WEST AFRICA NETWORK FOR PEACEBUILDING

BUILDING RELATIONSHIPS FOR PEACE

2019-2021
ELECTIONS
IN WEST AFRICA:

HOPES AND CHALLENGES FOR THE NEXT ELECTORAL CYCLES

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SEPTEMBER 2022

Foreword

In a region such as West Africa, elections are recurrent but never the same. This is inevitable because the region boasts of 15 countries that hold various types of elections (Referendum, Presidential, General, Legislative, Municipal, Local…) in dynamic and diverse national and regional contexts. Some of these elections are so open and participatory that they are described as public celebrations of democracy. Others are marked by so many irregularities and tensions, including violence, that even leave actors scared for their lives. A few others are more like pretence rituals just to please donor communities. Given such a wide range of characteristics, any ambition to highlight, in a comparative way, progress or setbacks, similarities or differences, breaks or continuity becomes a time- and care-consuming task.

From October 2018 to April 2022, the West African Network for Peacebuilding (WANEP) contributed to the peaceful management of 17 electoral processes across 11 West African countries namely Senegal, Guinea-Bissau, Togo, Mali, Guinea, Côte d'Ivoire, Burkina-Faso, Ghana, Niger, Benin, Gambia. The types of elections covered included one local, one legislative and referendum, two legislative, seven presidential and three general (presidential and legislative) elections in different contexts. This was done as part of the E-MAM project (Electoral Violence Monitoring, Analysis and Mitigation) implemented in partnership with the ECOWAS Commission (Economic Community of West African States) and UNOWAS (United Nations Office for West Africa and the Sahel). In line with the monitoring-evaluation-reporting policy of the European Union, the main financial partner of the project, several annual reports as well as capitalisation and evaluation reports were produced. Although they meet the needs for which they were drafted, the templates used have limitations for the public dissemination of these reports. Therefore, due to the amount of information, analysis and lessons learnt, the need for this publication became apparent and resources were mobilised for that purpose.

This publication was written between March and September 2022, at the end of the 42-month implementation of the E-MAM project. It is entitled "Elections 2019-2021 in West Africa: Hopes and Challenges for the Next Electoral Cycle" and was written by a panel of three consultants recruited for this purpose. They are Dr Mamadou SECK (Senegalese), Dr Fiifi EDU-AFFUL (Ghanaian) and Mr Hamadi H. DIALLO (Malian). They were in charge of collecting all the data, information and reports (Political analysis documents in the run-up to the elections, Stakeholder matrix, Mapping of areas at risk of electoral violence, Indicators to monitor the risks of electoral violence, Research reports, Project reports, Evaluation reports, Preliminary election

observation statements, Press publications, Electoral situation room data, Good offices mission reports, Lessons learned workshop reports...) generated throughout the implementation of the project in the 11 countries concerned to produce a summary of analyses, perspectives and lessons learnt for better contributions to peaceful elections in the region. The approach to writing the publication was largely based on desk review with documentation from a variety of sources including key actors involved in the 17 electoral processes covered. This desk review was supplemented by several interviews as well as additional data collection initiatives based on templates developed for the purpose.

The result of several months of processing and analysis was the first draft of the publication submitted by the College of Consultants. National and regional experts were mobilised for proofreading. The integration of the fruits of various reviews resulted in this final version. It is an interesting resource for all those interested in elections: Election Management Bodies, political parties, Civil Society Organisations, Technical and Financial Partners, the Media, researchers and citizens. It is presented in 4 different chapters:

- Elections in West Africa: Between deepening and deconsolidating democratic gains,

- 2019-2021 electoral processes and systems in West Africa: Progress, limitations and vulnerabilities,

- Other actors in electoral processes in Africa: Dynamics and contributions,

- Hopes and Challenges for the Coming Electoral Cycle

Even if data existed, the extent of the coverage period and the quantity of data to be processed made it difficult to write this publication.

We take this opportunity to express our gratitude to the various contributors for their support throughout the process of writing this publication, which we invite you to discover.

Content

Summary

Inclusive, genuine, free and fair elections continue to be the most indispensable components of democratic governance. Together with rule of law and respect for human rights, participation, contest of ideas, control of resources, and the power to influence, elections have become the singular most important activity that drive and sustain growth and development. Over the last decade, the West Africa Sub-region have achieved great strides of progress by holding periodic elections and sustaining the emergence of democratic governments. However, challenges still remain and incidents of human rights violations leading to election-related violence have become a common feature of most elections in the sub region. Additionally, deep-rooted discrimination based on gender or origin, social marginalization of numerous minority groups and economic inequality continue to be kore hindrances to inclusive election.

Besides these factors, succession and alternation of power either planned or unplanned also has the potential to create destabilizing effects in many countries, hence influence the democratic governance. Although some countries have handled succession better than others, most countries within the West African sub region have had repeat elections involving transitions from one elected government to another even if those transitions mostly meant the return of incumbents to power. There are equally challenges with the role of Civil Society Organization (CSO) in the democratic processes alongside a narrowing civic space in some countries. Furthermore, the rise of insecurity in the West African sub-region worsening thus, the context of the election triggers the imperative need to reinforce the governance structures to efficiently deal with these emerging security dilemmas.

By managing the existing knowledges and capacities from the various election actors and bodies in the sub region, the West African Network for Peacebuilding (WANEP) aimed to support the strengthening of institutional arrangements that makes the organization of elections in the region incident and violent free. Through the Electoral violence –Monitoring, Analysis and Mitigation (E-MAM) project implemented in eleven West African countries namely Senegal, Guinea-Bissau, Togo, Mali, Guinea, Côte d'Ivoire, Burkina-Faso, Ghana, Niger, Benin and the Gambia, electoral processes were assessed and categorized.

At the climax of the project, research using five approaches was conducted to document the achievements and challenges, as well as drawing key lessons and strategies towards future elections. The first approach was to examine broadly the checkered history of election in West Africa by looking at how many of the countries

have evolved from military rule to consolidating democratic gains. It analyses the various political succession and transitions of power and assess the role of civil society organizations in the governance spectrum.

Furthermore, it assesses the current socio-political situation within the west African region and the Sahel and how that has the propensity to derail the gains made in the quest to entrench democracy in the sub-region.

The second approach dealt with the electoral processes and the electoral systems with selected country cases from 2019 to 2021 by looking at the progress made so far, challenges to the smooth operationalization of the various electoral systems within the West African Sub-region and the shortcomings of the electoral bodies tasked to execute elections in the various countries. The third approach considered other actors both internally and externally that contribute to the development and growth of the electoral process. Internal institutions such as religious denominations, NGOs, trade unions, the media, socio-professional organisations, traditional chiefs and associations involved in electoral processes in Africa were considered. Specific attention was paid to the critical roles played the chieftaincy and traditional authority's structures, the media, defence and security forces, their dynamics and contributions to the entrenchment of democracy. The report from the research also considered the overarching oversight of international actors such as the United Nations and its agencies, the African Union, ECOWAS and The International Organisation of La Francophonie in ensuring compliance and the strengthening of local institutions to adhere to international best practices in the organization of election. The fourth approach focuses on E-MAM by looking at civil society experience in electoral conflict management. The final approach considers the expectations and potential challenges for the upcoming electoral cycle in the West Africa Sub-Region. It places the lens on the instability of electoral register, bottlenecks to participation in electoral contests, irregularities and election fraud, results management, digitalization and the punishment of electoral offenders among others.

The series of analysis conducted address a serious gap in existing knowledge regarding the role of multiple actors in the electoral process and how their actions and inactions affect the development of democracy in the sub-region. This report provides an exclusive overview of the challenges and opportunities for strengthening structures, systems and frameworks of democratic consolidation and development. WANEP hopes that the findings and recommendations presented here will contribute to the building of sustainable multiparty democracy for a peaceful West Africa.

Acronyms

ACDEG	African Charter on Democracy, Elections and Governance
ACP	Africa, Caribbean, Pacific
ADA	Austrian Development Agency
AfDB	African Development Bank
ANEC	Autonomous National Electoral Commission
ANP	National People's Assembly
AU	African Union
CAGR	Compound Annual Growth Rate
CBDH	Benin Human Rights Commission
CNCS	National Council for Civil Society
CNDP	National Council for Political Dialogue
CODEO	Coalition for Domestic Election Observation
COSIM	Superior Council of Imams, Mosques and Islamic Affairs
COVID-19	Corona virus pandemic 2019
CPRN	Provisional Commission for National Reconciliation
CRIET	Court for the Suppression of Economic Crimes and Terrorism
CSCI	Ivorian Civil Society Convention
CSO	Civil Society Organisation
CUDIS	Islamic Unitary Framework of Senegal
DPKO	Department of Peacekeeping Operations
DPPA	Department of Political Affairs and Peacebuilding
DSF	Defence and Security Forces
EC	Electoral Commission
ECOMIB	ECOWAS Mission in Guinea Bissau
ECOWAR	ECOWAS Alert and Response System
ECOWAS	Economic Community of West African States
E-MAM	Electoral Violence Monitoring, Analysis and Mitigation Project
EMB	Election Management Body
ESR/SSE	Electoral Situation Room
EU	European Union
FOSEL	Election Security Force
FOSEP	Presidential Election Security Force
FOSSEPEL	Special Election Security Force
GNRE	National Electoral Response Group
ICC	International Criminal Court
ICT	Information and Communication Technology
IEC	Independent Electoral Commission
IIAG	Ibrahim Mo Index of African Governance
INEC	Independent National Electoral Commission

IDEA	Institute for Democracy and Electoral Assistance
IOM	International Organisation for Migration
IPAC	Inter-Party Advisory Committee
IPC	Inter-Party Committee
IsSP	Instrument Contributing to Stability and Peace
ISWAP	Islamic State of West Africa Province
LEPI	Permanent Computerised Voter Register
MISAHEL	African Union Mission for Mali and Sahel
MOEI	International Election Observation Mission
NDC	National Democratic Congress
NDI	National Democratic Institute
NGO	Non-Governmental Organisation
NINA	National Identification Number
NPP	New Patriotic Party
OAU	Organisation of African Unity
OHCHR	Office of the United Nations High Commissioner for Human Rights
OIF	International Organisation of the Francophonie
ONEL	National Election Observatory
OSIWA	Open Society Initiative for West Africa
PAIGCV	African Party for the Independence of Guinea and Cape Verde
PER	Party for Commitment and Recovery
PRS	Party for Social Renewal
RADDHO	African Meeting for the Defence of Human Rights
RAVIC	Administrative Census for the Identification of Natural Persons
SIDA	Swedish International Development Agency
SSR	Security Sector Reform
UN	United Nations
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNIOGBIS	United Nations Integrated Peacebuilding Office in Guinea Bissau
UNISEP	Election Security Unit
UNOCI	United Nations Operation in Côte d'Ivoire
UNOPS	United Nations Office for Project Services
UNOWAS	United Nations Office for West Africa and the Sahel
UNPOL	United Nations Police
UNV	United Nations Volunteers
USSEL	Special Election Security Unit
WANEP	West African Network for Peacebuilding
WODI	WANEP Organisational Development Index.

Acknowledgments

| Chapter 01 |

Elections in West Africa:
Between Deepening and Deconsolidating Democratic Gains

Elections remains an essential part of the democratic process, and a means to manage political competition in a peaceful way. Over the years, elections have become the most viable tool for democratic participation, contest of ideas, control of resources, and the power to influence the actions, beliefs, and the behavior of others.[1] In most situations, elections have become the most observable aspect of democratic institutions. Elections have accelerated the emergence of democratic governments in a number of countries in Africa including Ghana, Senegal, Côte d'Ivoire, Niger, Burkina Faso, Togo, Guinea Bissau and The Gambia among others. Generally speaking, open elections and regular leadership transitions were becoming close to the norm in most West African states. The culture and practice of accessing political power through credible elections under the watch of civil society and international actors is progressively taking firm root across the region. West African states have embarked on a range of constitutional and institutional reforms to deepen democratic culture, build peace, and ensure sustainable development. Significantly, many of the reforms provide for some degree of separation of powers between the executive and judiciary, as well as an entrenched bill of rights anchoring independent judiciaries, public protectors, human-rights and anti-corruption commissions, and election management bodies.[2]

Additionally, Parliaments in West Africa have become stronger making it quite easy for legislative oversight over the presidency and the executive branch. Also, citizens are assured rights of participation, inclusion, and equality. Rule of law and justice, security and safety and accountability and transparency appear to be growing and taking roots within the region. The Mo Ibrahim index captured the emergence and growth of civil society between 2010-2015 at 59.8 within the ECOWAS sub-region.[3] It constitutes the highest score for any sub-region in Africa over the period - an indication that there is an involvement of cooperative associations, interest groups, and civil society organizations in national-level policy making.

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[1] Bekoe, D. A. O., & United States Institute of Peace. (2012). Voting in fear: Electoral violence in Sub-Saharan Africa. Washington, D.C: United States Institute of Peace.

