



# Report: Africa's Regional Actors and Democratic Governance: what role for international partners?

Wednesday 20 – Friday 22 March 2024



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# **Background to the dialogue**

The Lomé Declaration of 2000 outlined the (O)AU rejection of unconstitutional changes of government (UCGs). It continues to inform the policy of African regional institutions and initiatives to help build and protect the democratic systems most Africans want. This is complemented by ongoing, vibrant and determined efforts in many countries pressing for improved governance outcomes and accountable democracy.

Yet recent unconstitutional changes of government, declining scores for many dimensions of governance, and outbreaks of violent conflict highlight the fragility of gains made in development, good governance, peace and stability in Africa this century. A further challenge is presented by the current global context of contested international norms and relations.

This conference sought to acknowledge the diverse contexts in which UCGs have taken place while identifying common threads and examining collective approaches and responses. Discussions focussed on regional actors and how like-minded international partners should work with Africa's regional institutions.

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#### 1. Introduction

Africa and the rest of the world are in flux. Autocracy has been on the rise and some see non-democratic development models as a credible alternative path to democracy. The string of recent unconstitutional changes of government (UCGs) in Africa poses significant challenges to African institutions, communities and wider international partners.

UCGs are arguably a manifestation of governance problems. If leaders reduce political space, hold flawed elections without the possibility of real change, and fail to address unemployment, inequality and security threats, it often leads to frustration and erodes public trust in democracy. This, together with perceptions of rising corruption has offered military leaders an excuse to return to politics (such as in Burkina Faso<sup>2</sup>, Mali<sup>3</sup>, Niger<sup>4</sup>).

Issues of resilience, 'third termism' and other efforts to change constitutions to stay in power despite failing to deliver have acted as triggers to a frustrated youth. This has made some regions in Africa particularly prone to coups. Low growth makes it difficult to build state capacity and to address poverty. Without getting the economics right, support for political and individual rights can crumble, especially among those who have not previously lived under military rule and are less aware of its flaws. The advanced age, extended terms and centralisation of power under some long-serving African leaders mean that – after they pass – we are more likely to see unconstitutional changes of government to establish a chosen successor in power. West Africa is currently the most coup prone region, partly due to a history of coups in some Sahel countries and partly due to a rise in non-state armed actors and extremist groups (especially since the fall of Gaddafi in Libya). There has been a shift in regional dynamics and some realignment.

<sup>&</sup>lt;sup>1</sup> Freedom House (2024), '<u>The Mounting Damage of Flawed Elections and Armed Conflict'</u>

<sup>&</sup>lt;sup>2</sup> ISS (2024), 'Burkina Faso: progress and problems after two years of transition'

<sup>&</sup>lt;sup>3</sup> USIP (2021), 'After Two Coups, Mali Needs Regional Support to Bolster Democracy'

<sup>&</sup>lt;sup>4</sup> IISS (2023), 'The coup in Niger'

<sup>&</sup>lt;sup>5</sup> By 2030, young Africans are expected to make up 42 percent of the world's youth and account for 75 percent of the those under age 35 in Africa. Population Reference Bureau (2019), <u>'Africa's Future: Youth and the Data Defining Their Lives'</u>

Since 2001 and the initiation of the Global War on Terrorism, international actors have arguably focused more on security concerns in Africa than on wider democratic issues. This focus on military capability may have encouraged coups. Populist Western leaders have also undermined democratic norms, and others have prioritised bilateral relations with authoritarians over democratic values. China has an attractive development offer and Russia offers itself as a partner of last resort to unpopular leaders. Perceived inconsistencies in the 'rules based international order', and growing tensions between the West and Russia have been amplified through social media narratives and have also played a role in this state of flux.

The African Union (AU) and Regional Economic Communities (RECs) have good written standards but have been unable to fully deliver. Reactions from Western countries to UCGs have been inconsistent too. The region and wider world tend to watch Western responses to UCGs. So greater consistency from external partners could potentially help the AU and RECs to deliver on these norms. If there aren't efforts to hold countries accountable, then UCGs are likely to continue.

