



Facing Democratic Backsliding in Africa & Reversing the Trend

Presented at

“Democratic Backsliding in Sub-Saharan Africa”

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Chairman Bass, Ranking Member Smith, and distinguished members of this Subcommittee, on behalf of the National Democratic Institute (NDI), I appreciate the opportunity to discuss democratic backsliding in Sub-Saharan Africa, and issues of institutional fragility, freedoms and human rights.

NDI has over three decades of technical assistance to, and support for democratic institutions and processes in Africa, and currently runs active programs in 20 countries. On a personal note, I have served with the Institute for over 25 years, and remember NDI's first initiative in Africa -- a conference on multi party politics held in Dakar, Senegal, in 1985 -- at a time when the topic was considered so controversial that the event needed to be pre-approved by the Senegalese Head of State at the time, President Abdou Diouf. Since then, NDI has conducted programs with political and civic leaders and activists from close to 50 of the continent's 54 countries. We have done our work thanks to sustained bipartisan support in Congress, including from this Subcommittee, for which we are deeply grateful. We also highly appreciate the personal commitment of the Chair who, in recent years, led international election observation missions with NDI to Kenya in 2017 and to Zimbabwe in 2018.

OVERVIEW OF BACKSLIDING PHENOMENON

A few years after that 1985 Senegal conference on multipartism, the Berlin wall came down, the Soviet Union collapsed, the anti-apartheid hero Nelson Mandela regained his freedom in South Africa; and so began a cascade of events in the late 1980s and early 1990s that jump-started a wave of democratization across the entire continent. By **Freedom House** ratings, Africa then went from two thirds of the countries classified as 'Not Free' and only two countries - Botswana and Mauritius - 'Free' in 1989, to two thirds of all African nations classified as either 'Free' or 'Partly Free' by 2009. In the last two years, we have seen positive developments in countries such as Sudan, where a 30-year autocratic regime under General Omar Al-Bashir was ousted after sustained peaceful protests led by women, civil society activists and representatives of professional associations; and Malawi, where the Supreme Court nullified a poorly conducted 2019 presidential election and ordered a rerun which was successfully conducted in July 2020, leading to a peaceful transfer of power. Democratic advances were particularly strong in West Africa, a subregion in which, by early 2020, only one of 15 presidents - Faure Gnassingbé of Togo - had been in office for more than two terms.

Regrettably, by 2019, democratic trends reversed, and there are now fewer democracies in Africa than was the case 20 years ago. Notably, West Africa, previously commended as a trailblazer region, has seen serious backsliding as Mali experienced a military coup, and major controversies have arisen about the candidacies for reelection of incumbent presidents in Guinea Conakry and Côte d'Ivoire. The Central Africa subregion remains stuck with the highest concentration of autocratic regimes with the three longest-serving presidents in the world in Equatorial Guinea (41 years), Cameroon (38 years), and Congo-Brazzaville (38 years). In Southern and East Africa, continued persecution of political opposition and civil society activists in Zimbabwe, and similar worrying patterns in Tanzania since 2016, seriously diminish citizen participation in politics and governance, and also stymie prospects for much needed reforms. In the Horn of Africa, early hopes of broadening political space and rights in Ethiopia when the current government came to power in 2018, are now under threat as human rights activists and

journalists are harassed and detained, and the country struggles to maintain its unity and find consensus over the legal framework and timeline for national elections.

The COVID-19 pandemic has not helped, as it has slowed or impeded election preparations, and generated fears that in some countries with national elections scheduled to take place before the end of the year, incumbents would abuse emergency powers to limit freedoms of expression and assembly and further shrink political space. Presidential elections are scheduled to take place in Burkina Faso, the Central African Republic, Côte d'Ivoire, Ghana, Guinea, Niger and Tanzania, while parliamentary elections initially scheduled for this year in Ethiopia have been postponed indefinitely.

African democrats face a growing, complicit and dangerous web of internal and external conditions and actors that aggressively seek to thwart their democratic aspirations in favor of authoritarian opportunism.