[2] Gyimah-Boadi, E. (2021). Democratic Backsliding in West Africa: Nature, Causes, Remedies. https://www.kofiannanfoundation.org/app/uploads/2021/11/Democratic-backsliding-in-West-Africa-Nature-causes-remedies-Nov-2021.pdf

[3] See https://mo.ibrahim.foundation/iiag/downloads

Competitive elections have become a regular feature of politics in the West African sub-region, with some of these elections producing reasonably free and fair outcomes including electoral turnovers in Ghana, Benin, Nigeria, Cabo Verde and Sierra Leone. The argument has been made that between 1990 to date, the percentage of African countries holding democratic elections has increased tremendously.[4] In 2020 alone, Africa hosted a dozen of presidential and general elections in West Africa, Central Africa, the Horn, and the Great Lakes region. While there have been periodic elections in many African countries, the progress of electoral democracy has been uneven.[5] The escalation of the unconstitutional changes of governments, especially in West Africa, through coup d'état, reinforced by conflicts, terrorism, violent extremism and organized crimes have threatened to derail the democratic processes in recent years. The West Africa Network for Peacebuilding (WANEP) in December 2021 argued in their press statement that:

> "…The re-emergence of military coups and overthrow of democratic governments as recorded in Mali and Guinea in 2020 and 2021 respectively has potential devastating effect on peace, security and development within West Africa. These have not only stymied democracy, but also led to political uncertainties in the affected countries. The second concern is the trajectory of efforts towards constitutional amendment in relation to Presidential term limits and tenure elongation as recently witnessed in Togo, Cote d'Ivoire, and Guinea with growing fears of attempts by other Member States adopting this trend. This has further undermined governance leading to fractured civic space, social cohesion, manipulation of the electoral processes and violent dissentions between citizens and political actors".[6]

The quality of elections has been a source of tensions and violence for many of these states and its citizens. In some cases, including in Togo, Guinea, Nigeria, Burkina Faso and Guinea Bissau, there has been reports of manipulated elections and efforts to change the countries constitutional term limits. Elections in Africa in 2022 present to a large extent an effort to correct the state of the sinking democratic ship on the continent.

Currently, almost every state on the African continent holds elections on a regular basis. With a number of legal frameworks such as the African Union's African Charter on Democracy, Elections and Governance and the ECOWAS protocol on Democracy and Good Governance nominally commit countries on the continent and within the West African region to electoral democracy.[7] Since the reintroduction of multiparty politics in Sub- Saharan Africa in the early 1990s, electoral competition for state power has become the norm and many states have held more than three successive presidential and general elections. The electoral system has therefore become the most fundamental element of representative democracy, translating citizen's votes into representative's seats. It is also the most potent practical instrument available to democratic campaigners.[8]

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[4] Freedom House (2021), "Electoral Democracies," in Freedom in the World 2010, available at www.freedomhouse.org/uploads/fiw10/ElectoralDemocraciesFIW2010.pdf.

[5] Joseph Siegle and Candace Cook (2021). Taking Stock of Africa's 2021 Elections https://africacenter.org/spotlight/2021-elections/

[6] The West Africa Network for Peacebuilding (2021). Press Statement. The Decline of Democracy in West Africa: A Call on ECOWAS to Strengthen the 2001 Supplementary Protocol on Democracy and Good Governance https://wanep.org/wanep/wp-content/uploads/2021/12/WANEPs-PRESS-STATEMENT-on-Democracy-and-Governance-final.pdf

[7] African Charter on Democracy, Elections and Governance, adopted by the eighth ordinary session of the AU Assembly, Addis Ababa, Ethiopia, January 30, 2007, available at www.au.int/en/sites/default/files/AFRICAN_CHARTER_ON_DEMOCRACY_ELECTIONS_AND_GOVERNANCE.pdf.

[8] Lijphart, A., & Aitkin, D. (1994). Electoral systems and party systems: A study of twenty-seven democracies, 1945-1990. Oxford: Oxford University Press.

However, when the political process fails in this regard, then elections can be the spark that leads to violence, resulting, in the worst case, in significant loss of lives, as has occurred in a number of places all over the continent.[9] On too many occasions across the Africa, we have seen how electoral processes that are meant to peacefully select peoples' representatives have become sources of disagreement. Violence has been a predominant feature of the democratization process in Africa.

Although multiparty elections have become the trailblazer by which all democracies are measured, and the spread of these systems across Africa has been commonly hailed as a sign of the continent's progress towards stability and prosperity, elections bring their own challenges, particularly the often-intense destructive violence following disputed results. While the frequency of elections and the advancements in the quality of democracy across the sub-region has generated a sense of optimism for multiparty politics, this development has been closely accompanied by another, much more worrying trend, of election-related violence.[10] This trend not only poses a threat to peace and security on the continent, but also risks undermining the long-term sustainability of these democratization processes. Within the past decade, violent elections have occurred in countries such as Côte d'Ivoire, Nigeria, Mali, Benin, Niger, Guinea and Togo. Election-related violence is multi-dimensional having structural, physical and psychological dimensions.[11] The physical violence is often characterized by a more common scenario of low-intensity violence, widespread coercive intimidation of both candidates and voters including harassment, imprisonment, looting, arson, kidnaping and assassinations; violent riots and clashes between supporters or security elements of the competing political parties; and attacks on local party headquarters and party symbols.[12] There have also been instances of forceful disruption of campaign rallies, armed raids on voting Centre's including snatching of ballot papers and boxes.

Other forms of violence through coercion include threats of violence, intimidation and harassment. The psychological dimension often relates to official and unofficial actions that create fear in the people and potential voters. This may also be a byproduct of physical violence. In some of these situations, state security actors are used to achieve this end. The structural dimension of electoral violence is mainly focused on the political actor's exploitation of institutional and organizational measures that have been instituted in the electioneering process to ensure the successful running of the elections.[13] Some of these include the monopolization of the election registration process, unequal opportunities for the participation of political parties and candidates, abuse of incumbency, manipulation of election results as well as partisanship of election officials and security actors.[14] Countries that have displayed such characteristics during elections include, Liberia, Gambia, Guinea, Sierra Leone, Senegal and Ghana.

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[9] Nohlen, D., Krennerich, M., & Thibaut, B. (1999). *Elections in Africa: A data handbook.* Oxford: Oxford University Press.

[10] Christensen, M. and M. Utas (2016) 'Ex-militias and Ambiguous Debt Relations during Post-war Elections in Sierra Leone', *African Conflict and Peacebuilding Review* 6 (2): 23–47.

[11] Omotola, S. J. (2010). *Explaining electoral violence in Africa's 'new' democracies.* AJCR 2010/3 https://www.accord.org.za/ajcr-issues/explaining-electoral-violence-in-africas-new-democracies/

[12] Edu-Afful, F. and S. Allotey-Pappoe (2016). Political Vigilantism and Electoral Violence in Ghana. In K. Aning and K. Dando (Ed.), *Managing Election Related Conflict and Violence for Democratic Stabilization in Ghana II.* Accra: KAIPTC, 63-68

[13] Omotola 2010 op. cit.

[14] Nwolise, Osisioma B.C. 2007. Electoral violence and Nigeria's 2007 elections. *Journal of African Elections,* 6 (2), pp. 155–179.

While the consequences of such violence can be profound, undermining the legitimacy of the democratic process and in some cases plunging countries into civil war or renewed dictatorship, little is often done to prevent the occurrence of these violence time and time again.[15]

1.1. Political Succession/Alternations of power

Political succession and alternations of power is often understood to mean the process of changing political leadership and includes the vacating of power by the old ruler, the choice of the new, and his or her legitimation.[16] As we have observed in many African states, succession and alternation of power has the potential to create destabilizing effects in many countries. Unplanned or unsuccessful succession can create immediate periods of instability, enabling the emergence of multiple, competing non-violent and violent conflict actors. Some countries have handled succession better than others. Most countries on the African continent have had repeat elections involving transitions from one elected government to another even if those transitions mostly meant the return of incumbents to power. In Africa as a whole, succession is often occasioned by extended tense periods for all regimes, even where there are established procedures and rules for easy legitimation of the process. The absence of acceptable rules or procedures of transfer of power in many of the countries in sub-Saharan Africa, and the high incidence of most regimes on the continent, explains the pessimistic outlook towards orderly succession in most political context. The transfer of power has come to be associated more with the 'crisis' of stability and survival than a measure of the political maturity of the country. The death, resignation or incapacitation of many African rulers have become occasions of violent rivalry over who shall succeed and take the reins of power. In most instances, succession times are considerably more risky, dangerous and precarious for the type of regime, be it authoritarian regime or even democratic government. According to the Afrobarometer[17] region. Some countries have handled succession better than others. The experiences of the transitions in West Africa constitute a main source of instability and human insecurity on the continent.[18]

Regular transfer of executive power is the major test of stability in a nation's political system. In many West African countries' leaders have shown a consistent trajectory of amending state constitutions to prolong their stay in power. Overall, political succession and alternation of power have not been handled well in many countries in Africa except in very few cases. Succession and alternation of political power in West Africa's democracies played out at different levels. One level has involved the scope which has emerged for the alternation of power within and between political parties/coalitions of parties.

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[15] Kovacs, M. S., & In Bjarnesen, J. (2018). Violence in African Elections: Between Democracy and Big Man Polit
[16] Helms, L. (2020). Leadership succession in politics: The democracy/autocracy divide revisited. The British Journal of Politics and International Relations, 22(2), 328–346.
[17] Banjo, A. (2008). The Politics of Succession in West Africa: The Case of Togo. International Journal on World Peace, 25(2), 33–55. http://www.jstor.org/stable/20752832
[18] Lydia A. Nkansah (2015). Democratic Succession in Africa: Enhancing Orderly Transition Through the African Charter on Democracy, Election and Governance. In Charles C. Jalloh and Olufemi Elias Ed. Shielding Humanity: Essays in International Law in Honour of Judge Abdul G. Koroma, Brill |Nijhoff: Leiden, 639-661

For instance, in Ghana, since 1992, the country has held eight successful multiparty elections, with the ninth set of Presidential and Parliamentary elections scheduled for December 7, 2024. The peaceful transfer of power from the Government of the National Democratic Congress (NDC) to the New Patriotic Party (NPP) and vice versa clearly demonstrates how far Ghana has travelled along the path towards democratic consolidation over the past decade.[19] Similarly, in Senegal following the 2016 amendment to the 2001 Constitution, power has alternated between the incumbent ruling party and opposition. In March 2000 Abdoulaye Wade, the leader of the Senegalese Democratic Party (PDS) and leader of the opposition for more than 25 years, won the presidency. He lost the elections as incumbent in March 2012 to Macky Sall of the Alliance for the Republic.

In the case of Togo, in most fixing of circumstances, as soon as Eyadema's death was confirmed in 2005, Togo's military high command reportedly announced Faure Gnassingbe as his father's successor to the presidency an act that was in violation of the Constitution. The military elite, led by Army Chief of Staff General Zachari Nandja, achieved this feat by immediately suspending the Constitution and swearing allegiance to Faure as the president. Since then, President Faure Gnassingbe has held on to power through elections in 2005, 2010, 2015 and 2020. The decision to appoint Faure in 2015 was taken ostensibly to 'avoid a power vacuum'. In West Africa, Togo remains the 'only' outlier country that exhibits the complexities of political succession. The country's situation is highlighted by the fact that every other country in the sub-region has changed its head of state over the past decade. Whereas most countries have seen some form of political change through either election, coups or even war, Togo remains an exception.

In Côte d'Ivoire, the death of Félix Houphouet-Boigny in 1993 set off a series of power struggles for the succession to the presidency. Succession to Houphouet-Boigny started off with struggles and fierce battle between the two competing political elites Alassane Dramane Ouattara (then Prime Minister) and Henri Konan Bédié (the president of the country's national assembly) of the Democratic Party of Cote d'Ivoire (PDCI). The escalating tensions led to civil war in 1999-2003 and were at the center of the 2010-2011 electoral crisis when then President Laurent Gbagbo refused to step down after he was defeated at the polls. During the administrations of presidents Henri Konan Bédié and Gbagbo (1993-2011), many northerners were barred from seeking office. The lack of a clear succession pushed Ouattara to pursue a third term. A situation that raised a lot of tensions in Côte d'Ivoire. When advocating for a new Constitution in 2016, Ouattara had promised not to run again. In fact, he moved to step down in March 2020 by designating his Prime Minister, Amadou Gon Coulibaly, as his party's presidential candidate. But when Gon Coulibaly died suddenly in July, Ouattara was forced to reevaluate his earlier pronouncement. A Constitutional Council ruling that the adoption of the new Constitution had changed the term limit, opened the door for Ouattara. Many in the opposition political parties however decried the move as unconstitutional.

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[19] Gyimah-Boadi, E. (2008), Ghana 's Fourth Republic: Championing the African Democratic Renaissance? 'Ghana Center for Democratic Development (CDD-GHANA) Briefing Paper Volume 8 Number 4 January 2008; Ninsin, K. A (1998), Elections, Democracy and Elite Consensus ', in Ninsin, K. A (ed.) Ghana: Transition to Democracy (Dakkar: CODESRIA);

In Niger, since independence in 1960, the country has endured lengthy periods of authoritarian military rule. Since the commencement of multiparty democracy in 1993, the country has had five constitutions and one interim civilian government (1991-1993). Since Mahamadou Issoufou and his party PNDS-Tarayya were elected into power in 2011, elections were held in 2016 which the ruling party had won. The 2020 and 2021 presidential and legislative elections marked the first peaceful transfer of political power from one civilian government to the other. As a high-ranking member of the Nigerien government, Mohamed Bazoum was named the successor to Issoufou as the presidential candidate for the PNDS in the 2020–21 Nigerien general election. Bazoum won the second round of the presidential election with 55.67% of the vote against former president Mahamane Ousmane.