We are at an urgent inflection point. Without action more people – especially restive youth without jobs and who feel the continent is heading in the wrong direction - could become sympathetic to illiberal forces. If this happened it could take decades to get back on the right path.

Almost all countries have their own political problems, and partners should be humble in their approach to democracy assistance. It is important to foster democratic systems that moves beyond elite power games, that encompass justice, human dignity and deliver services for the people.

# 2. Normative frameworks in a changing context

The African Union and Regional Economic Communities have some of the most progressive documents on democratic governance, including the AU Constitutive Act, the Lomé Declaration, and the African Charter on Democracy, Elections and Governance<sup>6</sup> (though only 38 members have ratified the latter). They require action

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<sup>&</sup>lt;sup>6</sup> African Union (2007), <u>African Charter on Democracy, Elections and Governance</u>

against a) coups; b) refusals by governments to relinquish power after elections; and c) amendments or revisions to constitutions that infringe on democratic changes of government. The establishment of these norms helped deliver significant progress on democracy and good governance in the 1990s and the early 2000s: constitutional political order, electoral politics and the importance of human rights were all generally accepted. Between 2000 and 2012, AU and REC UCG instruments were regularly applied, and there were strong international reactions. As a result, coups declined, and democratic pluralism increased.

AU and REC election observation efforts have played an important mediating role behind the scenes. In 2022 Kenya faced a contentious election, but AU and REC observation helped to ensure a peaceful outcome. Sometimes REC institutions can appear more credible than national institutions. In East Africa, for example, some actors look to the EAC Parliament and Court. These regional institutions enable officials to share ideas, experiences and provide a source of energy and resilience. For others, however, they have seemed ineffective and added an additional capacity burden on countries.

While the AU and RECs played a progressive role in establishing norms and helping to entrench democracy, they were not designed to promote democracy and many of their members remain undemocratic. This continues to lead to problems with implementation and enforcement.

Additionally, brinkmanship during recent elections has also created a damaging precedent. Some ruling parties have refused to acknowledge that they have lost, and some opposition parties have threatened to take to the streets if they don't win. Power sharing compromises were encouraged to end violence (Kenya, Zimbabwe), but may have had the unintended consequence of incentivising further brinksmanship.

So, sometimes AU and REC interventions can work well (for example with ECOWAS on Gambia), but the unequal application of anti-coup measures and failures to respond to incumbent efforts to hold onto power, or to engage with widespread public protests, continue to open the AU and RECs up to attack.

#### Common challenges

In addition to inconsistency in applying normative frameworks, RECs also often lack resources. At a country level they tend to have small numbers of staff, and some special envoys may not have the necessary skills.

The AU principle of subsidiarity<sup>7</sup> can cause problems if it only acts when RECs are not able to, or if RECs diverge from general AU views. Recent AU reforms of the Peace and Security Council<sup>8</sup> (PSC) have arguably weakened the AU's ability to address challenges to democracy.

Leadership of the AU and RECs also matters and we should think more about their complexities and interacting relations. Rotating chairs determine the political strength and engagement of AU and REC bodies. Neither are likely to act against a sitting chair. When a relatively 'weak' country is chair, we should think more about the significant influence of regional anchor states (Nigeria, Ethiopia, South Africa, Kenya). Countries belonging to more than one REC can also complicate things.

The African Peer Review Mechanism (APRM) provides another legal and normative basis for external actors (who are also APRM members) to step in. In theory they should give notice when a member state that is unwilling to act on governance challenges, but this does not happen in practice. Most individual countries do not produce the required annual reports, undermining APRM early warning systems.