DOMESTIC OR INTERNAL INGREDIENTS OF BACKSLIDING

Fragility of instruments of governance. Opinion surveys by reputable organizations, such as Afrobarometer, continue to show that an overwhelming majority of Africans believe in democracy as the best form of government -- even as they disapprove of the performance of their leaders. In other words, demand for democracy remains high on the African continent, while its supply is on the decline. In an elaborate survey of over 45,000 respondents in 34 African countries conducted between 2016 and 2018, Afrobarometer found that only 34 percent of respondents felt they live in a democracy and are satisfied with how democracy works in their countries, while a full 68 percent think that democracy is the best form of government. Many countries in Africa are falling short in their efforts to consolidate constitutional rule, particularly with regards to the respect of presidential term limits; and other instruments of governance such as laws on elections, civic space and political party activity.

Since the early 2000s, about a dozen Sub-Saharan African countries have modified or removed constitutional term limits, adopted during the democratization wave to facilitate the peaceful and orderly renewal of political leadership. The weakening of constitutionalism, always organized by regimes for the benefit of the incumbent president, has in most cases been shrouded in controversy. It has led to excessive fragmentation and polarization of the polity, and, in some cases outright violence, and the further shrinking of political space. In Uganda, a constitutional amendment in 2018, would allow the current president who would have been in power for 35 years by the next election in 2021, to run for reelection. Similar amendments in countries such as Rwanda, Chad and Cameroon would allow long-serving, often old presidents to remain in office for life.

Correlation between disregard of constitutional norms and authoritarianism. The abrogation of presidential term limits or manipulation of constitutions for personal or partisan gain tend to be warning signs of more alarming democratic backsliding, indicating an erosion of checks and balances, and a further undermining of other tenets of democracy such as the independence of the judiciary to rule without bias, the power of legislators to exercise oversight,

or of journalists and human rights advocates to safeguard the rights of citizens. Moreover, leaders that push through constitutional amendments to shrink political space or perpetuate themselves in power feel emboldened to extend that same wanton impunity into other spheres of governance.

In one notable example, in 2008, in Cameroon, incumbent president Paul Biya in his 26th year in office, forced through a constitutional amendment to eliminate term limits so he could stay in power. In the street protests that followed, over 140 youth were killed by security services, acting with total impunity. Eight years later in 2016, when English speaking lawyers and teachers in the otherwise bilingual country protested the marginalization of Anglophones or natives of the former British Southern Cameroons, the government resorted to the same use of force that worked in 2008, instead of addressing the genuine political grievances of that population. That response from the government caused what began as civil complaints to degenerate into an armed conflict with major consequences for the country and the subregion. Today, the conflict has led to the loss of thousands of lives, hundreds of villages razed, tens of thousands of refugees across the border in neighboring Nigeria and hundreds of thousands of internally displaced persons in other regions of the country. The United Nations estimates that millions of Anglophone Cameroonians are now at risk of famine because of the conflict. To many Cameroonians from the affected regions, this conflict has become an existential threat to them and future generations, and with every new day of killings and atrocities, demands to opt out of the current state only grow louder. Similarly, after the 2018 presidential election, the outcome of which was contested by one of the main opposition candidates, Maurice Kamto of the Cameroon Renaissance Movement, the government has resorted to the same strong arm tactics to muzzle political opposition, journalists and all manner of dissent. Today, after 38 years as president, 87-year-old Paul Biya hangs on to power and can seek reelection for the rest of his life while the country burns and risks falling apart.

Lack of renewal of political leadership and state capture. Fragile constitutional frameworks undermine accountability and prevent renewal of leadership. The loss of accountability mechanisms that accompany term limit evasions is a major contributing factor to state capture by political elites who then seek a monopoly of access to economic power through patronage, prebends and corruption to maintain the status quo. State capture therefore severely restrains economic growth, inhibits the participation of larger segments of society in the country's economy, and undercuts the emergence of a viable private sector. It is no surprise that most of today's autocrats were already in positions of power or influence in the 1960s and 1970s when one party states or military rule were commonplace across the continent; with the advent of democratization they changed their stripes and now pay lip service to democracy without necessarily backing up their verbal utterances with democratic performance.