Burkina Faso's political transition has been a very checkered one. President Blaise Compaore, who had ruled over Burkina Faso for 27 years, was forced to resign in a popular uprising. His resignation followed a controversial attempt to amend the Constitution and remove presidential term limits by the then-ruling party, Congress for Democracy and Progress (CDP). In spite of the challenges that followed Compaore's exit including a failed coup attempt by the notorious Regiment of Presidential Security (RSP), Roch Marc Christian Kabore of the People's Movement for Progress (MPP) was sworn in as the new president-elect in December 2015. The deteriorating security situation and governance deficits took its toll on Kaboré regime. On January 24,2022 Burkina Faso's army, led by Paul-Henri Damiba, deposed President Roch Kaboré after more than six years in power, following several days of unrest in the capital Ouagadougou. Despite Damiba's promises to improve the security situation in the country, the crisis worsened under his government. On September 30, 2022 Burkina Faso military leader President Paul-Henri Damiba was deposed in the country's second coup in a year, as army Captain Ibrahim Traore took charge, dissolving the transitional government and suspending the constitution.

Mali before the coup d'état in 2012 was considered a model for multiparty democracy and peaceful transition of power in Africa. Since gaining independence in 1960, Mali has experienced many revolts and military takeovers.[20] Under the first president, Modibo Keita, the Soudanese Union Party eventually became the only party until the military took over in 1968. Civilian government returned in 1979, when the country was headed by Moussa Traoré and his Malian People's Democratic Union. Moussa Traoré, was ultimately deposed in 1991 in favour of another military government, led by Amadou Toumani Touré. After more than two decades of military rule, Mali began its democratic transition in 1991.[21] The elections of March 1992 brought into power Alpha Konaré, a former educator and democracy activist with the support of the Alliance for Democracy in Mali African Party for Solidarity and Justice (ADEMA-PASJ). The period leading to the second term of Konaré saw the decline of political opposition. The opposition boycotted the second round of the legislative elections and the presidential race. In the 1997 elections, Konaré won a second term with almost 85 percent of the vote and ADEMA picked the majority of the seats in the National Assembly. In spite of the growth of democratization, the country always had to contend with the Tuareg rebellion from the north.[22]

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[20] *Zeric Kay Smith, —Mali 's Decade of Democracy. Journal of Democracy 12, no. 3 (July 2001): 73–79*
[21] *Susana Wing, Constructing Democracy in Transitioning Societies of Africa: Constitution and Deliberation in Mali (New York: Palgrave MacMillan, 2008).*
[22] *Leonardo Villalón and Abdourahamane Idrissa, —The Tribulations of a Successful Transition: Institutional Dynamics and Elite Rivalry in Mali, in The Fate of Africa's Democratic Experiments: Elites and Institutions, eds. Leonardo A. Villalón and Peter von Doepp (Bloomington: Indiana University Press, 2005).*

Early 1990s saw a massive push from the Tuaregs to gain autonomy. That notwithstanding, Konaré stepped down from office after two terms in 2002 in accordance with the Constitution. He was replaced by former coup leader Amadou Toumani Touré (ATT) who ran for president as an independent with the support of a political association, Citizens Movement (MC). This strategy of consensual government limited the development of an opposition. Amadou Toumani Touré was reelected with the majority of votes in the first round against challenger Ibrahim Boubacar Keita of Rally for Mali (RPM). After the military overthrew President Ibrahim Boubacar Keïta in August 2020, it put in place a largely civilian government but the arrangement was wobbling. Military leaders continued to pull the strings of government decision-making, causing civilian officials to mostly be on the edge. The government's attempts to free itself from military influence prompted army officers to stage a second coup in May 2021, installing Colonel Assimi Goïta, who had been vice president, as interim president and Choguel Kokalla Maïga as prime minister.

In countries such as Benin, Guinea and Guinea Bissau, the process of electing the next leader has resulted in political disturbances and commotion leaving causing considerable human rights abuses, acrimony, ill-feeling and humanitarian crises. Guinea Bissau for instance has had a very turbulent political history. The war of national liberation, which lasted from 1963 to 1974, had overwhelming repercussions on the political relations. Nonetheless, the succession outlook is not completely gloomy in West Africa, as several countries offer good examples of peaceful and orderly leadership change. These include Nigeria, Senegal and Ghana.

1.2.   Governance and Socio-Political Situation (Crises, etc.)

In West Africa, just as in every region of the world, the quality and the characteristic of governance shape the level of peace and stability and the prospects for economic development. Indeed, it is good governance that determines whether there are resilient links between the State and the society it purports to govern. The nature of governance is central to the survival of the State as it determines whether the exercise of authority is viewed as legitimate. Governance also has a significant regional dimension relating to the institutional structures and norms that guide a region's approach to challenges and that help shape its political culture. Governance remains one of the major and critical challenges facing the region. The citizens have been continuously denied good governance over the years. There has been a recurrent and sustained argument that many West African states underperform due to lack of capacity of the State to deal with the contemporary complexities of governance. The nature of the State, the public institutions through which legitimate power is exercised and enforced, is germane to the governance system practiced by most West African states.
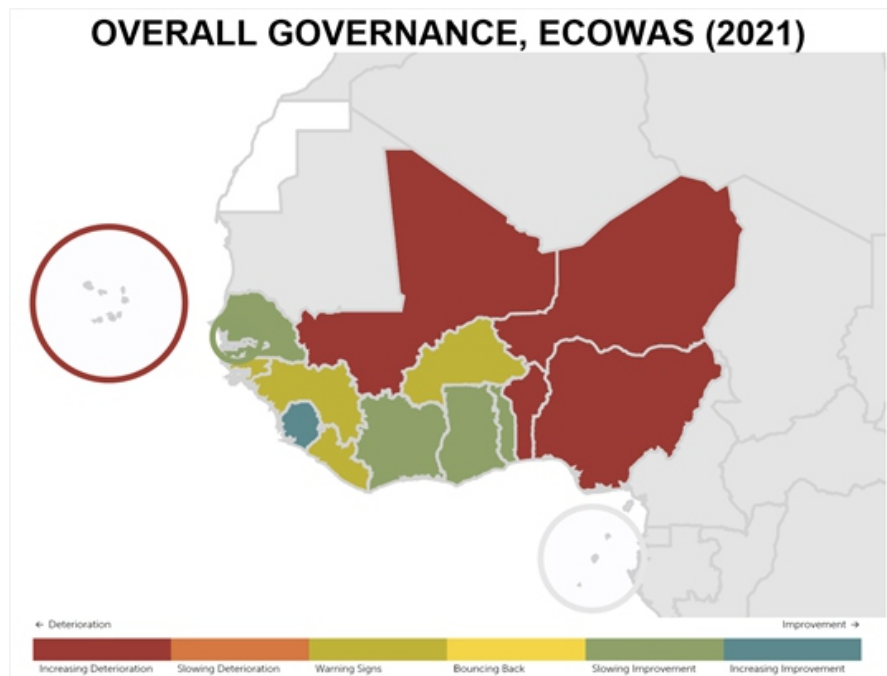
Source: 2021 Ibrahim Index of African Governance | iiag.online

The issue of state capacity is central to understanding the African structural and systemic malaise. The sociopolitical and economic realities have meant that many state failures could be traced to the historical heritage of weak political leadership, corruption, democratic erosion, insecurity, electoral violence, state capture of institutions, conflicts, and wars.

The pre-colonial era conferred power on traditional rulers while the post-colonial era changed the dynamics to bestow power on political and educated African elites. For instance, nationalist movements and political parties created by theses elites assumed ethnic identities in order to secure votes and rally support among the critical mass of electorates.[23] They emerged as the dominant actors in the post-colonial African state but the tension between traditional and modern elements has persisted. Traditional rulers who were resentful of colonial rule and the Westernization of government accused political elites of being "in bed" with the colonial masters. This dichotomy of multiple understandings and perceptions of democracy and its practice continues to be an albatross around the practice, understanding and appropriation of this form of governance. As such, the adoption of liberal democracy   was met with distaste by some African groups as it was perceived as Western. Furthermore, linked to this is the persistence of religious and ethnic rivalries that have, in some instances been exploited for multiple purposes and other circumstances, has degenerated into insurgencies in member states such as: Mali, Niger, Burkina Faso and Nigeria. Extremist groups such as Al-Qaeda in the Islamic Maghreb (AQIM), Boko Haram, Movement for Unity Jihad in West Africa, Movement for Oneness and Jihad in West Africa (MUJAO), Ansar Al-Din, Ansaru, the Tuareg National Movement for the Liberation of Azawad and the Islamic State in West African

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[23] *Susana Wing, Constructing Democracy in Transitioning Societies of Africa: Constitution and Deliberation in Mali (New York: Palgrave MacMillan, 2008)*

Province (ISWAP) all have common trends linked to religious fundamentalism, liberation from liberal democracy and opposition of Western ideals and systems.

Several ECOWAS member states experienced democratic and multi-party transitions in the 1990s; a development synonymous with a political renaissance in the region. Notwithstanding such positive developments, the trajectory of democratic governance in the West African sub-region can be described as one that has experienced a lot of turbulence. Essentially, democracy has been watered down to the holding of elections, which more often than not, are tainted with violence and abuses of human rights, and certainly do not always conform to the principle inherent in the ECOWAS Protocol on Democracy and Governance, which member states have voluntarily consented to. Since 2000, democratic gains in member states such as: Liberia, Sierra Leone, Burkina Faso, Guinea Bissau, Nigeria, Guinea and Mali have been continually derailed by intra-state conflicts, extremist violence and military takeovers.

In Togo, in 2017 and 2018, antigovernment protests organized by opposition parties were suppressed with deadly force, and opposition supporters were arrested and tortured. During the run-up to the 2020 presidential election, opposition candidates faced obstacles such as denial of permits to hold rallies. In the weeks after the balloting, several opposition leaders were arrested. Since 1960, the Gnassingbé's family has controlled Togo's powerful presidency. Opposition parties do not have any meaningful presence in the National Assembly following their boycott of the 2018 elections, even though they did gain some municipal council seats in the 2019 local elections.

In Benin, the country has a very checkered political past even though it has been described recently as being politically stable and one of the most stable democratic systems in West Africa.[24] The country's post-independence period was initially characterized by regime instability and a series of military interventions. The last coup, in October 1972, marked the onset of 17 years of military rule under Mathieu Kérékou. In 1990 the political class and civil society leaders voted overwhelmingly to accept multiparty democratic system. However, since Patrice Talon was elected in 2016, the country's democratic credentials appear to have nosedived with persistent intimidation and outright ban of some opposition parties. There has been an excessive gradation of fragmentation, extreme volatility, and political parties that are usually founded on regional and ethnic support.[25] The many reforms initiated by President Talon have posed a serious political conundrum for the advancement of democracy in Benin. Many of his political rivals have faced prosecution, while a carefully executed series of procedural reforms has shut opposition parties out of the vote.[26] There is also the politicization of the security services and the judiciary. Likewise, the media have limited space to operate. The population in Benin has come to see elections as illegitimate and this was translated into the lower voter turnout of about 23 percent in the 2019 elections. The state's control on the use of force is nationwide.

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[24] Sesay, A. (2014). African Governance Systems in the Pre- and Post-Independence Periods: Enduring Lessons and Opportunities for Youth in Africa. Retrieved from:
https://mindsafrica.org/Downloads/Youth%20Dialogue%202014%20Research%20papers/4_Prof%20Sesay_Governance%20Systems%20in%20Africa_Final%20Report.pdf
[25] Mehouenou, J. (2021). Protests erupt in Benin as Talon seeks reelection. AFP. https://news.yahoo.com/protests-erupt-benin-talon-seeks-182431323.html
[26] Hirschel-Burns, T. (2021). Benin's King of Cotton Makes Its Democracy a Sham
https://foreignpolicy.com/2021/04/08/benin-election-democracy-sham-patrice-talon/

Again, in Niger, notwithstanding the progress that has been made in the socio-political front, democracy and the rule of law are still not adequately developed in the Niger. The country has experienced several military coups, with the most recent in 2010, and the authority and power of the military still threatens the political sphere. Since gaining independence, Niger has been trapped in many socio-political and economic crises. Niger lies in the midst of crises as most of its neighboring countries namely Mali, Nigeria and Libya are contending with internal security challenges. The governing party has been noted for stifling the opposition. Several political actors have been arrested arbitrarily. In most instances, the government occasionally bans opposition political party activities and limit their access to state media.

In The Gambia, the legacy of autocracy, weak public institutions, political instability, and the limited capacity of the public administration have been the most noticeable causes of state fragility and weak socio-political governance in the country. Human rights organizations such as Amnesty international catalogued repeatedly high levels of systematic human rights violations, torture, disappearance of journalists and activists, and the general atmosphere of intimidation in the country.[27] The Gambia has not had a functional multiparty government since 1994. Before the 1994 coup d'état, The Gambia was one of the oldest multi-party democracies in West Africa. In 1996, the country returned to democratic rule and with the new Constitution of 1997 that provided the governance structure of separation of powers between the Legislature (National Assembly), the executive (President and ministers), and the Judiciary (Supreme Court and other courts). Unlike most of West African states in the last decade, The Gambia's political space has increasingly remained fragile with a steady decline in key governance indicators such as the lack of transparency, accountability, freedom of the press, political participation, rule of law, equity and inclusiveness. Many years of authoritarian misrule under President Yahya Jammeh's regime have severely undermined the capacity of the public sector to execute its core functions, and a legacy of corruption and patronage has eroded popular confidence in the integrity of public institutions. In an attempt to consolidate his base of support, Jammeh purposely encouraged ethnic and religious tensions, weakening the social norms that had long held them in check. Under Jammeh's regime even the slightest traces of independent political activity were repressed. Many opposition leaders and politicians ended up in prison for only having participated in a demonstration.[28]

Mali's governance and socio-political crises started in 2012 following the coup d'état that was carried out by soldiers opposed to a weak response of the state towards the growing separatist insurgency by Tuareg rebels in the country's north. Mali was once considered as a good example of a democratic state in West Africa because of the country's ability to organize peaceful elections. Mali since 1992 has experienced four successive successful elections. On two separate occasions, power was handed over to new civilian leadership through the ballot box.[29] Throughout the first two decades since Mali's transition, the government put in place a strong foundation for democratic governance, of which the two-term presidential limit was

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[27] Vanguard (2017), Gambian Crisis Takes Centre Stage at Mali Summit, 14 January, online: <www.vanguardngr.com/2017/01/gambian-crisis-takes-centre-stage-mali-summit>

[28] Saine, A. (2008). The Gambia's 2006 Presidential Election: Change or Continuity? African Studies Review, 51(1), 59–83.

