcome these crises together. It is in this perspective that the opposition grouped under the HCR and the Executive have agreed, within the framework of the Paris Agreements, to put in place an interim programme of government focussed on:

- implementing the Paris Agreements;
- establishing the Rule of Law and conditions of transparency;
- organising elections;
- implementing measures for economic and social regulation.

...



Bill of rights/  
similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights

Human rights and equality→Civil and political rights→Equality

Page 3, I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS, Preamble:

...

Concerned with strengthening the Rule of Law to guarantee fundamental liberties, in which citizens are equal before the law with rights and responsibilities;

...

Human rights and equality→Civil and political rights→Liberty and security of person

Page 3, I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS, Preamble:

...

Concerned with strengthening the Rule of Law to guarantee fundamental liberties, in which citizens are equal before the law with rights and responsibilities;

...

Human rights and equality→Civil and political rights→Freedom of association

Page 19, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE II: RULE OF LAW, II – INDIVIDUAL AND STATUTORY QUESTIONS, Point 1: Political parties:

[Point 1 of chapter II on individual and statutory questions is entirely concerned with political parties. It includes general provisions on their function, legal status, operation, financing, groups, mergers, effects of mergers, absorption merger, splits and the effects of splits.]

Wishing to promote and consolidate political pluralism in the current political system in Gabon;

Considering the role assigned by the Constitution to the political parties in enacting universal suffrage, the two parties have agreed the following:

A) GENERAL PROVISIONS

...

They shall be free to form, and carry out their activities, within the framework established by law and according to the principles of a multiparty system. They shall express themselves by democratic means and shall respect the Constitution and the laws of the Republic.

Freedom of expression, to meet and to demonstrate peacefully, shall be recognised for all legally recognised parties, provided that public order is respected.

...

The right to form political groups shall be guaranteed in accordance with the conditions established by law for associations.

...

Socio-economic rights

No specific mention.

**Rights related issues**

Citizenship Rights related issues→Citizenship→Citizen delimitation

Page 4, I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS, CHAPTER II: DECISIONS, Article 7:  
Rule of Law

...

- revise the Nationality Code in order to open up the conferment of Gabonese nationality while taking care to preserve national cultural identity and privileging selective immigration;

...

Page 26-27, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE II: RULE OF LAW, III. LEGISLATIVE QUESTIONS, Point 1: Nationality Code:

Considering the demographic characteristics of the autochthonous Gabonese population;

Taking into account the countries which send immigrants to Gabon;

Considering the high number of Gabonese citizens born to a foreign parent;

Wishing for the cohesion and future of the Gabonese Nation;

The two parties have agreed to revise the Code of Gabonese Nationality, to make it more open, particularly concerning:

1) dual nationality to recognise foreign partners of Gabonese citizens, as well as of children who have a Gabonese parent and a foreign parent;

2) easing the naturalisation process for children of immigrants born in Gabon and whose parents have been living in Gabon for at least ten (10) years;

3) simplifying the naturalisation process for immigrants who have invested in Gabon and lived there for at least ten (10) years;

4) the obligation on all persons of foreign origin, who wish to obtain Gabonese nationality, to provide proof of:

- the legality of their entry into Gabon;

- the legality of their residence situation (fixed place of residence, rent invoices, or failing this salary slips, patents and invoices relating to artisanal, commercial or industrial activity, certificates of good behaviour and conduct, etc.)

In any event,

Noting the lack of any immigration policy able to reconcile the need to open Gabon to its African brothers and friends and those from the rest of the world, with the problems which may result from tensions between immigrants, Gabonese people by adoption, and Gabonese people in origin;

The two parties have agreed on the urgent need to design and implement a policy of selective immigration, taking into account the objectives for development and management of the country, including its wish to share the moral and socio-cultural values of the country amongst all the people living in Gabon.

The development of this huge intercultural project shall be entrusted to a State organisation, to be created within the implementation framework for the Paris Agreements.