# 3. Popular support for democracy

Afrobarometer polling shows that majorities in all countries have always supported term limits, and Africans generally still have strong support for democracy (66%) and reject non-democratic alternatives. But there has been a 10% decline in those who reject military rule – and in Mali, Burkina Faso, Tunisia and Niger it is now a minority view. Just

<sup>&</sup>lt;sup>7</sup> Subsidiarity is grounded in the idea that sustainable peace is best achieved when conflict resolution mechanisms are driven by those actors who are most affected by and closest to the conflict. Joint ECCAS-CMI Publication (2016), 'The Principle of Subsidiarity'

<sup>8</sup> ISS (2024), 'Will a new Peace and Security Council make a difference?'

over half of Africans surveyed (53%) agree that military leaders should step in if political leaders abuse power.

Afrobarometer also suggests that most Africans preferred accountable over effective government but were increasingly frustrated with the quality of democracy supplied as seen in 1) the quality of elections, 2) perceptions of corruption at a local level and 3) legal accountability of elected officials and ordinary citizens. Democracy tends to come under threat when people feel that their government does not care.

Responses to UCGs tend to be more successful when they complement existing actions by domestic institutions and civil society. They 'saved the day' in Senegal in 2024 and active civil society efforts elsewhere in West Africa (Ghana, Cape Verde, Nigeria and Benin) generate democratic resilience to build on.

### 4. Global context and the role of international partners

In the 1990s the post-Cold War environment meant that people in many African countries led calls for democratisation and were supported by international actors. But now in the context of renewed geostrategic competition, international democratic partners seem to be sidetracked and African democrats have fewer reliable allies. A more aggressive Russia and more powerful China give authoritarian actors alternative options. To address the threat of democratic decline in West Africa, partner nations would need to focus on the problem at a higher level. Many international partners see challenges to democracy as a global problem. They want to help but believe responses should be led by African partners.

Several participants welcomed interest in Africa from multiple international partners. They suggested that while western partners cannot compete with China on infrastructure, they could potentially improve supply chains, governance and labour standards. A shift in thinking - seeing African countries as opportunities rather than problems - could also help. China and Turkey, for example, tend to see the continent in this way, and this gives them an advantage.

Some African partners had found Western pressure on responses to the Russian invasion of Ukraine problematic. They did not want another 'Cold War' or to be instrumentalised. Western participants recognised this and were now taking more nuanced approaches, listening more, and not encouraging partners to make a binary choice.

Some thought it was important to speak up when democracy is under attack. Arguably democratic governments could have stopped the Niger coup and constitutional changes in Togo, but they delayed. Others felt it is necessary to be realistic about the current geopolitical context. Some international partners have been content to let UCGs pass for national security reasons and to quickly move on. Politics in Western countries sometimes prioritises strong negative reactions, require rapid development results or reductions in spending. This has arguably led to a fall in the quality of democracy on the continent. But consolidating democracy is a lifetime engagement that requires sustained programs with space for course correction.

# 5. Responding to democratic decline and UCGs

Structural drivers of unconstitutional changes of government (UCGs) can include insecurity, poverty and a lack of service delivery which are all exacerbated by the effects of climate change. Many countries experience these factors, so thinking about UCG trigger events and indicators is important. Heightened insecurity or power vacuums had acted as triggers, and extreme military reshuffles or increased control of financial flows had been recent indicators.

AU election observation, APRM reports and Afrobarometer opinion polling also contribute to early warning to governments, as do public comments and protests.

### Early warning systems and accountability

AU early warning systems were initially sophisticated with lots of investment, but states progressively undermined efforts to flag potential problems. Agreements on how systems should label countries as 'high risk' fell into disuse.

Objective data could improve consistency, but efforts to protect this from political interference have not worked. Governments want to control data and how it is interpreted. They have discouraged clear colour coding or risks in APRM reports and are not comfortable with AU or APRM numbers, preferring to use their national data which is

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<sup>&</sup>lt;sup>9</sup> UNFCCC (2020), 'Climate Change is an Increasing Threat to Africa'

less likely to show problems. Some national public agencies also lack the resources to do surveys or maintain national databases.

#### The role of peer accountability

There needs to be a better understanding of the conditions under which peer accountability is most credible. REC responses partly depend on relations with individual country leaders. RECs are more likely to have robust UCG norms and responses when their member governments respect these norms.