[29] De Jorio, R. (2003). Narratives of the Nation and Democracy in Mali: A View from Modibo Keita's Memorial (La nation racontée et la démocratie au Mali: vue du mémorial de Modibo Keita). Cahiers d'Études Africaines, 43(172), 827–855.

consolidated. The decades, that followed Mali could boast of a relatively peaceful political environment with freedom for the press and civil society with little or no interference from the government. These gains notwithstanding, Mali has always struggled with good governance indicators such as broad participation; responsiveness to constituencies; accountability; equity and impartial application of rule of law. Since the coup of 2020, Mali's governance system has not been legitimized through elections. Poor governance, corruption and the poor organization of elections have been the root causes of institutional and political crises in Mali. This invariable led to the coup d'états of March 2012 and August 2020.

Guinea's governance and socio-political situation has followed the path of many West African countries. The country has had its own fair share of coup d'état, political upheavals and democratic backsliding. The latest of such governance crises was the September 5, 2021, coup d'état, led by Mamady Doumbouya, head of the country's special forces. The coup happens to be the third successive military intervention since the country gained independence in 1958. The military interference in Guinea's politics signals a failure of years of civilian-led transition initiated in 2010 to usher in a democratic dispensation.[30] After enduring two years of challenging and violent transition, the country reverted to a multiparty electoral process that returned it to political normalcy that saw the election of Alpha Conde, tasked with the ultimate responsibility of building and strengthening the country's democracy. Condé desire to cling to power started a few years before the end of his second term when he maneuvered to prepare himself for the third term. In doing so, he introduced a new Constitution in March 2020 through a 'rigged' referendum that made him eligible for a third term.[31] According to Afrobarometer polling, more than 8 out of 10 Guineans favor a two-term limit on presidential mandates.[32] Owing to his ambition to serve a third term, Condé's governance style was characterized by harsh treatment of citizens, relentless crackdown of opposition, blatant violations of human rights and arbitrary arrest of opponents.[33]

Unlike the other West African countries, Ghana has been fairly acknowledged as a haven of peace and a role model for democratic governance in West Africa despite being in a sub-region that in the past has been characterized by civil wars and political instability. Over the past three decades, Ghana's democratic foundations have grown, and the country has experienced eight consecutive elections without nationwide violence. These achievements, notwithstanding, there remain some governance and socio-political situations. Key among them include the overwhelming dominance of the executive branch in Ghanaian politics and its control of public resources. The executive powers of the president often overshadow the other branches of government. Consequently, fundamental requirements of democratic governance including accountability, transparency, responsiveness, and informational openness are occasionally lacking. The Institute for Democratic Governance (IDEG), in its civic forum initiative warning in 2014 stated that Ghana's governance and socio-political landscape faces

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[30] ISS PSC Report (2021). Guinea Transition Falls Foul of Africa's Governance Architecture. https://issafrica.org/pscreport/psc-insights/guinea-transition-falls-foul-of-africas-governance-architecture
[31] Adeoye, A. (2020). West African Leaders Are Rolling Back Democratic Gains. Foreign Policy. https://foreignpolicy.com/2020/03/17/west-african-leaders-are-rolling-back-democratic-gains/
[32] https://www.afrobarometer.org/articles/guineans-strongly-prefer-democracy-any-other-regime-want-president-limited-two-terms/
[33] Allegrozzi, I. (2020). The Relentless Crackdown on Guinea's Opposition. https://www.hrw.org/news/2020/12/14/relentless-crackdown-guineas-opposition

five key challenges that threaten its stability. These include recurring threat of political violence in democratic national elections; weakening of national cohesion; politicization, corruption and paralysis of the public service bureaucracies; the challenge arising out of a political duopoly that promotes self-serving politics and exclusionary government; and the lack of sustained political dialogue and national consensus on measures for resolving the challenges peacefully.[34]

Despite all the socio-political situation and the governance setbacks in many West African Countries, civil society has been the major bright spot that brings light and attention to a lot of the governance deficit that countries within the West African sub region are exposed to consistently. Beyond the current crises, civil society is essential building block of development and national cohesion. Countries that have become accustomed to peace and stability, civil society fill the space, untouched by the ruling elite, government, the private sector and the general population. Thus, CSOs operate to ensure that governments uphold the tenets of good governance.

1.3.   Civil Society and the Civic Space

The Office of the High Commissioner of the United Nations Human Rights opine that the civic space is the environment that promotes the participation of the civil society in the political, economic and social life of our societies. It enables individuals and groups to contribute to policy-making that affects their lives through accessing information, engaging in dialogue, expressing dissent or disagreement, and joining together to express their views.[35] Intellectuals and donor agencies from the Western society establish that civil society is an important component of the political project of building and consolidating democracy around the world.[36] According to CIVICUS report in 2020, Civic space in Benin, Côte d'Ivoire, Guinea, Niger and Togo is rated 'Obstructed'.[37] It is argued that efforts to globalize democracy must be accompanied by the creation and strengthening of civil society in places like Africa where it is either non-existent or at a nascent stage.[38] In the West African sub-region, there is the growing importance of the need to incorporate the Civil Society Organization (CSO) in the democratic processes. CSOs have a role to play in promoting a peaceful electoral environment by reducing conflict dynamics and election-related violence. Given these decentralized roles, CSOs are considered as one of the most salient indicators of democratic consolidation based on their ability to pool individual resources to improve infrastructure, institutions and the quality of life of communities.[39] However, there is a correlation between the efficacy of civil society organizations and democratization consolidation especially developing socio-political milieu like Africa.

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[34] *Daily Guide Africa (2014). Ghana's Democracy faces five key challenges that threaten its stability https://newsghana.com.gh/ghanas-democracy-faces-five-key-challenges-that-threaten-its-stability/*
[35] *Office of the High Commissioner of the United Nations Human Rights. (OHCHR). (n.d.). What is Civic Space? Retrieved from: https://www.ohchr.org/en/civic-space accessed on 13 June 2022.*
[36] *Orji, N. (2009). Civil society, democracy and good governance in Africa. CEU Political Science Journal, (01), 76-101. Retrieved from: https://www.ceeol.com/search/article-detail?id=16165 accessed on 12 June 2022.*
[37] *https://civicus.org/documents/reports-and-publications/eena-reports/west-africa-report-2020_en.pdf*
[38] *Ibid.*
[39] *Diamond, L. 1999. Developing democracy: Toward consolidation. Baltimore: The Johns Hopkins University Press.*

The civic space is instrumental in the promotion of political participation. Through public education and the creation of awareness on issues of public policy, civil society organizations play a prominent role in mobilizing citizens to participate fully in politics and public affairs through the exercise of their franchise in presidential, parliamentary and bye-elections.

ECOWAS, Civil Society Space (2021)
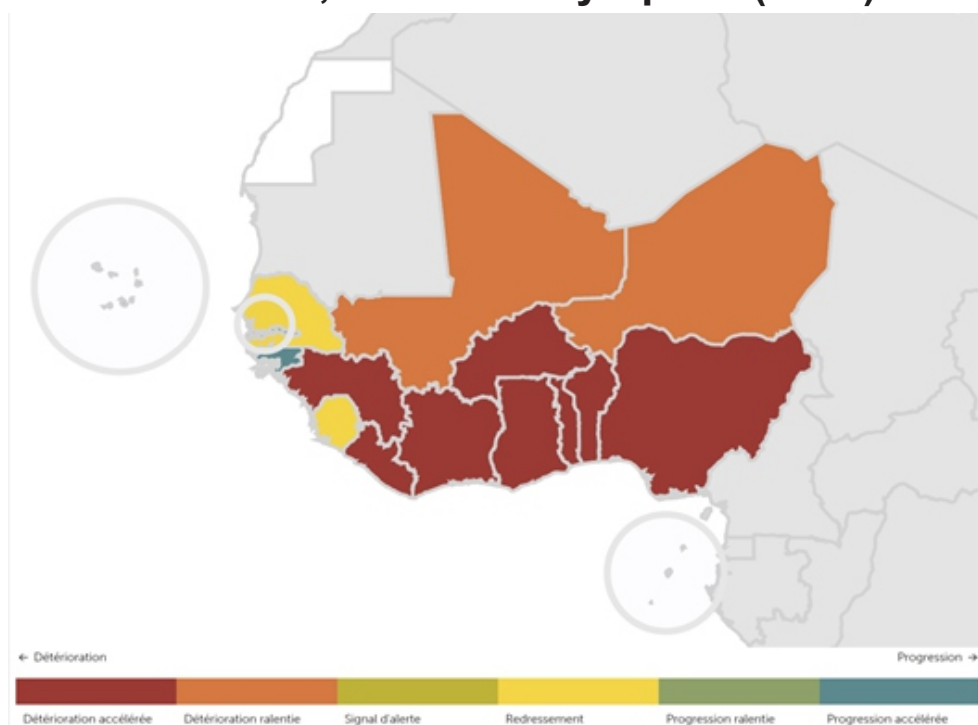
Source: 2021 Ibrahim Index of African Governance | iiag.online

They serve as platforms to channel the concerns of the citizenry to governments as well as ensure that governments do not abuse state power by formulating poor public policies. By being the voice of the masses, CSOs provide citizens with the opportunity to punish or reward politicians and governments during elections as they bring to the fore crucial issues of national concern. However, one of the pertinent issues that has challenged the civic space in West Africa today is the repression of 'watchdogs of democracy' in member states. The watchdog roles are played by actors such as the media and non-state actors such as CSOs. These independent actors are forces of democratic accountability and political change. They bring into the limelight pertinent issues that hamper the full application of the rule of law such as corruption, flamboyant yet poor governmental policies, electoral malpractices and vices, impunity and human right abuses. Since 2020, there have been instances where the roles of watchdogs have been hampered by political interferences and state policies that stifle their effective operations.[40]

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[40] *Freedom House. (2020). Ghana. Retrieved from: https://freedomhouse.org/country/ghana/freedom-world/2020 accessed on 12 June 2022. In June 2019, it was reported that personnel from the Ministry of National Security arrested two journalists from the news website ModernGhana.com in connection with an article on the minister; the reporters were allegedly tortured during interrogation and released within two days. Also, in a rare case of lethal violence against the media, Ahmed Hussein-Suale, an investigative journalist whose reporting had exposed high-level corruption in Ghana, was assassinated in January by two men on a motorcycle. This was preceded by a public announcement by a member of Parliament, Kennedy Agyapong, that encouraged violence against the journalist*

In Benin, the relationship between the Government and CSOs is assessed as difficult, and of low quality. The civic space is challenged by Judicial harassment and intimidation of bloggers, journalists and activists. These harassments are often based on the 2018 Digital Code.[41] For instance, in the 2019 elections there was internet shutdown, use of excessive force in protests, bans on protests, killing and arrest of protesters.[42] Governments often do not appreciate CSO criticism on issues such as good governance and the defence of human rights. Arguably, the relationship between CSOs and the Government lacks synergy and is embedded in a climate of mutual distrust. Whereas those in power fear that their partisan political interests may be hindered, those in CSOs fear being captured by the state. In terms of access to information, CSOs have to fight, to force the government's hand to access information. In practice, it is not that easy for CSOs to obtain information in Benin. It is either information is considered as of a confidential defence nature, or the public officials in charge of information are unwilling to provide the requested information

In the case of Guinea for instance, the growing prominence of CSOs does not necessarily imply any genuine civic commitment on the same scale. There is excess use of force including the use of live ammunition, by security forces on protesters. In the protests against the new Constitution, dozens of people were killed. Access to social media sites was blocked ahead of, during and after the combined referendum and legislative elections between 21 and 23 March 2020. There were incidents of arbitrary arrest, judicial harassment and prosecution of pro-democracy activists and human rights defenders. The 2019 Law on the Prevention and Repression of Terrorism and the 2016 revised Criminal Code were used to curtail the fundamental freedoms of CSOs and individuals. The amount of political autonomy available to these actors is greatly limited by the breaches of democratic law committed by a regime. Similar to most of their African counterparts, Guinean CSOs' activities are hampered by a lack of internal resources. CSOs are supervised by the Ministry of the Interior and Decentralisation through the agency of the National Service for Assistance to Cooperatives and Coordination of Interventions by Non-Governmental Organisations (SACCO). Although CSOs in Guinea are noted to be diverse and committed to their mandate, many of them have been struggling with political infiltration, low financial and human resources and the absence of self-regulatory and transparency mechanisms.

