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France must re-open probe into alleged graft by African leaders

A French probe into alleged possession of misappropriated assets by several African Presidents has been shut down, despite uncovering tens of millions of dollars worth of luxury properties and cars, and dozens of bank accounts belonging to the rulers, their family members and close associates.

The investigation, the first of its kind in France, was a key test of President's Sarkozy's call for a 'new partnership' with Africa and France's global commitments against corruption. It was closed down in November 2007 after a French court ruled that the crimes were 'insufficiently characterized'.

The investigation was launched in June 2007 after three non-governmental organizations - Sherpa, Survie and Fédération des Congolais de la Diaspora – filed a legal complaint alleging that the ruling families of Angola, Burkina Faso, Congo Brazzaville, Equatorial Guinea, and Gabon had acquired millions of euros of assets in France that could not be the fruits of their official salaries.

'Sherpa and Survie have been campaigning for years against lack of transparency, corruption and mismanagement of public funds in Africa, particularly in countries rich in natural resources, as has Global Witness, and we are extremely concerned that this case been closed, given the huge amount of evidence uncovered' said William Bourdon, President of Sherpa. "We are considering launching a civil complaint in France to ensure this milestone case is properly pursued".

According to documents reviewed by Sherpa and Global Witness in January 2008, French police uncovered hundreds of documentary pages of evidence relating to assets of the ruling families of Burkina Faso, Congo, Equatorial Guinea and Gabon.

Key findings by the police include:

- Teodorín Obiang, son of the dictator of oil-rich Equatorial Guinea, bought numerous luxury cars including two Bugatti Veyrons - reportedly the fastest car in the world - costing over a million euros apiece in early 2006. A subsequent investigation by Tracfin, the French anti-money laundering service, into the payments concluded in November 2007 that: 'the financial flows [...] are [...] likely to be the laundered proceeds of misappropriated public funds'. A week later the probe was closed.
- In 2004 President Bongo's wife, who is not a government official, purchased a €300,000 Maybach luxury car that was entirely paid for by the Gabonese Treasury. In fact, the Treasury overpaid by €70,000, with the excess going to purchase a Mercedes for Bongo's daughter. The same daughter later bought another Mercedes which was also part-paid for by the Gabonese Treasury.
- Family members of Presidents Sassou Nguesso of Congo Brazzaville and Bongo of Gabon, own dozens of houses and apartments in Paris and in the South of France, some worth millions of euros,

Equatorial Guinea is one of the world's poorest countries in terms of human development despite having the fourth highest GDP per capita. In November 2006, Global Witness revealed that Teodorín Obiang had bought a \$35 million mansion in Malibu. His official salary is \$5,000 per month. Gabon and Congo Brazzaville, also oil-rich countries, also earn billions of dollars but remain mired in poverty.

In July 2007 the London High Court blocked an attempt by the son of Congo's President Sassou Nguesso to stop Global Witness from publishing evidence suggesting that, in the words of the judge, he made 'secret personal profits' from sales of state oil and then spent hundreds of thousands of dollars on designer goods.

France has signed the UN Convention Against Corruption (UNCAC) and supports the Extractive Industries Transparency Initiative, a global effort to reduce corruption and mismanagement in the oil and mining industries. Sarah Wykes, senior campaigner at Global Witness commented: 'It is extraordinary that this investigation is not being pursued by the French authorities. What does this say about France getting serious in fighting corruption by political leaders and promoting development in Africa?'

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