Peer accountability varies in different regions. ECOWAS has had some positive cases in smaller countries, such as in Gambia. SADC leaders tend to have a sense of solidarity among liberation parties that discourages intervention, but its responses vary. Leaders seem to have chosen how to act on UCGs in their region partly based on their fears about how norms might be applied against them in the future.

#### 6. Recommendations

#### The African Union and Regional Economic Communities

- The AU could play a greater role in defining what specific African solutions different African countries want from their partnerships with international actors.
- There could be more innovation in preventative diplomacy. It is important to think about who takes the message, who carries it and what needs to be delivered. Preventative diplomacy is an art. To address coups, we could think about which countries would get an orange risk light, and then consider which national figures are most credible and might be able to play a role. Thinking about military to military relations could also be useful.
- RECs and the international community could do more to connect to citizens on the ground and listen to what they are asking for. This is especially important during long term protests with consistent demands (such as were the cases in Sudan and in parts of the Sahel) and should feed into early warning.
- Regional organisations could do more to play a constructive role in negotiations and to monitor transitions after UCGs.

 There is more to be done to help citizens understand what RECs can do for them. We could consider strengthening RECs national chapters, or funding civil society keen on engaging with RECs.

#### **International partners**

- International responses and interventions should reflect different national contexts. Donors could prioritise assistance based on what African publics say they want most (as presented in Afrobarometer data, for example).
   In some countries this is health and education, but in Mali and Burkina Faso this changed to crime and security. Institutions and governance practices should not be separated from the culture and practices of everyday people.
- Structural issues cannot be ignored. Where democracy is reinstated after coups, there could be efforts to continue to address factors that led to destabilisation. International partners should avoid using template coup responses, though negotiations should always aim to be inclusive and involve civil society actors.
- International support for RECs makes a difference and should be enhanced. International partners could put more resources into RECs, investing in both institutions and personnel. It is no longer possible only to work through the UN or EU on peace and security. Actors in the region tend to have a better understanding of what is possible and are aware of their own limitations. Donor desires to lead their own programmes can be counterproductive. Political leaders will continue to be reluctant to criticise neighbours, but it is important that international actors continue to back up RECs' normative frameworks (AU or REC mechanisms could be referenced more in key international documents) and efforts to monitor and uphold election results.
- Western support for African democracy needs to be embedded in long term strategies. Policies to discourage UCGs could include attention and investment over the long-term, responding to the needs of the people. Threeto-five-year strategies are not long enough to strengthen civic engagement and democracy. Assistance should continue to encourage more people-centred institutions, invest in civil society and those committed to positive change.
- **Communication is key.** International partners could think more about how they talk about governance in African countries that are not responsive to their publics. Furthermore, it is important to think more about ways to hold semi-authoritarian governments to account when things go wrong. Without this,

space is created for Juntas to say that the West supports oppressive governments. International partners must strike a difficult balance between trying to respond to calls for their involvement, while also being aware of perceptions of interference.

#### **Civil society**

- Establishing clearer common goals and responsibilities. It is important that
  local partners and donors agree on a common goal and establish clear roles and
  responsibilities. A written framework for resolving conflicts helps to avoid
  miscommunication.
- Civil society can play a greater role in strengthening accountability and holding leaders to account. Communication must happen on the ground and with empathy helping make sure civil society concerns are also expressed. Civil society have had some impressive successes (ensuring the 2024 Senegal elections went ahead) when they hold leaders accountable to constitutions, but they often feel ignored. REC rules make it hard for them to see what is happening in RECs or the AU, but there is potential for closer engagement and support.

## 7. Areas for further discussion and progress

The dialogue raised a number of tensions and questions that require further examination, research and resolution.