In Niger, concerns have been expressed about restrictions on the civic space with the adoption of repressive legislation including the 2020 law on the interception of electronic messages, arrests of people who express dissent, the use of the 2019 Law on Combatting Cybercrime against activists and journalists, bans on protests, arrests of protesters and challenges with registration of organisations. Additionally, there are reported cases of judicial harassment and prosecution of human rights defenders, including journalists. The situation in Togo is no different. The present operating environment is not favorable for the promotion of civic space and the activities of civil society. Since the repression of mass demonstrations started in 2017, civic space has further deteriorated in Togo through the adoption of repressive legislation,

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[41] *Sinatou Saka (2021) LONDA BENIN DIGITAL RIGHTS AND INCLUSION REPORT: A PARADIGM INITIATIVE PUBLICATION.*
https://paradigmhq.org/wp-content/uploads/2021/05/lr-Benin-Digital-Rights-Inclusion-2020-Report.pdf
[42] *https://civicus.org/documents/reports-and-publications/eena-reports/west-africa-report-2020_en.pdf*

crackdown on protests, silencing of dissenting voices and curtailing of the right to the freedom of association. There are disruptions and blackout of access to internet and social media, including on the days of elections. There is a clampdown on protests, arbitrary arrest and prosecution of human rights defenders and pro-democracy activists. Additionally, the national media regulator is noted to frequently sanction media houses and journalists.

Another example of such an instance of controlled civic space is in Mali where state officials restrict press freedom by publicly criticizing, harassing, and arresting journalists, especially when they cover corruption, human-rights violations, separatist and communal violence, or other politically sensitive topics. Similarly, the civic space is limited by sedition, criminal defamation, and Sharia (Islamic law) statutes in the northern parts that impose severe penalties for alleged press offenses. Furthermore, the squeezing of civil space is consequential to consolidating democratic gains as it promotes lawlessness by encouraging citizens to take the law into their hands. To address this issue, ECOWAS member states must invest efforts in building credible, strong, and independent democratic institutions and mechanisms of governance that would eradicate endemic corruption, promote good governance, ensure transparency and accountability, increase civil society and civic participation in governance and ensures strong civilian control over the military.

1.4 Security Status of the National Space and Risks of Impact on Elections in West Africa

Recent events in West Africa have drawn the attention of the international community to the fragility and vulnerability of many states in the sub-region. In the first two months of 2022 alone, the sub-region witnessed two coup d'états in Mali and Burkina Faso and an attempted one in Guinea Bissau. Invariably, these unconstitutional changes of government have been occasioned by bad governance practices and weak state institutions that undermines democracies in the sub-region.

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Absence of Violence against Civilians, ECOWAS (2021)
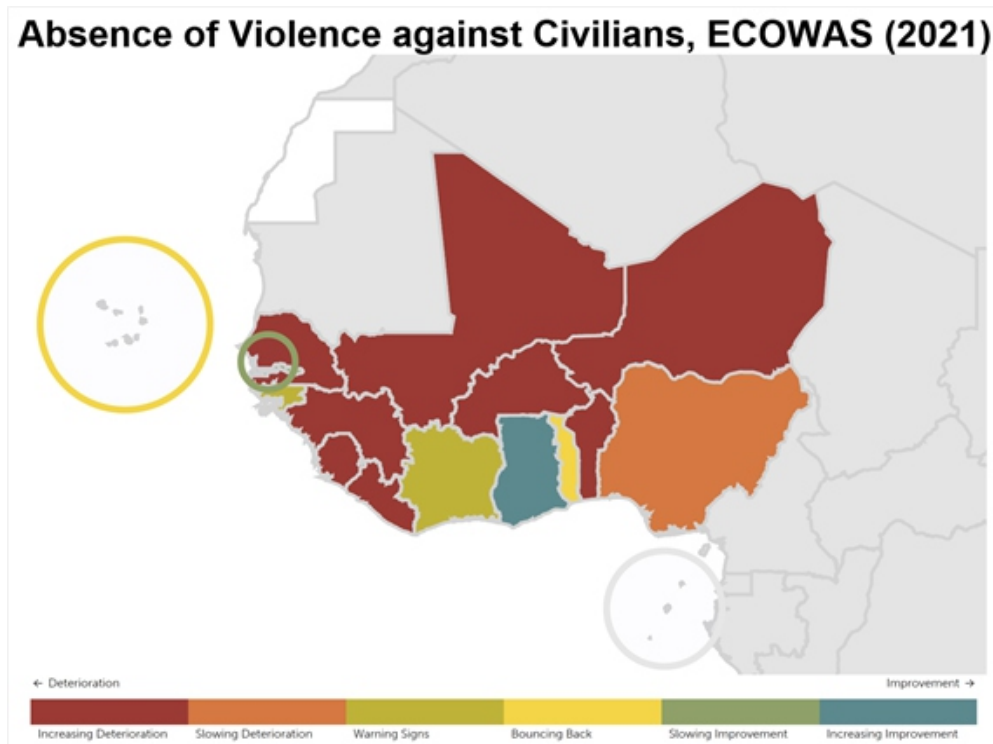
The current disorder in Mali and Nigeria, as well as the coups in Guinea, Burkina Faso and Mali, demonstrate that West Africa is still predisposed to violence. This violence notwithstanding, the sub-region has suffered fewer conflict events and fatalities in recent years. The last two decades have seen a dramatic shift in the nature of violence in West Africa. Violence has changed from the large-scale conflict events and intra-state wars to an increase in low-level insurgencies and political violence by non-state actors. The increase in transnational organized crimes such as drug trafficking, maritime piracy, and religious extremism have emerged as growing threats to the stability of many West African States. The rise in the use and trafficking of narcotics throughout the entire sub-region has weakened the unstable governance structures and stained state institutions. The spillover of maritime piracy within the Gulf of Guinea countries threatens the stability and economic development of the coastal states. An upsurge in deadly attacks by extremist groups in the Sahel such as Al-Qaeda in the Islamic Maghreb (AQIM), Islamic State in the Greater Sahara (ISGS), Islamic State West Africa Province (ISWAP), Jamaat Nusrat al-Islam wal-Muslimeen (JNIM) and Ansar Dine risk plunging the region into a protracted period of instability.

In the last five months, the sub-region has experienced political destabilization and democratic retrogression coupled with high records of violent extremist activities in the Sahel and Lake Chad Basin from January to May 2022.[43] Member states such as Mali, Burkina Faso and Niger and particularly within the tri-border area of Liptako-Gourma have been in the limelight for recording high numbers of security incidents and extremist activities.

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[43] *ECOWAS Early Warning Network. (2022).*

The complexity of attacks and the resultant impact of these attacks has been conveniently linked to the political instability in the Sahel. These incidences have created security vacuum and bolstered the moral of terrorist groups resulting in their freedom of movement. Overtime, terrorist and violent extremist groups have derailed good governance and the growth of democracy in most of the countries they operate in. The outcome of elections in Mali, Niger and Burkina Faso have been greatly affected by the activities of these groups. In recent times, the spread of attacks into coastal West Africa and the establishment of footholds in countries they originally did not operate such as Benin and Togo have raised serious concerns about stability in the West Africa region.

In Ghana land and chieftaincy disputes in the north and other parts of the coastal regions have manifested in ethnic and religious conflicts. In Senegal the Casamance separatist insurgency has been ongoing since 1982. In Guinea-Bissau, continued instability has been linked to the protracted rural armed struggle for independence. Since independence, the intervention and involvement of Guinea-Bissau's military in the political arena has been a constant feature of life in the coastal state. Already, West Africa's security landscape is fraught with incidences of terrorist and violent extremist attacks, inter and intra communal armed conflicts, ethno-religious tensions and transnational organised crimes including narcotics and human trafficking as well as the proliferation of small and light weapons. The addition of political instability could provide the tipping point for widescale insecurity across the 15 countries of the region affecting an estimated population of over 360 million people.

In Burkina Faso activities of extremist has mainly concentrated in areas such as Namentenga, Sanmatenga, Soum and Gourma (all provinces in the northern part of the country).[44] In Niger, the growing violence continues to expand in areas such as the Tillaberi, Diffa and to some extent Tera region. In Mali, ISGS and JNIM militants continue to attack several localities in Mopti, Gao, Timbuktu, Menaka, and Ansongo regions. The growing insecurity in the Sahel continues to have adverse impact on the country's stability.[45] The volatile security situation in the sub-region poses a threat to the consolidation of democracy as the activities of insurgent groups continue to derail democratic gains and stifle political processes such as the organization of free and fair elections.

A contributing factor to the frail security status of states in the sub-region is the presence of non-state armed groups. The clandestine activities by armed groups such as Boko Haram, Jamaat Nusrat al-Islam wal Muslimeen (JNIM), Islamic State West Africa (ISWA), Islamic State Greater Sahara (ISGS), Al Qaeda in the Islamic Maghreb (AQIM), Al Murabitoun and Ansar Dine intimidate and place fear in citizens and discourages political participation in their respective member states and the region as a whole. There is the growing concern about the recruitment and use of members of these armed groups by politicians in perpetrating electoral vices and distorting political order. The porosity of state borders also serves as a gateway for the spread of extremist activities in West Africa. In Niger, the crisis emanating from Boko Haram splinter

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[44] *ACSRT (2022). The Quarterly Africa Terrorism Bulletin. Edition No:001, April 2022*
[45] *Ibid.,*

groups and displaced persons fleeing neighbouring countries has only grown, with the situations in the country's north-west and south-west regions of particular concern as violence flares.[46]

The security architecture of most West African states is weak and heavily politicised. This is further complicated by prevailing structural issues such as socio-economic inequalities, weak institutions, the bane of bad governance and weak security policies which are motivating factors for the proliferation of vigilante and non-state armed groups. In the last decade, the sub-region has recorded incidents of electoral violence in states such as Cote d'Ivoire, Ghana, Guinea, Nigeria, The Gambia and Mali amongst others. There has been the use of political vigilante and other militia groups in electioneering processes which have contributed to distorting political order in these states. In states where insecurities exist such as Niger, Burkina Faso and Mali, there is the general apprehension that the presence of armed groups pose an existential threat to democratic processes such as elections. Another issue of concern to the national security status of a state is the prevalence of insecurities such as the proliferation of small arms and light weapons and drug trafficking in West Africa. Evidently, in the case of Niger and Togo, the surge in electoral violence is attributable to the accumulation and use of arms during election periods. For instance, acquiring arms/weapons has become synonymous with getting a voter's card.[47] This is a recurrent occurrence in Ghana, Senegal, Togo and Benin, to the point where election seasons are often marked by fear, anxiety, and desperation among the political elite as they seek electoral mandate. Political parties, candidates, and supporters form private security companies, militias, or party thugs, and arm them to carry out acts of electoral violence.

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[46] Pobee, M.A. (2022). Security Challenges Threaten to Derail Democratic Strides in Central African Region, Briefers Tell Security Council. United Nations Security Council Meeting on 8 June 2022. Retrieved from: https://www.un.org/press/en/2022/sc14927.doc.htm accessed on 13 June 2022.
[47] Ibid.

| Chapter 02 |

Electoral Processes & Electoral Systems from 2019 to 2021 in West Africa:
Progress, Limitations & Shortcomings

The electoral management model is understood as the set of rules and institutions or bodies for the implementation of these rules that a country gives itself for the election of its governors. It is therefore the legal framework which governs elections and the bodies set up for their organization.

The national legal framework for elections is first of all set in its principles and guidelines by the Constitution of the country. Laws then stipulate the modalities for the application of these principles, followed by regulations (decrees, orders, decisions) to better explain these modalities. The distribution of law-making in the legal environment varies from one country to another. In some countries, particularly in the English-speaking world, the Constitution already determines all the modalities for elections and leaves it to the institution in charge of elections to make regulations detailing these modalities. In French-speaking countries, more generally, it is the government which, after the passage of the law, makes most of the implementing regulations.
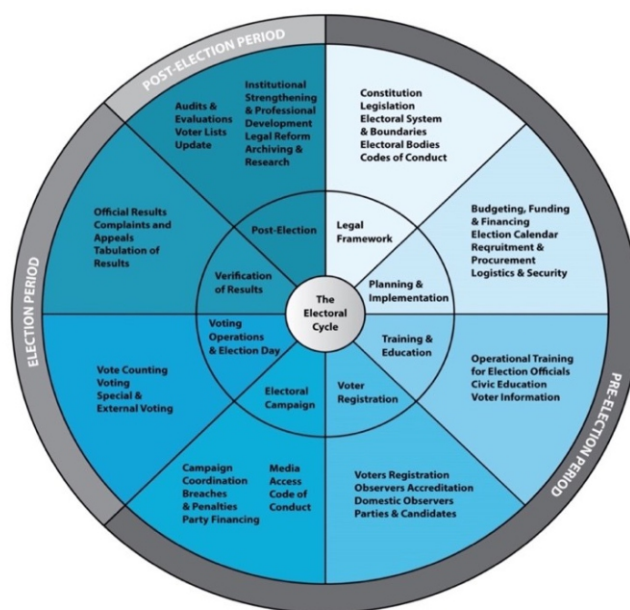
Source:
European Commission resource[48]

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[48] *European Commission resource, http://democracy-support.eu/pape/cycle-electoral*

In some countries the management of elections is carried out by several bodies. In others, a single institution is responsible for the entire electoral process.[49] However, due to the wide scope of elections, the involvement of other institutions is absolutely necessary in all cases to manage certain related issues (disputes referred to the courts, supervision of the media entrusted to autonomous bodies or institutions etc.). Thus, the management of elections takes place at several stages whose activities vary according to the type and nature of the elections: pre-election, election and post-election.