New crop of pseudo-democrats. African efforts at democratization have been stifled in a number of cases by leaders who, though elected democratically, proceeded, once in office, to revise the rules of the game or use other levers of power to shrink democratic space and maintain themselves in power. In this regard, leaders in countries such as Tanzania, Benin and Senegal, erstwhile democratic success stories, were only rated 'Partly Free' by Freedom House in 2019. In Tanzania, a series of draconian laws and regulations enacted since 2016 imposed unwarranted

restrictions on political parties, civil society and journalists, while in Benin (downgraded from 'Free' in previous years), a new electoral code was hastily adopted in the months leading up to legislative elections in April 2019, subsequent to which all opposition parties were impeded from participating in those polls. Similarly, in Senegal, two leading opposition candidates were excluded from the presidential election following their conviction in politically controversial corruption cases. Moreover, the number of active duty military officers or former rebel leaders turned politicians remains disconcertingly high, three decades into democratization efforts across the continent.

EXTERNAL VECTORS OF DEMOCRATIC BACKSLIDING

In a throw back to the old days of the cold war, illiberal forces from outside the continent are amplifying negative internal dynamics in a number of countries. Various extremist groups are seeking to undermine and further weaken already fragile states, while foreign powers such as China and Russia, in pursuit of their own political and economic interests, present alternative social models that do not inspire the embrace of democratic values.

Violent extremism. Weak state presence and porous national borders in the Sahel and the Horn of Africa have led to heightened activity by extremist groups, many of which originated from outside of the continent but have gained a strong foothold in the region. The initial foray of jihadists fighters into Northern Mali were remnants of various rebel fighters from Algeria, Libya and parts of the Middle East who easily found refuge in large swaths of ungovernable spaces in the Sahel. Overtime, these groups have found allies in local groups with grievances against the central government. Today, in the tri-border region between Burkina Faso, Mali and Niger, also called the Liptako-Gourma, domestic and regional terror groups, some of which are affiliates of the "Islamic State" or *Al Qaeda* now work hand-in-hand to generate financial resources and seek to dominate local communities through the trafficking of drugs, cigarettes, humans, weapons and other goods. Similarly, in the Horn of Africa, Somalia continues to struggle to combat Islamic terrorism as Al-Shabaab seeks to undermine various incarnations of the Somali government since 2009. Al-Shabaab has also attempted to strike outside of Somalia, and has inflicted casualties among civilian populations in Djibouti, Ethiopia and Kenya. In response, the countries have had to bolster their military and defense spending, often at the expense of education, health and other citizen services. The inability of governments to deliver human security and basic services to citizens has diminished citizens' faith in the 'democracy dividend,' which many Africans had hoped to see upon successful democratic transitions. Moreover, under the guise of fighting terrorism, especially beginning in the early 2000s, autocratic regimes in countries such as Zimbabwe, Tanzania and Cameroon have enacted stringent anti-terrorism laws that have been used to curb the rights of citizens, impede political party activities and suppress the press and other forms of dissent or contestation of government actions.

China. Although China has engaged strategically with African governments, ruling parties and liberation movements for several decades, its newest foray onto the continent is both bullish and assertive. China carries an apparent 'no strings attached' approach in its bilateral relations with African countries, with an emphasis on infrastructural development, financial aid and loans, and access to raw materials; it does, however, expect in return political support in forums such as the

United Nations and for its ‘One China Policy.’ For example, after Burkina Faso recognized China instead of Taiwan in 2018, the Chinese government pledged a contribution of \$44 million to the G5 Sahel Joint Force, of which Burkina Faso is a partner. Tiny eSwatini (Swaziland) is now Taiwan’s only remaining bilateral mission in Africa. Over 95 percent of China’s raw materials imports are from Africa, and include oil, minerals and timber.

