

## Omar Bongo

**Case ID:**

ARW-144

**Jurisdiction of Origin of Public Official or Entity Allegedly Involved:**

Gabon

**Position of Public Official(s) (yrs in office):**

President (1967-2009)

**Jurisdiction of Asset Recovery:**

France

**Jurisdiction of Asset Recovery ? Description:**

Undertaking Recovery Effort, Location of Recovery Effort, Asset Location / Alleged Asset Location

**Asset Recovery Start:**

2007

**Asset Recovery End:**

Ongoing

**UNCAC Offenses Implicated:**

Art.20

Art.23

**Money laundering Implicated:**

Yes

**Legal Basis for Asset Recovery:**

Criminal Prosecution

**Intl.Cooperation: MLAT/Letter of Request?:**

No

**Basis for Intl Cooperation:**

N/A

**Contributing Factors in Asset Recovery:**

Ongoing Case, but Transparency International stated that this is the first time French courts allowed such a complaint by nongovernmental organizations to proceed. Source: Transparency International Press Release, "Biens Mal Acquis' Case: French Supreme Court Overrules Court of Appeal's Decision: The complaint filed by Transparency International France is ruled admissible," November 9, 2010.

**Status of Asset Recovery :**

Ongoing

**Stage in Asset Recovery Chain:**

Before Court of First Instance

**Agreement for Returned Assets:**

Ongoing

**Agreement for Returned Assets - Description:**

N/A

**Case Summary:**

Three non-governmental organizations had filed their "Biens Mal Acquis" (Improperly acquired property) complaint against Omar Bongo, Denis Sassou Nguesso and Teodoro Obiang and

their relatives. (Source: Supreme Court of France, Case No. 6092, decision of November 9, 2010, L'association Transparence International France, partie civile, reversing High Court of Paris, section 2, judgment of October 29, 2009.) With regard to Mr. Bongo and his relatives, the complaint alleged that they had acquired real estate, including thirty-nine properties, seventeen of which are registered in his name. According to Transparency International, most of the properties are located in Paris' upscale 16th district; seventy identified bank accounts, eleven of which are registered in name of Omar Bongo, and a fleet of automobiles comprising at least nine vehicles for a total estimated value of EUR 1,493,443. (Source: Transparency International Press Release, "'Biens Mal Acquis' Case: French Supreme Court Overrules Court of Appeal's Decision, The complaint by Transparence International France is ruled admissible," November 9, 2010.)

According to the August 18, 2015 message by President Bongo, on the occasion of the 55th anniversary of the independence of Gabon, he had decided to offer the Gabonese people all income from part of his inheritance to assist in the education and training of the Gabonese youth, the residence of Omar Bongo Ondimba in the capital will be sold to the state to build a university and two Paris properties will be sold to the state and earmarked for the promotion of culture and diplomatic influences of the country. (Source: Republique Gabonaise, Direction de la communication Presidentielle, August 18, 2015)

#### **Disposition of Criminal Case(s):**

In November 2010, the French Supreme Court held that the criminal complaint filed earlier by Transparency International and other non-governmental organizations against Mr. Bongo may proceed. (Source: Supreme Court of France, Case No. 6092, decision of November 9, 2010, L'association Transparence International France, partie civile, reversing High Court of Paris, section 2, judgment of October 29, 2009.)

#### **Jurisdiction of Origin: Investigative Agency:**

NA

#### **Jurisdiction of Asset Recovery: Investigative Agency:**

Investigating Magistrate

#### **Jurisdiction of Asset Recovery: Prosecuting Authority/Civil Attorney(s):**

Public Prosecutor

#### **Jurisdiction of Asset Recovery: Courts Involved:**


Supreme Court, High Court (Paris)

#### **Documents:**

Bongo\_France\_SCt\_Judgment\_Nov\_9\_2010.pdf

Bongo\_France\_TransparencyIntl\_Sherpa\_Press\_Release.docx

#### **Documents:**

<b>Attachment</b>	<b>Size</b>
 Bongo_Statement_Aug2015.pdf	147.21 KB

#### **Documents Links:**

[http://www1.worldbank.org/finance/star\\_site/documents/arw/Bongo\\_France\\_S...](http://www1.worldbank.org/finance/star_site/documents/arw/Bongo_France_S...)

[http://www1.worldbank.org/finance/star\\_site/documents/arw/Bongo\\_France\\_T...](http://www1.worldbank.org/finance/star_site/documents/arw/Bongo_France_T...)

#### **Other Sources:**

Supreme Court of France, Case No. 6092, decision of November 9, 2010, L'association Transparence International France, partie civile, reversing High Court of Paris, section 2, judgment of October 29, 2009. See also Transparency International Press Release, "'Biens Mal Acquis' Case: French Supreme Court Overrules Court of Appeal's Decision, The

complaint by Transparence International France is ruled admissible," November 9, 2010, posted at [http://www.transparency.org/news\\_room/latest\\_news/press\\_releases\\_nc/2010...](http://www.transparency.org/news_room/latest_news/press_releases_nc/2010...)

Republique Gabonaise, Direction de la communication Presidentielle, August 18, 2015, at [www.preidence-gabon.ga/presse](http://www.preidence-gabon.ga/presse))