At the pre-election phase, an Elections Management Body (EMB) is expected, in addition to its internal activities such as planning and budgeting, to carry out (i) development or updating of procedures and the training of its officials, (ii) civic and electoral education, (iii) registration of political parties, registration of voters, and accreditation of electoral observers.

The election phase includes the registration and processing of candidates for the various elections. This operation leads to the production of ballot papers. The management body also manages the electoral campaign with its associated activities such as the coordination of the campaign and the establishment of codes of conduct. In Francophone countries, another independent or autonomous body participates in the management of the electoral campaign: the High Council for Communication or the High Authority for the Media which manages the use of the media. On the day of elections, the Election Management Body (EMB) ensures the smooth conduct of the vote. Beforehand, it will have, among other things, trained and deployed polling station officers. After the vote, the EMB compiles the votes and declare the results.

In the post-election phase, the main activities are audits and evaluations of the electoral process, institutional strengthening and professional development of the EMB. This period is also used to carry out legal reforms and update the voters' register.

This chapter, by examining in detail each of these phases, aims at providing an understanding of the electoral governance models used in the sub-region, highlighting the progress being made and the weaknesses. Furthermore, by taking into account the contextual situations in which electoral processes take place, it will identify the aspects that contribute to electoral and political violence, which sometimes lead to socio-political and even economic crises. It will also address the efforts made to mitigate such violence and crises.

2.1. Review and Characteristics of Electoral Management Models in the Sub-Region

The conventional type of EMBs is based on their separation from the government. There are three categories: the governmental type of EMB where a body close to or an extension of the government organizes elections, the independent type of EMB which is granted more or less extensive powers to manage the electoral process and which has structural and decision-

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[49] *The above diagram of the electoral cycle provides an overview of the activities that make up the electoral programme*

making independence in the management of electoral matters under its responsibility and finally the mixed type of EMB which combines the two types by letting the government organize elections and entrusting the control and supervision of the electoral process to an independent entity. Beyond the government, independent and mixed types, there is a Francophone and an Anglophone model

A. The Anglophone and Francophone Models

In the E-MAM project area, even though almost all the EMBs of the countries involved have adopted the term 'Independent' in their name to highlight the formal independence (institution separate from the government or parliament)[50] and the independence of decision making, there are independent and mixed types. The independent type of EMB is found in Benin, Burkina Faso, Côte d'Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Niger and Togo, while the mixed type is found in Mali and Senegal.

A comparative examination of these EMBs reveals several variances in their characteristics: in two countries out of eleven, the EMB has exclusive responsibility for almost all the activities of the electoral cycle. These are Anglophone countries, notably The Gambia and Ghana. In the other nine countries, which are French and Portuguese speaking, electoral activities are divided between the EMB and the government or other bodies more or less linked to the government. Although all of them are permanent except the one in Mali (before the reform project launched by the transitional government), only five (Côte d'Ivoire, Gambia, Ghana, Guinea and Guinea-Bissau) are enshrined in the Constitution while the others are created by law. From one country to another, their leadership is sometimes politically inclined, and sometimes the emphasis is on technical skills and/or moral qualities.[51]

Table N°1 Types of EMBs in the EMAM project area countries from 2018 to 2021

		Benin	Burkina Faso	Côte d'Ivoire	Guinea	Mali	Niger	Senegal	Togo	Gambia	Ghana	Guinea-Bissau
Francophone countries / **Anglophone countries** / **Lusophone countries**												
Independent type		✓	✓	✓	✓		✓		✓	✓	✓	✓
Mixed type						✓		✓				
Duration	Temporary					✓						
	Permanent	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓
Responsible for all electoral matters										✓	✓	
Shared responsibility with the Government or other Institutions		✓	✓	✓	✓	✓	✓	✓	✓			✓
Established by the Constitution				✓	✓					✓	✓	
Established by law		✓	✓			✓	✓	✓	✓			✓
Politically based leadership			✓	✓	✓	✓	✓		✓			✓
Leadership based on technical expertise								✓				
Mixed or undetermined leadership		✓								✓	✓	

Source: Table drawn up by the consultant on the basis of the countries' constitutions and electoral laws.

[50] *Case of Guinea-Bissau where the members of the Executive Secretariat of the National Electoral Commission are elected by the National Popular Assembly for a 4-year term*
[51] *See table N° 1 showing the types of EMBs*

This observation shows clear demarcation between the Anglophone countries which have given their EMBs the responsibility of managing all the activities of the electoral process and the Francophone and Lusophone countries where the activities are divided between the EMB, the government and/or other institutions. This is also true in the other Anglophone member countries of ECOWAS: Nigeria, Liberia and Sierra Leone. In the case of the Anglophone model countries, the EMB is a constitutionally established institution vested with powers under the Constitution to ensure its own administration, determine the electoral register, carry out the electoral division, register political parties,[52] register candidates, organize polls, count votes, announce results and initiate electoral reforms.

This constitutionally enshrined set of powers confers at least a guarantee of structural independence and action, autonomy of management and sustainability that cannot be called into question without touching the foundations of the state. It also has the potential of partially withdrawing resources from the executive and potential candidates that could be used to unduly distort the fairness of the electoral process. It also offers an opportunity for institutional development of electoral bodies and instruments over the course of electoral processes.

For instance, the Electoral Commission of Ghana has a reputation that has been built over the years. The Commission has been criticised and distrusted by political actors and civil society during electoral cycles (a normal feature of democratic processes), but it has succeeded in organising seven (7) cycles of general elections, i.e. fourteen (14) polls thanks to its architecture. According to the observation missions, these elections generally went well and led to several political changes in the management of the country. These results are gradually contributing to the consolidation of the Commission's confidence and reputation.

The nine (9) other Francophone and Lusophone countries covered by the E-MAM project have the common characteristic of keeping the registration of political parties and the convening of electoral colleges in the hands of the executive.[53] Of these, Côte d'Ivoire and Guinea have upgraded their EMB to constitutional institutions. A fundamental difference between the two models also lies in the determination of electoral districts by the EMB in the Anglophone model, while in the Francophone model, electoral districts are confused with administrative districts which are under the authority of the executive which determines or modifies them through bills. This difference can be explained by the way citizens are represented in parliament. In the first model, the representation is done on the basis of portions of the national territory (or of the external representation) demarcated in such a way as to correspond to the representation quotient of the population that should constitute a seat. Each constituency is thus represented in parliament by one seat. In the Francophone model, the administrative constituencies are not divided at the time of the elections. These constituencies contain as many seats as the number of their population contains times the representation quotient. Simply put, the number of seats in the Parliament is determined by a law and the distribution among the constituencies is done by dividing the number of the national population by this number to obtain the representation quotient. The same law determines the number of seats for each constituency.

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[52] *Except for Sierra Leone which provides for a Political Parties Registration Commission see Constitution of Sierra Leone chapter IV-34*
[53] *Except for Benin and to a lesser extent Côte d'Ivoire which have set the election calendar in the Constitution*

Figure N°1 Extent of the powers of the independent EMBs in the E-MAM project area for 2018 and 2021
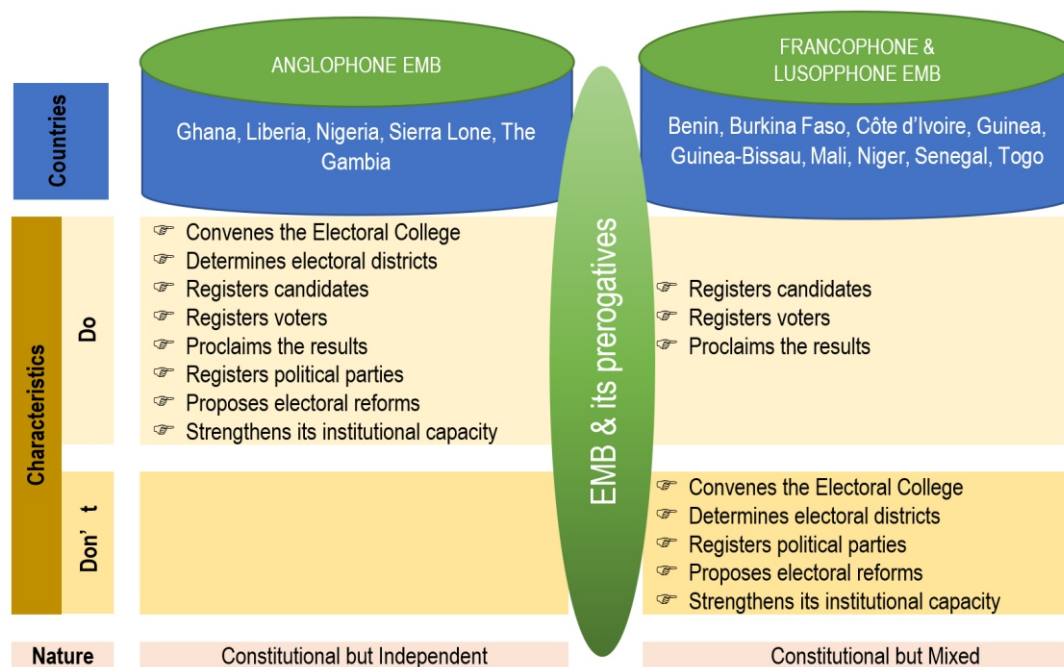
Source: This categorisation was carried out on the basis of the exploitation of the electoral texts (Constitutions and electoral laws) of the countries by the consultant Hamadi DIALLO and the visualisation was designed by Romaric SAMSONS of the EMAM project.

B. EMBs in the sub-region facing the test of electoral processes: performance, shortcomings and public perception

• EMBs as well as other primary actors (Government, Constitutional Court or Council, Media Regulatory Authority) are governed by seven guiding principles during electoral processes. Their status, actions and decisions are guided by these key principles which contribute to the credibility of elections.[54] These are:

• Independence of action and decision;

• Impartiality: Participants in elections must be treated fairly and equally without giving advantages to any political leaning;

• Integrity: full compliance with electoral rules and procedures at all levels;

• Transparency: the operational and financial management of the elections as well as the decisions of the EMB and the reasons for them must be known to the public;

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[54] *Source: Encyclopaedia of the Electoral Knowledge Network*

- Efficiency: the EMB as well as the other primary actors of the electoral process must have a command of electoral issues which are multidisciplinary;

- Professionalism: they must have staff with adequate skills, the implementation of procedures must be done in a precise manner; and

- The sense of service: the services rendered must be of good quality, the services must be carried out within the time limit and the continuous improvement of these services must be maintained.

Besides these principles, the Management Bodies are expected to hold elections that meet the following three concepts: Integrity-Free-Fair. The concept of "Integrity" refers to an untainted, unmanipulated election. The concept of "Free" refers to an election in which participation is free, guaranteed and unrestricted, while "Fair" refers to an election that is unbiased, not dishonest, not unfair, properly done according to the electoral rules in force, not opaque, characterized by favourable conditions, not obstructed, without irregularities and sincere. It is obvious that satisfying all these principles and concepts is difficult to achieve. However, they serve as a measure of the credibility of elections. It should also be noted that EMBs (those that are permanent) gain experience in electoral processes and improve on their performance.

In order to report on the application of the above principles by the EMBs within the sub-region, additional information was collected, and data collected on the management of elections during the implementation period of the E-MAM project (2019 to 2021) was studied. From this document, a selection of facts, decisions and actions of the EMBs that could affect their compliance with the principles of independence, impartiality, integrity, transparency and professionalism will be identified.

1.   EMBs in Electoral Processes

The complaints made against the independence and impartiality in the management of elections apply to the electoral commissions as well as to the courts or constitutional councils. They range from decisions on the reconstitution of bodies to the positions taken by members of the bodies in the media, through court decisions or procedural acts which, without being illegal, apparently favour one party or create suspicions in this regard. As soon as they are established, these facts undermine confidence in the body for its future actions and make it difficult to reach consensus among stakeholders on key issues of the electoral process and sometimes undermine the dialogue.

In Ghana, the dismissal of the Electoral Commission chairperson and her two deputies after the 2016 elections raised suspicion among the opposition and part of the civil society community and led to a lack of confidence in the neutrality of the new leadership. This mistrust led the opposition National Democratic Congress (NDC) to organise on 11 January 2020 in

Tamale[55] a protest march against the Commission's decision to compile a new electoral register. Similarly, the decision of the Supreme Court of Justice to restrict the use of identity cards and prohibit the use of birth certificates for the acquisition of voters' cards was seen by the opposition as collusion with the ruling party. This mistrust from the start continued to affect the Commission's actions throughout the process, leading to a situation of lack of consensus, particularly between the New Patriotic Party (NPP) and the NDC on key decisions despite the efforts of the Inter-Party Consultative Committee.

In Senegal, the Prime Minister's announcement of the ruling party's victory on the evening of the presidential election of 24 February 2019 is singled out as a reason to question the independence of the EMB. It is worth recalling that in the Senegalese model, it is the Ministry of Territorial Administration that organises elections. Similarly, in the January 2022 local elections, the rejected candidates were largely those of the opposition. Subsequently, the Courts of Appeal issued rulings reinstating almost all the rejected candidates. This led the opposition to say that the Minister of Administration had given orders to the prefects to cancel their lists.