In order to preserve national identity, the selective immigration project shall be accompanied by a genuine pro-natalist policy, with pre-natal subsidies, paid maternity and breast-feeding leave, family allowances of between

Democracy Page 3, I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS, Preamble:

...

Concerned with preserving the achievements of the National Conference, and notably political pluralism and alternating power as virtues of all democratic system

Page 4, I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS, CHAPTER II: DECISIONS, Article 7:

Rule of Law

...

- recognise all political parties while discouraging fantasy or clan-based parties, and respecting the fundamental principles of democracy;

...

- create a National Council for Democracy, a consultative organ with moral authority;

...

Page 5, I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS, CHAPTER II: DECISIONS, Article 8:

The Government for Democracy and the interim programme

- form a Government for Democracy following signature of the Paris Agreements at Libreville;

- implement the measures foreseen in the interim programme;

- develop a timetable for setting up transparency instruments;

- examine in Paris the results of the work of the Libreville joint monitoring committee;

- specify in Paris the signature ceremony of the Paris agreements at Libreville.

Page 17-18, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE II: RULE OF LAW, I – INSTITUTIONAL QUESTIONS, Point 3 – The National Council of Democracy:

Having noted the numerous blockages in the process of democratisation of Gabonese society, since the end of the National Conference;

Noting the need for better relations between:

- the political parties and the administration;

- the political parties and certain institutions of the Republic;

- the political parties;

Wishing to preserve the achievements of the National Conference and to help pluralist democracy bloom in Gabon;

The two parties have agreed to create a consultative organ called the National Council for Democracy.

The National Council for Democracy shall be tasked with:

- elaborating a Code of Good Conduct to be used by members of the national political class;

- mediating disputes between political parties and the administration, political parties and certain institutions of the Republic, and between the political parties themselves;

- ensuring respect for the “Paris Agreements”, together with the International Monitoring Committee.

The National Council for Democracy shall receive the minutes of the National

Detention procedures No specific mention.

Media and communication

Rights related issues→Media and communication→Media roles

Page 4, I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS, CHAPTER II: DECISIONS, Article 7:

Rule of Law

...

- adopt an ethical code for journalists, to transform the media into autonomous public services, to revise the laws governing the press, etc.;

...

Page 12, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE I: ELECTORAL PROBLEMS AND PERSPECTIVES, D-THE ELECTORAL PROCESS:

...

c) Election results shall be publicly announced:

- after the vote count at the polling station by its president in the presence of the other members;

- at the town hall by the mayor in the presence of members of the CCE;

- at the prefecture by the prefect in the presence of members of the CDE;

- at the governorate by the governor in the presence of members of the CPE;

- at CNE headquarters by the Minister of the Interior in the presence of members of the CNE.

Page 19, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE II: RULE OF LAW,II – INDIVIDUAL AND STATUTORY QUESTIONS, Point 1: Political parties:

[Point 1 of chapter II on individual and statutory questions is entirely concerned with political parties. It includes general provisions on their function, legal status, operation, financing, groups, mergers, effects of mergers, absorption merger, splits and the effects of splits.]

Wishing to promote and consolidate political pluralism in the current political system in Gabon;

Considering the role assigned by the Constitution to the political parties in enacting universal suffrage, the two parties have agreed the following:

A) GENERAL PROVISIONS

...

Access to public service media shall be guaranteed for all legally recognised parties in accordance with current legislation.

...

Page 25, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE II: RULE OF LAW,II – INDIVIDUAL AND STATUTORY QUESTIONS, Point 3: The media:

The two parties to the negotiations:

- Conscious of the need to promote a system of free, pluralist and independent communication in Gabon, in accordance with the guidance of the prenegotiations in Libreville;

- Wishing to reconcile the enjoyment of freedoms with the need to protect public order and the private life of citizens, in accordance with the principles of the Rule of Law;

- Have agreed on the following provisions:

1) Creation of an autonomous public radio and television service, of a production company (already planned by the government), and of a

Mobility/  
access      No specific mention.