Since launching the Forum on China and Africa Cooperation in 2002, China has hosted a summit for African heads of state or government every three years, chaired by the Chinese president. It has also strengthened its citizen exchanges with Africa, going from 40,000 African students who received scholarships to study in China from 2012 to 2016, to 80,000 in 2020. In comparison, only 40,000 Africans are currently studying in the U.S. China has a network of about 60 Confucius Institutes on African university campuses. There are approximately 20,000 Chinese medical personnel in Africa. The Chinese government-run news agency, Xinhua, is the largest foreign news source in Africa with more than 20 bureaus across the continent, and China Radio International, and China Television Global Network (CTGN) broadcast in English, French and major local languages to a growing African audience. The Chinese Communist party regularly invites groups of African journalists on study visits to China. Chinese soldiers are part of the United Nations Peacekeeping Missions in Sudan and in the Sahel; and the country has a military base in Djibouti.

Chinese engagement in Africa is relevant to this hearing as the country and its very influential Chinese Communist Party (CCP) present an alternative narrative to political and economic development that does not place a premium on pluralistic democratic values and processes. For example, in 2018, China, on behalf of the CCP, launched a US\$45 million dollar project in Tanzania to construct a party institute for the country’s ruling party and former liberation movements that are now ruling parties in South Africa, Zimbabwe, Angola, Namibia and Mozambique -- countries that have all embraced multipartism and more open political space. That same year, China and the CCP hosted a two-day high profile conference in Dar-es-Salaam, Tanzania for leaders from 40 ruling parties across Africa to discuss opportunities for deepening collaboration.

Russia. In October 2019, Russian president Vladimir Putin and Egyptian president Abdel Fattah el-Sisi co-hosted the first Russia-Africa summit for 43 African heads of state and government. Russia declared Africa a foreign policy priority and pledged political and diplomatic support, defense and security assistance, economic development, health care advice and education and vocational training. Russia’s engagement in the defense sector in Africa is growing rapidly. Since 2015, military cooperation agreements have been signed with over 20 African countries. In 2017 and 2018, Russia signed export agreements for military equipment with Angola, Nigeria, Sudan, Mali, Burkina Faso and Equatorial Guinea, which include the delivery of Russian fighter jets, combat and transport helicopters, anti-tank missiles and engines for fighter planes. In the Central African Republic, Russia has deployed mercenaries to allegedly support the government in its fight against a broad array of rebel groups.

Today, Russia seems eager to revive its engagement in Africa by restoring Soviet-era type ties with countries across the continent. Like China, Russia strives to benefit from the continent’s

raw materials such as manganese, bauxite and chromium; in the process, showing no regard or interest in supporting democratic reforms or practices, such as government oversight, freedom of speech and the press and the protection of human rights. In one notable example in January 2019, as the president of Guinea Conakry contemplated elongating his term of office contrary to the country's constitution, then Russian ambassador to Guinea publicly praised President Conde and openly backed the anti-constitutional move. A few months after ending his tour of duty as ambassador, the said individual returned to Guinea Conakry to head the Russian aluminium firm Rusal that runs an important bauxite concession in the country. In another example of interference in African political processes for economic gain, as widely reported by the *New York Times*, Russia actively financed the campaigns of almost all candidates to the presidential election in Madagascar, starting with the former President Rajaonarimampianina in his bid to win reelection in 2019, and quickly spreading money around to other candidates as it became apparent that Rajaonarimampianina was losing the race. That effort was geared at helping Russia maintain control of its chromium mining operations in the country.

Media reports have also surfaced, including as recently as March 2020, about Russian efforts to sow disinformation in social discourse including a CNN report on an alleged Russian 'troll factory' in Accra, Ghana. More ominous for nascent, fragile democracies in Africa, it is worthy of note that some leaders of the Malian military that toppled a democratically elected president in August 2020, had just returned from a year of military training in Russia. Although the Kremlin may not have actively supported the coup, Russia has been quick to establish friendly relations with the military junta, and the Russian ambassador in Bamako was one of the first foreign dignitaries to meet with junta leadership within days of the coup. Russia is generally viewed positively in Mali, as seen by protesters waving Russian flags and pro-Russia posters during a pro-coup demonstration.