Although several EMBs are credited with respecting the principle of integrity, apart from the results of the weak electoral training of the staff involved in the operations, a few facts related to a lack of integrity were noted in some places. For instance, the decision of the Constitutional Court of Benin on 12 April 2021, instructing CENA (National Autonomous Electoral Commission) not to take into account the figures of the localities where the election could not be held in the calculation of the participation rate, is considered by the opposition as a breach of the rules. In Ghana, the results of the December 2020 elections were expected, the Electoral Commission promised, 24 hours after the polls closed. The absence of results after this deadline raised suspicions of manipulation and led to high tensions. Under siege by activists, the Commission was forced to release the results before the 100% compilation of the results for the whole country.

In contrast, the ruling by The Gambia's High Court of Justice against the rejection of some candidates for the December 4, 2021 presidential election was celebrated by Gambians on social media as a testament to the court's independence and integrity. The first case involved the Citizens' Alliance candidate Mr. Ismaila Ceesay who challenged the decision of the Independent Electoral Commission rejecting his candidature. The High Court, in its decision, held that the IEC violated the provisions and spirit of the electoral law to deny Mr. Ceesay his constitutional right to run for office. The court allowed Mr Ceesay to submit a supplementary list of voters in support of his candidacy in the Banjul administrative region and ordered the IEC to pay a fine of 200,000 Dalasi (Gambian currency).

With regard to transparency, the EMBs were generally commended for their efforts to communicate on electoral process issues. However, the issue of financial management of elections is almost non-existent in the EMBs' communication agenda with a few exceptions. During the 2020 presidential elections in Ghana, concerns were raised about the motives for the purchase of biometric machines and the selection of ballot paper suppliers.

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[55] https://businessghana.com/site/news/politics/204048/Protest-march-in-Tamale-against-EC-s-plan-for-new-voters-register

In terms of Information, Education and Communication to citizens and voters on electoral issues, the full coverage of the territories of the countries in the region also remains a challenge despite the remarkable support of civil society organisations to the EMBs. Indeed, in more than 45% of the observation data received on the eve of the elections covered in the 11 countries under the E-MAM project, it was reported that there had been no Information and Civic Education campaign on the part of the authorities and other actors (CSOs) on the process, with figures varying from one country to another.

Table N°3 Information and civic education campaigns targeting citizens

Question to observers: Is it true that there was no information and civic education campaign by the authorities/other actors on the electoral process in your area (locality of residence)?					
	Elections	**Answers per number of reports received**			
		Yes	**No**	**Total**	**% of Yes**
1.	Guinea-Bissau, 2019 Presidential, 1st round	670	10	680	98.53%
2.	Guinea-Bissau, 2019 Presidential, 2nd round	627	1	628	99.84%
3.	Togo, 2020 Presidential	50	264	314	15.92%
4.	Côte d'Ivoire, 2020 Presidential	173	435	608	28.45%
5.	Burkina Faso, 2020 Presidential	73	284	357	20.45%
6.	The Gambia, 2022 Presidential	19	127	146	13.01%
7.	Guinea-Bissau, 2019 Parliamentary	175	9	184	95.11%
8.	Mali, 2020 Parliamentary, 1st round	71	196	267	26.59%
9.	Mali, 2020 Parliamentary, 2nd round	71	178	249	28.51%
10.	Ghana, 2020 General Elections	139	255	394	35.28%
11.	Niger, 2020 Presidential and Parliamentary, 1st round	67	306	373	17.96%
12.	Niger, 2020 Presidential and Parliamentary, 2nd round	52	295	347	14.99%
13.	Senegal, 2022 Local Elections	41	144	185	22.16%
	TOTAL	2228	2504	4732	47.08%

Source: EMAM project election observation data 2018-2022

On the effectiveness of EMBs, their permanence is well known as a factor of performance growth and on the whole, they organize elections better in recent times than in the early years of democratization. The operational departments of EMBs are variously staffed with adequate personnel (as multidisciplinary as the field of elections requires) from one country to another, but all have a minimum of technical expertise. Their planning capacities leave little room for postponement of elections for technical reasons. Even in the face of the COVID-19 pandemic, the EMBs performed well. Indeed, the West African election calendar recorded 29 electoral processes and 3 referendums held between 2018 and March 2022 (the period covered by the EMAM project), on schedule with the exception of the senate elections in Liberia, the by-elections in Nigeria and The Gambia which were postponed due to the pandemic. As such, through the performance of EMBs, West African states avoided constitutional crises in the midst of the pandemic even though there were spikes in COVID-19 infection, deaths[56] of EMB staff and restrictions on movement

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[56] *Jeune Afrique; Guinea: Amadou Salif Kébé, the president of the CENI, killed by coronavirus; Published on 17 April 2022*

2.   Public Perception of Electoral Governance

Beyond the technical analyses, the public perception of the quality of elections and the bodies in charge of elections is also an important element of assessment. This section will highlight the perception indices on EMB performance and electoral governance in the assessment area of interest based on the 2020 Mo Ibrahim Foundation Governance data.

In all the countries covered by the EMAM project, the Independent Electoral Commissions, with the exception of Mali (before the reform initiated by the transitional government), have a "permanent" status which ensures their continuity. At each electoral cycle, most of these institutions receive criticism from the population with regard to their independence, impartiality, transparency and efficiency. However, through the various reports, especially those from observer missions, it has been observed that from one electoral cycle to the next, the organisation and quality of elections improve. In the same vein, public perception of the performance of EMBs is also improving.

Indeed, from the data of the last IIAG report[57] published in 2020, it can be seen that the average of the election integrity index in the 11 countries covered by EMAM has increased from 55.29 in 2010 to 61.82 in 2019, i.e. an increase of 6.53. The average EMB perception index rose from 37.18 in 2010 to 47.19 in 2019, an increase of 10.01.[58]

Figure N°3 2010-2019 trend in public perception of election quality and EMBs in countries covered by E-MAM
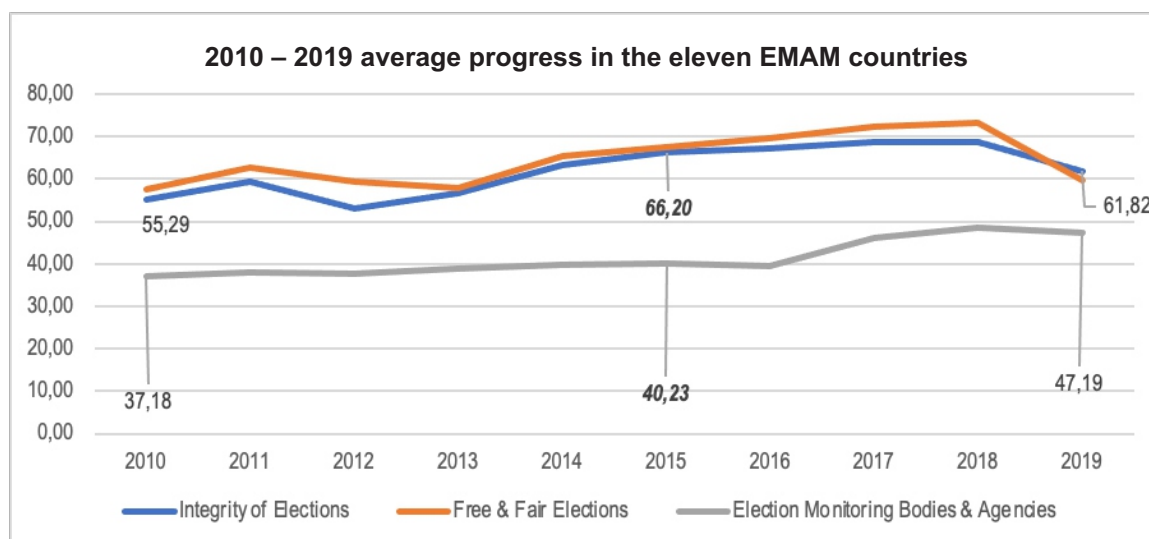
Source : 2020 Mo Ibrahim Foundation Governance data

A review of the various data reveals a positive shift in public perception as the performance of EMBs increases. Public perception in turn is influenced by the almost constant debates about elections and the 'legitimacy' of the executive or parliamentary leadership that won the last elections in a given country.

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[57] *IIAG: Ibrahim Index of African Governance. For more details on this tool, see https://mo.ibrahim.foundation/iiag*
[58] *See the database included in the 2020 IIAG Report (Ibrahim Index of African Governance)*

For example, Senegal is one of the francophone countries with an established democratic tradition with elections that are generally accepted as free, fair and transparent. In 2012 the index for election integrity was 82 and the index for public perception of the EMB was 54.80. This was the year in which Mr Abdoulaye Wade lost the elections to Mr Macky Sall. We can see that the two curves merge from 2012 to 2016, meaning that the public perception is the same on the integrity of the elections on the one hand and the free and fair nature of these elections on the other.

Figure N°4 Public perception of the EMB and the quality of the elections in Senegal
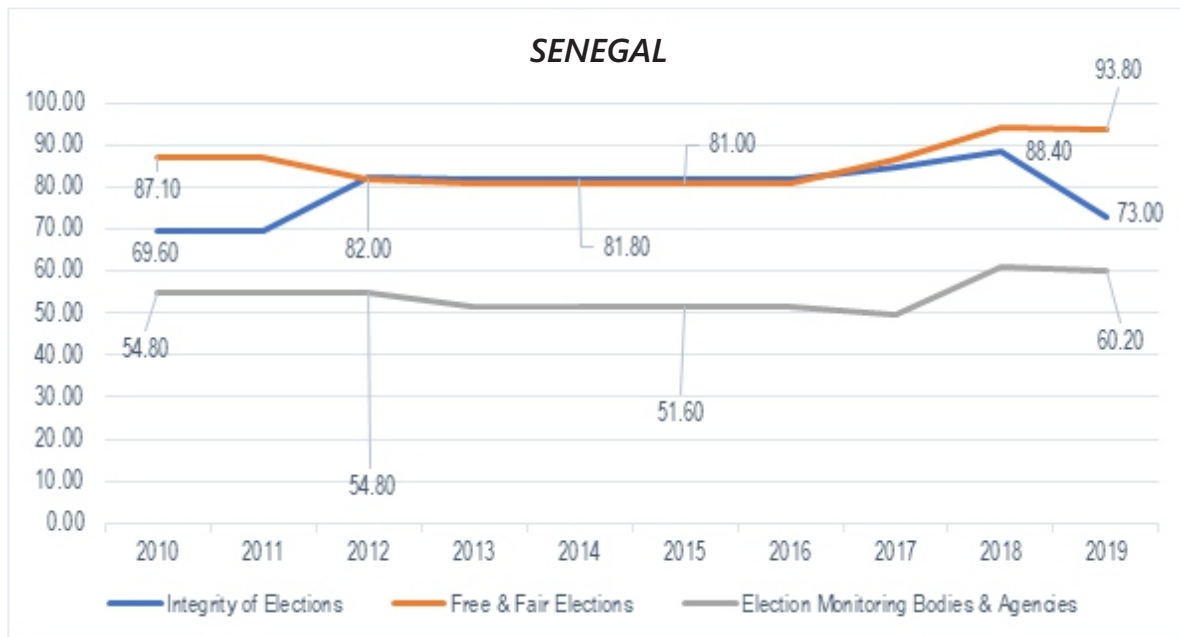
Source : 2020 Mo Ibrahim Foundation Governance data

In The Gambia, since the 2016 presidential election, the transparency and impartiality of the Electoral Commission has been demonstrated and upheld. After accepting the results that showed he lost, President Yahya Jammeh announced that he had rejected the results, challenging the impartiality of the Electoral Commission. Despite the occupation of its premises by the army, the Electoral Commission hardly questioned its results. Despite the tense context in the aftermath of the said election, violence and the worst were avoided in this case thanks to pressure from sub-regional and regional organisations and the United Nations. Moreover, during the December 2021 presidential election, under the same commission, attempts to challenge the results were made, but were not successful. This was due, in part, to the established reputation of the Electoral Commission and also that of the Judiciary on its election-related decisions. The loss of power by the outgoing president in 2016 certainly contributed to the improvement of the EMB's performance, whose perception index has continuously increased from 19.3 in 2016 to 69 in 2019, an increase of 50 percent points. As a result, the consolidation of this positive perception over the years has, among other things, contributed to curtailing the 'questioning of the results' that arose as soon as the results of the 2021 presidential elections were published by the Electoral Commission.