Protection  
measures      No specific mention.

Other      No specific mention.

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## **Rights institutions**

NHRI      No specific mention.

Regional or  
international  
human  
rights  
institutions      No specific mention.

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## **Justice sector reform**

Criminal  
justice and  
emergency  
law      No specific mention.

State of  
emergency  
provisions      No specific mention.

Judiciary  
and courts      No specific mention.

Prisons and  
detention      No specific mention.

Traditional  
Laws      No specific mention.

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**Socio-economic reconstruction**

Development or socio-economic reconstruction    Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development  
Page 3, I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS, Preamble:  
...  
Noting that the elections organised since the National Conference in 1990 and 1993 have not been uncontested and that this situation has created a climate of social tension with damaging consequences for the functioning of organisations and for economic and social activity, effects made worse by the devaluation of the Central African CFA franc;  
...

Page 18, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE II: RULE OF LAW, I – INSTITUTIONAL QUESTIONS, Point 4 - Reorganisation of State Auditing:  
Wishing to develop Gabon economically and socially;

The two parties have agreed to:

8. Living and working conditions of managers of devolved services shall be improved to enhance the status of these functions.

Page 28, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE II: RULE OF LAW, III. LEGISLATIVE QUESTIONS, Point 3: Law on decentralisation:  
Considering that the people's aspirations can never be met as long as Gabon's economic and social under-development persists;  
Noting that the economic and social policy pursued until now has rather accentuated inequalities between urban areas on one hand, and semi-urban and rural areas on the other;

Wishing to promote economic and socio-cultural development for the greatest number, the two parties agree to:

- 1) Move away from the policies which have resulted in unequal development of the different provinces of Gabon;
  - 2) Make each province, department and village of Gabon an active development unit;
  - 3) Make every man and woman in Gabon an active agent of development as soon as possible;
  - 4) Redefine and reorganise administrative and development structures throughout the national territory;
  - 5) Transform each village of at least one hundred inhabitants into a rural commune;
  - 6) Make the commune the basic unit for managing the country and promoting development;
  - 7) Decentralise the human, material and financial resources of the State for the benefit of provinces, departments and communes;
  - 8) Allocate substantial annual budgetary resources to departments and communes;
  - 9) Devolve some stages of education, some health, sport and sociocultural institutions, as well as some environmental protection agencies.
- Measures for transferring competences to the provinces shall be defined in the decentralisation law.

This law shall be adopted within the timescale required by the National Electoral Commission before organising the next local elections.

National economic plan No specific mention.

Natural resources Page 33, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE III: GOVERNMENT AND INTERIM PROGRAMME, Point 2 – The interim programme of the Government, 2 – STRENGTHENING AND IMPROVING PUBLIC FINANCES: Improving public finances requires action on income and expenditure.  
A – INCOME  
The objective shall be to increase income by:  
...  
- improving collection of taxes and customs duties.  
More specifically, procedures for collecting and managing oil revenue shall be improved.  
In addition, procedures for collecting and managing other mineral revenue (gold, diamonds, etc.) shall be improved.

International funds No specific mention.

Business Page 27-28, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE II: RULE OF LAW, III. LEGISLATIVE QUESTIONS, Point 2: Law programme on damage suffered during the demonstrations between 1990 and 1994:

- Noting the destruction of a large amount of public, collective and private property since the end of the National Conference of March, April 1990;
- Noting that throughout the last four years, public demonstrations have often been the occasion of pillage and depredation of all kinds affecting at the same time the national collectivity, local collectivities, businesses, industry and private persons;
- Wishing to restore investors' confidence in Gabon;
- Wishing to protect private property;
- Wishing to preserve the national heritage;

The two parties have agreed:

- 1) to adopt a law programme in order to compensate the victims of the riots between 1990 and 1994;
- 2) to set up a Committee of Inquiry in order to establish the reality and extent of the damage suffered by the plaintiffs;
- 3) to have all permitted public demonstrations supervised by the security forces in future.