THE WAY FORWARD

Despite these significant challenges, there are reasons for hope, and prospects for democratic gains in Africa are within reach, especially if synergies are developed and sustained across multiple sectors of pro-democracy advocates and champions.

Democratic aspirations of a majority of 1.4 billion Africans. As stated earlier, surveys by the well respected Afrobarometer research institution consistently indicate a preference among Africans for democratic rule over all other types of government. In its [2019 survey](#) of respondents in 34 countries, Afrobarometer found that more than two thirds (68 percent) of Africans say that democracy is the best form of government. Even higher percentages are opposed to various forms of authoritarianism with 78 percent opposed to dictatorship, 74 percent opposing one party rule, and 72 percent opposing military rule. Although for the 20 countries with data going back to the early 2000s, the preference for democracy has declined in some countries over time, in a majority of countries, it has increased. Support for presidential term limits is strong across the continent, and particularly high in Guinea (76 percent) and Côte d'Ivoire (78 percent), two countries facing presidential elections in October with surrounding controversy over the third term issue. In Uganda and Zimbabwe, two countries that do not currently have term limits, support for the introduction of such limits is similarly high -- a

staggering 85 percent in Uganda and 74 percent in Zimbabwe, according to Afrobarometer data from 2011/2013. In Nigeria, when President Obasanjo in 2006 tried to revise the constitution so he could stand for a third term, he was successfully opposed by his own legislative majority. In 2001, President Chiluba of Zambia similarly had to abandon efforts at removing constitutional term limits when members of his own party in response pressed for impeachment proceedings against him.

Demographic asset. According to United Nations statistics, Africa has the largest concentration of young people in the world. People aged below 35 make up 75 percent of the population, and constructive positive engagement with this youthful population in reinforcing their commitment to democratic values and practices would augur well for a more prosperous democratic future.

Youth and technology. Youth have been at the forefront of a rising number of protest movements against democratic backsliding and bad governance across the continent, pushing back against violations of democratic norms and deftly using the tools of new technologies and social media platforms to organize and communicate, including across national borders, when necessary. In Senegal in 2012, when former President Abdoulaye Wade tried to elongate his term of office by seeking a third presidential term, a youth-led civil society movement *Y'en a Marre* sprang up and successfully mobilized voters to counter Wade's efforts. Inspired by the Senegalese success, a similar youth-led civil society movement *Balai Citoyen* emerged in Burkina Faso in 2014, and was instrumental in forcing former President Blaise Compaoré, who had been in power for 27 years, to step down and not change constitutional term limits to perpetuate himself in power. Similarly, young civic leaders in the Democratic Republic of Congo (DRC) organized the movements *Lucha* and *Filimbi* which, through street protests, pressured then President Joseph Kabila to abide by constitutional term limits and step down in January 2019. The successes of these movements bear testament to the power of citizen engagement and resilience in countering efforts by authoritarian-leaning leaders to manipulate existing legal frameworks and perpetuate themselves in power.

Women and access to political power and decision-making. Women constitute approximately 51 percent of the continent's population, although their full weight has still to be felt in policy-making and political processes. Increasingly though, women's leadership and representation is progressing, and more women are playing important roles at the forefront of political movements in countries as diverse as Burkina Faso and Sudan. In the past decade, President Ellen Johnson Sirleaf was twice elected president in Liberia, and two other women served as presidents during multi-year transition periods in Malawi and the Central African Republic. To date, 42 African countries have established gender quotas for public elections varying from a low 25 percent in Niger to a 50 percent gender balance quota in Rwanda and Senegal. In Rwanda, a combination of a 30 percent gender quota and reserved seats for women have resulted in women now holding 61 percent of seats in the Chamber of Deputies. According to the Inter-Parliamentary Union, of 75 legislative bodies in Africa (upper and lower Chambers), 16 are headed by women, including in: Democratic Republic of the Congo, Equatorial Guinea, Eswatini, Ethiopia, Gabon, The Gambia, Lesotho, Liberia, Madagascar, Malawi, Mozambique, Rwanda, South Africa, Togo, Uganda and Zimbabwe. Reforms to promote women's empowerment and gender equality in business will bear dividends, especially as six of the top

reforming economies in the world, as per the World Bank, are in Sub-Saharan Africa -- the Democratic Republic of Congo, Guinea, Malawi, Mauritius, São Tomé and Príncipe and Zambia. Increasing women's political and economic empowerment will contribute to more equitable and responsive government policies in the years and decades to come.