- How can we build greater incentives for leaders to stick to constitutional term limits? It is important to think more about exit paths and incentives for leaders. Other than the Ibrahim Prize for Achievement in African Leadership, there are not many incentives for leaders to step down and ensure a democratic legacy.
- 2. **How to respond to popular uprisings?** There has been a challenge since the Arab Spring of 2010. The AU, RECs and others find it hard to distinguish between narrow coups and efforts to remove leaders that have a genuinely popular backing. It is important to find a way to distinguish between these and potentially consider differentiated responses. It is worth recognising that some states have a legacy of military leaders seen to have made a positive impact (such as Sankara in Burkina Faso).

- 3. How are Western actors positioned to respond to coups in the immediate aftermath? Western actors could think more about the first 48 hours after a coup, whether their own systems are well prepared to react.
- 4. **How to build more consistent responses to crises?** International actors tend to respond to crises but are not always consistent. Ministers in Western countries have relatively short terms and their own national priorities. Trying to get consistency and not just responding in a knee-jerk way to crises is hard, but ideally international actors should work to improve coordination to reduce the burden on the countries they want to assist. The UN found 17 different international support plans for the Sahel, for example.
- 5. **How to return to constitutional order?** Pre-coup regimes were often corrupt, poorly managed and infringed on human rights. We should consider addressing these causes as well as thinking about how to react to military-led coup regimes.
- 6. **How can electoral systems be enhanced?** More needs to be done to strengthen electoral systems and associated institutions as flawed elections have been one of the biggest precursors to UCGs. Genuinely independent election commission leaders have played an important role standing up to incumbents who wanted to manipulate processes (Zambia 2021, Liberia 2024).
- 7. How to strengthen accountable governance in non-democratic states? Some participants expressed the view that democracy may not yet be the right model in the Horn of Africa where post-colonial states are fighting for survival or viability. But in these states RECs and others could think about how to strengthen social contracts and empower people to hold elites accountable for delivering basic goods and food.
- 8. **How to manage diversity?** We may need to think again about ways of managing diversity, especially in large states such as DRC or Sudan, with groups spanning borders and where identity or nationality might feel more organic. One option proposed was to consider ongoing reconciliation efforts, with community outreach programs. Some people suggested that RECs or the AU could play a role in enabling the devolution of authority, but others wanted them to focus on encouraging greater regional integration.
- 9. **How to improve the role and impact of anchor states?** Anchor states can wield significant influence in their regions. There may be ways for them to show understanding of public or regional frustrations about international powers, but also stake out strong REC positions that can strengthen accountable governance and that clearly demonstrate that coups are not acceptable.

- 10. How to respond to potential threats of violence? Some election observation efforts focus on conflict prevention above all else. They consider an election successful if it is free from violence and delivers a peaceful transition, even if the process is significantly flawed. Others felt that ignoring obvious short term democratic decline encouraged coups and UCGs in the longer term. Young people in particular were frustrated by the lack of international action in response to UCGs in Zimbabwe 2017 and Chad 2021. Some participants felt that incumbent politicians regularly warned about the potential for violence as a way of discouraging observers from saying anything critical.
- 11. **Are sanctions helping?** There is a sense of international and regional double standards (AU on sanctions) that coup leaders have utilised (Mali, Burkina Faso, Guinea) to turn their publics against regional sanctions. Several participants were concerned about a perceived toning down of sanctions some saw it as further signs of weakening AU and REC norms that could encourage future coups. Others welcomed the change, seeing it as an effort to alleviate the suffering of ordinary people and a way of enabling discussions with coup regimes.
- 12. **How do funding models impact RECs?** Funding models may have an impact on the accountability of RECs and wider African institutions. ECOWAS has been stronger arguably because it is less reliant on international funding, so its members pay more attention to how it is run.

# **List of acronyms**

**APRM** – Africa Peer Review Mechanism

**AU** – African Union

**EAC** – East African Community

**ECOWAS** – Economic Community of West African States

IGAD - Intergovernmental Authority on Development

**PSC** – Peace and Security Council

**REC** – Regional Economic Community

**SADC** – Southern African Development Community

**UCG** – Unconstitutional Change of Government

# Chris Day, Wilkie Briggs, Elizabeth Donnelly July 2024

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