Page 34, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE III: GOVERNMENT AND INTERIM PROGRAMME, Point 2 – The interim programme of the Government, 3 - EMPLOYMENT AND THE FIGHT AGAINST UNEMPLOYMENT:

...

- measure regional employment potential and strengthen support for the creation of businesses by the young unemployed;

...

- Improve business recruitment conditions by 'Gabonisation', fiscal bonuses and a revision of the investment code;

- target the Diversified Investment Fund (Provision pour Investissements diversifiés, PID) on the financing of small Gabonese businesses (PMI-PME) in priority sectors (agriculture, stock-breeding, fishing, forestry...);

- prioritise access to public procurement for Gabonese small businesses (PMI-PME).

Page 34-35, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE III:

GOVERNMENT AND INTERIM PROGRAMME, Point 2 – The interim programme of the Government, 4 - REFORM OF THE SEMI-PUBLIC SECTOR:

- institute a limitation to the mandate of Presidents of Boards, Director Generals and their deputies, to three years, renewable only once depending on the results of the enterprise

- immediate application of Ordinance 11/88 on the remuneration of personnel of semi-public enterprises;

- adopt a timetable to restructure these enterprises on a case-by-case basis.

This restructuring should take into account three imperatives: profitability, protection of employment and conservation of the national heritage.

Taxation	<p>Socio-economic reconstruction→Taxation→Reform of taxation</p> <p>Page 33, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE III: GOVERNMENT AND INTERIM PROGRAMME, Point 2 – The interim programme of the Government, 2 – STRENGTHENING AND IMPROVING PUBLIC FINANCES: Improving public finances requires action on income and expenditure.</p> <p>A – INCOME</p> <p>The objective shall be to increase income by:</p> <ul style="list-style-type: none"> <li>- selective reduction in taxation for businesses in line with specific performance criteria (job creation, market capture, relocation, etc.);</li> <li>- reducing the informal sector;</li> <li>- strict application of the principle of a single exchequer;</li> <li>- improving collection of taxes and customs duties.</li> </ul> <p>More specifically, procedures for collecting and managing oil revenue shall be improved.</p> <p>In addition, procedures for collecting and managing other mineral revenue (gold, diamonds, etc.) shall be improved.</p>
Banks	<p>Socio-economic reconstruction→Banks→International finance</p> <p>Page 33, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE III: GOVERNMENT AND INTERIM PROGRAMME, Point 2 – The interim programme of the Government:</p> <p>...</p> <p>These emergency measures, which must take into account the agreements concluded between Gabon and the international financial institutions within the framework of adjustment programmes (IMF, IBRD, CFD, ADB) concern the following areas:</p> <p>Administration, public finances, employment and reducing unemployment, sorting out the semi-public sector, habitat, transport, health and social protection, education and training, youth and sport, agriculture and improving the purchasing power of the Gabonese people.</p>

## Land, property and environment

Land reform/ rights	No specific mention.
Pastoralist/ nomadism rights	No specific mention.
Cultural heritage	No specific mention.

Environment Page 28, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE II: RULE OF LAW, III. LEGISLATIVE QUESTIONS, Point 3: Law on decentralisation:  
Considering the deep desire of Gabonese men and women to live in harmony, unity and national concord within the framework of a democratic and republican Rule of Law;  
Considering that the people's aspirations can never be met as long as Gabon's economic and social under-development persists;  
Noting that the economic and social policy pursued until now has rather accentuated inequalities between urban areas on one hand, and semi-urban and rural areas on the other;  
Wishing to promote economic and socio-cultural development for the greatest number, the two parties agree to:  
...  
9) Devolve some stages of education, some health, sport and sociocultural institutions, as well as some environmental protection agencies.  
...

Water or  
riparian  
rights or  
access

No specific mention.

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**Security sector**

Security Page 4-5, I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS, CHAPTER II:  
Guarantees DECISIONS, Article 7:  
Rule of Law

...