Legal instruments. One of the beauties of today's Africa is that significant progress has been made in terms of adopting continent-wide and regional norms and legal instruments in support of democracy and good governance. The African Union (AU) adopted the Charter on Democracy, Elections and Governance in 2007 as a roadmap to encourage better governance, dissuade militaries from intervening in political processes, and facilitate credible elections and peaceful transfers of power across the continent. The Charter, which entered into force in 2012, identifies best practices and sets out international standards of good governance and democracy in such areas as rule of law and constitutionalism, free and fair elections and healthy civil-military relations. Some subregions such as West Africa already had region-specific protocols on the books. For example, the ECOWAS Protocol on Democracy and Good Governance of 2001, ratified in 2005, was adopted as a mechanism to promote regional convergence toward constitutional government. These legal instruments provide a conducive framework for strengthening democratic institutions and processes across the continent, should new leadership emerge with greater political will and the vision to improve the wellbeing of their fellow citizens than is currently the case in some countries on the continent.

RECOMMENDATIONS

Building a firewall against democratic backsliding in Africa requires a combined effort among Africans and democracy advocates, practitioners and champions worldwide. Below are a few recommendations that could contribute to such a collective endeavor.

To U.S. Policy makers:

- Revamp U.S.-Africa policy with a view to consolidating investments made over the past three decades in building democratic institutions, and fostering governance principles and practices that improve the wellbeing of citizens.
- Envisage the amplified use of incentives, but also punitive measures such as targeted sanctions against regime leaders and political elites that perpetuate gross human rights violations and atrocities against their own people, and hence trigger violence and armed conflict that decimate the material and human capital of their countries.
- Prioritize initiatives that support women, youth and other underrepresented or marginalized groups that are the most vulnerable, and hence most likely to be disaffected by the state and to lose faith in the direct and societal benefits of democracy.
- Calibrate U.S.-Africa engagement to focus intensely on the generation of 35 years and younger as they form the African youth bulge and are, significantly, the generation that has come of age with the democracy wave of the 1990s and beyond.

To the international community at large:

- Amplify public diplomacy on measures that strengthen democracy and good governance, as they also are preventive pillars to global crises such as illegal migration, violent extremism, human trafficking and transnational crime.
- Be consistent in bilateral and multilateral engagements with African countries so as to avoid double standards and elite-driven relationships hampering democratization efforts across the continent.
- Provide access to global platforms within the United Nations system, including the UN Security Council for substantive discussions on the wellbeing of Africans and an end to the gross atrocities and human rights violation that are a plague on the human conscience.

To African democrats:

- Intensify building synergistic national and regional networks of democracy advocates and champions to consolidate best practices and enhance peer-to-peer learning and support in the pursuit of more just and open societies.
- Enhance regional diplomatic cross-sectorial engagements, including with statesmen and women, legislators and regional judicial entities to obtain greater commitments to democratic norms enshrined in regional and subregional charters.
- Invest heavily in empowering youth and women as leaders with the vision, skills and commitment to safeguard and promote greater and better democratic performance across the continent.

CONCLUSION

Thank you again for holding this hearing on this very important subject. With Congress's support, NDI will continue to assist African democrats across the continent as they raise their voices, claim civic and political space and hold their leaders accountable in an effort to consolidate the democratic gains of the past 30 years and counter further democratic backsliding.

Again, I want to thank the Chairman and Ranking Member, and members of this Committee for your support for our work, and for inviting me to testify before you today.