- define the remit of the different security forces and, in particular, restore each unit to its conventional remit;

- transform the Presidential Guard (Garde présidentielle, GP) into a Republican Guard (Garde Républicaine, GR);

...

Page 25-26, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE II: RULE OF LAW, II – INDIVIDUAL AND STATUTORY QUESTIONS, Point 4: The Security Forces and the protection of persons and property:

Wishing to see the security of persons and property maintained in an efficient way in a system of pluralist democracy; noting in addition the weaknesses in the security forces in this area; noting that these weaknesses relate as much to the confusion of roles as to the lack of human, material and financial resources, as well as a tendency towards their politicisation, the two parties agree to:

1) Redefine the specific remit delegated to each unit, namely:

- maintenance of order and security by the police force and national gendarmerie;

- defence of the territory by the national armed forces;

2) Increase the number of personnel in the security and defence forces;

3) Train and provide specialised training for the members of these forces;

4) Implement obligatory military service;

5) Increase the material and financial resources of the defence and security forces;

6) Attach the police to the Ministry of the Interior;

7) Convert mobile security into a unit of the national police;

8) Reaffirm the duty of reserve for members of the security and defence forces;

9) Prohibit any political propaganda activities directed towards, or within, the security and defence forces;

10) Prohibit any organisation of groups of persons into private militia or paramilitary groups;

11) Include specific provisions for security companies in business law;

12) Systematic supervision of all public demonstrations by the security forces;

13) Assessment of the general situation in each unit of the security and defence forces;

14) Adoption of a general amnesty law for offences related to or following the political events of February 1964, on the date of signature of the Paris Agreements.

Discussion shall take place within the Government for Democracy on a possible extension of this measure to non-political offences, as well as on the principle of rehabilitation and of compensation for damages.

#### CONCERNING THE PRESIDENTIAL GUARD

- The two parties have agreed to extend its current remit to protect the president of the Republic and other senior State personalities, to the protection of foreign personalities visiting Gabon, as well as political leaders



Ceasefire	No specific mention.
Police	Page 5, I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS, CHAPTER II: DECISIONS, Article 7: Rule of Law ... - attach the police to the Ministry of the Interior; - attribute maintenance of order to the Police and the Gendarmerie, except where they are overloaded, in which case forces form the third category may be needed; ...
Armed forces	No specific mention.
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/ rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.

Corruption Page 18, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE II: RULE OF LAW, I – INSTITUTIONAL QUESTIONS, Point 4 - Reorganisation of State Auditing:  
Wishing to develop Gabon economically and socially;  
Conscious of the need to improve the public finances of the State;  
Noting the persistence of the misappropriation of public goods;  
Supporting the principle of devolution and decentralisation of the management of public affairs;  
Considering that effective management is less important than implementing rigorous control mechanisms;  
Considering that the organisation of the resources of the Ministry of State Audit are not adequate for the objectives listed above;

The two parties have agreed to:

1. Abolish the Ministry of State Audit and to establish a General State Audit, in synergy with the Court of Accounts;
2. Attach this organ to the Prime Minister's services;
3. Allocate human, material and financial resources to this organ, adequate for the size of its task;
4. Create a professional accounting service;
5. To develop, within the time period established for implementation of the Paris Agreements, the statutes relating to the personnel of this organisation;
6. Train and provide specialised training for the agents tasked with managing the decentralised and devolved services;
7. Strengthen the cabinets of provincial governors with competent and qualified civil servants, notably from the E.N.A.. In parallel, prefects, provincial, prefecture and sub-prefecture general secretaries, should be selected from graduates of E.N.A., of E.P.C.A. (A2 cycle) or any other similar establishment;
8. Living and working conditions of managers of devolved services shall be improved to enhance the status of these functions.

Crime/  
organised  
crime No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

## Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon Transitional justice→Amnesty/pardon→Amnesty/pardon proper  
Page 26, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE II: RULE OF LAW, II – INDIVIDUAL AND STATUTORY QUESTIONS, Point 4: The Security Forces and the protection of persons and property:  
Wishing to see the security of persons and property maintained in an efficient way in a system of pluralist democracy; noting in addition the weaknesses in the security forces in this area; noting that these weaknesses relate as much to the confusion of roles as to the lack of human, material and financial resources, as well as a tendency towards their politicisation, the two parties agree to:  
...  
14) Adoption of a general amnesty law for offences related to or following the political events of February 1964, on the date of signature of the Paris Agreements.  
Discussion shall take place within the Government for Democracy on a possible extension of this measure to non-political offences, as well as on the principle of rehabilitation and of compensation for damages.

Courts No specific mention.

Mechanism	<p>Page 5, I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS, CHAPTER II: DECISIONS, Article 7: Rule of Law</p> <p>...</p> <ul style="list-style-type: none"> <li>- undertake a law programme on the damage suffered during the demonstrations between 1990 and 1993;</li> </ul> <p>...</p> <p>Page 27-28, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE II: RULE OF LAW, III. LEGISLATIVE QUESTIONS, Point 2: Law programme on damage suffered during the demonstrations between 1990 and 1994:</p> <ul style="list-style-type: none"> <li>- Noting the destruction of a large amount of public, collective and private property since the end of the National Conference of March, April 1990;</li> <li>- Noting that throughout the last four years, public demonstrations have often been the occasion of pillage and depredation of all kinds affecting at the same time the national collectivity, local collectivities, businesses, industry and private persons;</li> <li>- Wishing to restore investors' confidence in Gabon;</li> <li>- Wishing to protect private property;</li> <li>- Wishing to preserve the national heritage;</li> </ul> <p>The two parties have agreed:</p> <ol style="list-style-type: none"> <li>1) to adopt a law programme in order to compensate the victims of the riots between 1990 and 1994;</li> <li>2) to set up a Committee of Inquiry in order to establish the reality and extent of the damage suffered by the plaintiffs;</li> <li>3) to have all permitted public demonstrations supervised by the security forces in future.</li> </ol>
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.

Reparations Transitional justice→Reparations→Material reparations

Page 5, I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS, CHAPTER II: DECISIONS, Article 7:  
Rule of Law

...

- undertake a law programme on the damage suffered during the demonstrations between 1990 and 1993;

...

Page 27-28, II SYNTHESIS OF WORK AND CLAUSES, COMMITTEE II: RULE OF LAW, III. LEGISLATIVE QUESTIONS, Point 2: Law programme on damage suffered during the demonstrations between 1990 and 1994:

- Noting the destruction of a large amount of public, collective and private property since the end of the National Conference of March, April 1990;

- Noting that throughout the last four years, public demonstrations have often been the occasion of pillage and depredation of all kinds affecting at the same time the national collectivity, local collectivities, businesses, industry and private persons;

- Wishing to restore investors' confidence in Gabon;

- Wishing to protect private property;

- Wishing to preserve the national heritage;

The two parties have agreed:

1) to adopt a law programme in order to compensate the victims of the riots between 1990 and 1994;

2) to set up a Committee of Inquiry in order to establish the reality and extent of the damage suffered by the plaintiffs;

3) to have all permitted public demonstrations supervised by the security forces in future.

Reconciliation No specific mention.

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## Implementation

UN  
signatory No specific mention.

Other  
international  
signatory No specific mention.

Referendum  
for  
agreement No specific mention.

International mission/  
force/similar No specific mention.

Enforcement mechanism Page 5, I – PROTOCOL OF AGREEMENTS INITIALLED AT PARIS, CHAPTER III: MISCELLANEOUS PROVISIONS, Article 12:  
Where one of the parties fails to observe the terms of the present protocol, the other party may refer for arbitration to the International Monitoring Committee foreseen in article 16 of the internal regulation for the negotiations.

Related cases No specific mention.

Source UN Peacemaker:  
<http://peacemaker.un.org/>

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