Figure N°5 Changes in Electoral Integrity and Public Perception Indicators on the EMB in The Gambia
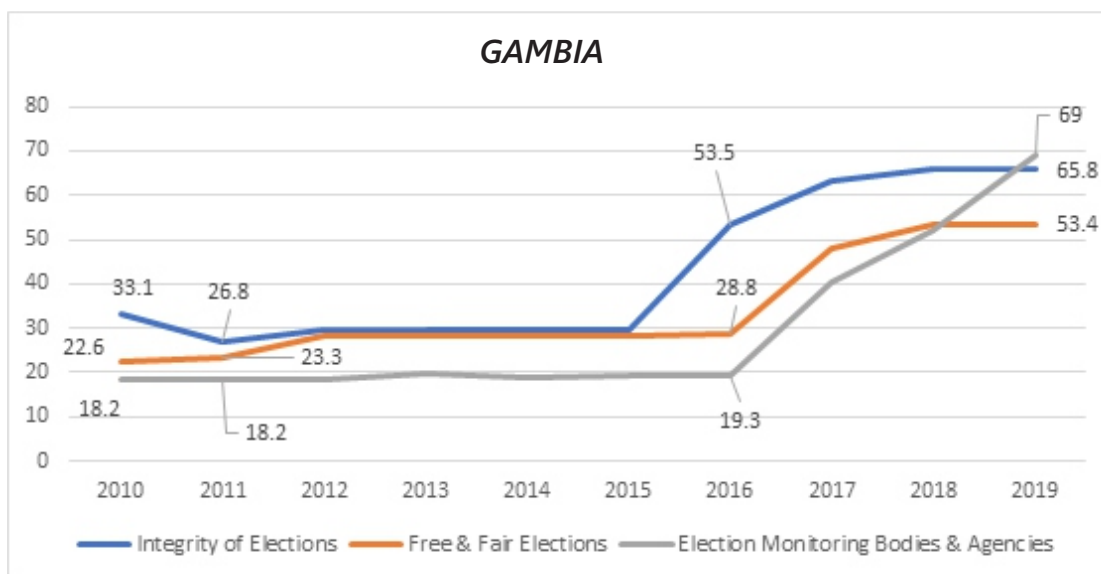
Source : 2020 Mo Ibrahim Foundation Governance data

In Ghana, one of the main underlying reasons for the lack of confidence in the Electoral Commission (EC) lies in the way its members are appointed. The Constitution does not require the Head of State to consult political parties in the selection of members of this institution. Moreover, the opinion of the Council of State is only advisory. The quality of the voters' register drawn up by the EC has also long been a matter of controversy. In 1992, the non-revision of the voter's register deemed "dubious" was one of the reasons for the boycott of the parliamentary elections by the opposition.[59]

In 2008, it led to violence that forced the Electoral Commission to call on the security forces to provide security during the process. The Commission admitted that the voters' register, with at least 800,000 excess voters, was not the best. The political actors nevertheless agreed to go to the elections with this voters' register. For the 2020 general elections, the compilation of the voters' register was the subject of heated discussions, including court hearings. The determination of the Electoral Commission to fulfil its obligations and the respect of the court decisions by the stakeholders made it possible to produce a new voters' register. From the graph below, it is clear that the perception of the electoral commission by the Ghanaian public has remained, over the years, relatively and largely below the quality of elections.

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[59] *See Inter-Parliamentary Union archive document on the 1992 parliamentary election in Ghana: http://archive.ipu.org/parline-f/reports/arc/1123_92.htm*

Figure N°6 Public perception of the EMB and the quality of elections in Ghana
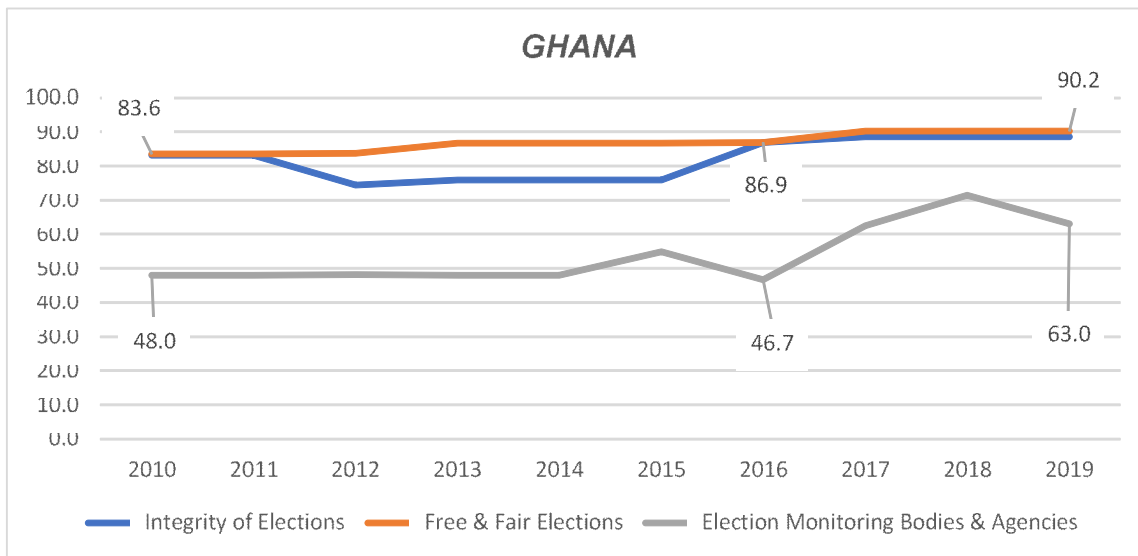
Source : 2020 Mo Ibrahim Foundation Governance data

Overall, despite the differences between countries on the perception of EMBs and the quality of elections, from the point of view of the beneficiaries of the project, it appears that the EMBs have improved their performance in the governance of elections.

However, during the previous electoral cycle, in eight (8) countries out of the eleven (11) covered by the E-MAM project, i.e. in 73% of the project countries, electoral violence or conflicts were recorded at one or other of the pre-electoral, electoral or post-electoral phases. It is therefore possible that a negative public perception is likely to be accompanied by a risk of violence given that not all disagreements are necessarily manifested through violence.

2.1.   Legal and Institutional Framework Reforms: Progress and Limitations

Electoral reforms consist of the revision of constitutional, legislative and/or regulatory provisions to modify the rules governing the choice and/or functioning of state institutions. In principle, they aim at adapting or improving the performance of political systems and increasing the levels of impartiality, inclusiveness, transparency, integrity or accuracy in the management of elections. However, there may be other, less obvious motivations for reform, such as the desire to enjoy the benefits of winning elections, to retain power and so on. In these cases, they can lead to the decline in the quality of electoral and democratic processes and even lead to electoral violence.

A conventional type of electoral reforms can be classified into three categories: crisis reforms prompted by structural or cyclical crises at the state level; comfort reforms inspired by the will of the government to improve governance, the rights of citizens and the relationship between authorities; and reforms referred to as opportunistic reforms which reflect the will of the government or its faction to remain in power.

Figure N°8: Conventional type of electoral reforms
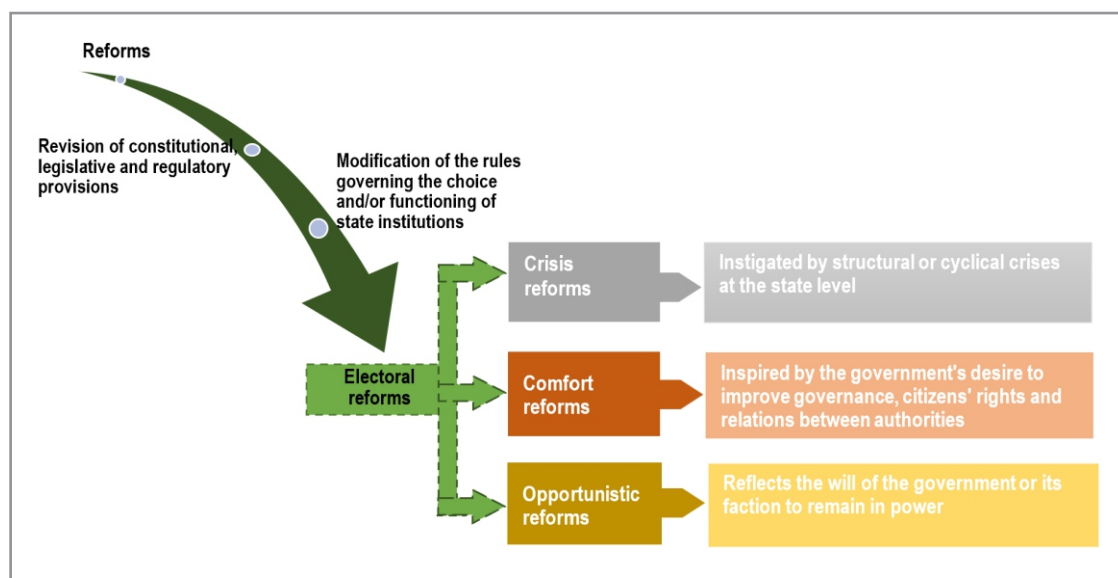
Among the eleven (11) countries covered by the E-MAM project, five (5) have carried out important reforms of their legal and institutional framework between 2018 and 2021. The reforms that took place will be analysed and their impact on the electoral processes and institutional development of the states will be highlighted. This section will also discuss some cases where the lack of reform is a wake-up call for future processes.

A. Major Reforms in Constitutions and Electoral Laws

Between 2018 and 2021, Benin, Côte d'Ivoire, Guinea, Togo and Senegal have reformed their political and/or electoral frameworks. The new laws adopted introduce significant changes in the political and electoral systems of the countries in question, ranging from setting the timetable for the renewal of institutions to defining new modalities for candidacies. In essence, these reforms tend to improve political and electoral governance, but they have either been carried out with little or no dialogue and political inclusion among stakeholders, or they have introduced provisions that have resulted in inequality, protests and consequently violence. In the five countries mentioned above, the reforms can be categorised as follows:

Benin and **Côte d'Ivoire** have opted to set fixed dates for the election of officials (presidential, legislative and communal elections in Benin and presidential elections in Côte d'Ivoire) in their constitutions.

Benin and Côte d'Ivoire have introduced the position of vice-president of the Republic in their constitutions to assume the role of president in case of absence. In **Togo,** a constitutional revision took place in May 2019 to re-establish the limitation of presidential mandates to two five-year terms and the two-round presidential voting system. In the Republic of **Guinea**, the new Constitution adopted by referendum on 22 March 2020 introduces an extended presidential term of six (6) years renewable once. Candidacy endorsement is the huge reform that shook the electoral processes of Benin, Côte d'Ivoire and Senegal. There are two variants: the endorsement of candidates in Benin and the endorsement by voters in Côte d'Ivoire and **Senegal.**

In **Benin,** the admissibility of candidacies for the presidential election is conditional on the endorsement of at least 10% of all parliamentarians and mayors. Mathematically, every candidacy must receive at least 16 endorsements. Double endorsement is not allowed according to the application provisions issued by the CENA. Two other provisions further tighten the candidacy modalities: political party alliances are not allowed to present lists of candidates for the legislative and communal elections as well as candidates who are absent from the country at the time of the submission of candidacies.

In **Côte d'Ivoire**, the admissibility of candidacies for the presidential election is conditional on the endorsement of one percent (1%) of the electorate spread over at least fifty percent (50%) of the autonomous districts and regions.

In **Senegal,** presidential candidates must be endorsed by several voters reaching 0.8% of the electorate but not exceeding 1%. This number must be spread over at least seven (7) regions (7/14 regions which gives 50% of the country's regions) at a rate of at least 2000 voters per region. Candidacies for the parliamentary elections must be endorsed by several voters reaching 0.5% of the voter register but not exceeding 0.8%. This number must be spread over at least seven (7) regions (7/14 regions which gives 50% of the country's regions) at a rate of at least 1000 voters per region. Double sponsorship is prohibited and is an offence that can lead to penal and financial sanctions.

B.   A crisis reform and a comfort reform

A crisis revision of the electoral code took place in Burkina Faso, which was to hold its 2020 parliamentary and presidential elections within a security context characterised by repeated attacks by violent extremist armed groups, in addition to the economic consequences caused by the restrictions imposed by the 2019 Corona virus pandemic (COVID-19). It consisted in the adoption, by 107 votes out of 120 by the National Assembly, of Law N°034-2020 of 25 August 2020 amending Law N*014-2001 of July 2001 on Electoral code which in effect laid the legal basis for the recognition of the validity of elections in the face of these two contingencies.[60] This law provides that in case of force majeure or exceptional circumstances preventing the completion of the registration of voters in all or part of the territory, the elections shall be held on the basis of voters already registered. It also adds that in the event of the impossibility of holding the elections in a part of the territory or outside, an impossibility determined by the Constitutional Council, the elections will be validated on the basis of the results of the polling stations that were in operation.[61]

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[60] *Cf conférence de presse du 27 août 2020 du gouvernement : https://www.communication.gov.bf/informations/conseils-des-ministres/detail?tx_news_pi1%5B%40widget_0%5D%5BcurrentPage%5D=2&tx_news_pi1%5Baction%5D=detail&tx_news_pi1%5Bcontroller%5D=News&tx_news_pi1%5Bnews%5D=256&cHash=07b7ba2846bd0908e5c8a5754bedb592*
[61] *See Articles 50 new, 148 new and 155 new of Law No. 034-2020 of 25 August 2020 amending Law No. 014-2001 of 03 July 2001 on the Electoral Code*

In Ghana, the referendum of 27 December 2018 enshrined a new territorial division that increases the number of regions from 10 to 16. This new division is intended to promote the development of remote areas.

C.   Effects of Reforms on Institutions and Electoral Processes

1.   Bringing stability to the life of the institutions altered by political issues

The efforts made by States to provide fixed dates in their constitutions for the election of new officials help to minimise the opportunist circumstances that may justify postponing elections and therefore ensure that elections are held regularly, which is a fundamental democratic principle. The regular holding of elections, according to the duration of the mandates fixed in the calendar, has the advantage of keeping the institutions free from lack of legitimacy.

Similarly, the introduction of the office of vice-president with the primary purpose of filling a gap in power serves to prevent the disruption of the electoral calendar in that there will be no need to call for fresh elections in the event of the death or permanent incapacity of the president, since the vice-president completes the president's term of office.

These provisions, which are exclusively intended for the functioning of the state, are unfortunately altered by other insidious provisions which break another democratic principle, that according to which 'the election is the source of power'. Indeed, in the case of Benin, if the Vice-President is elected together with the President, the latter can dismiss him during his term of office and replace him with another person.[62] It can therefore happen that an unelected person exercises the supreme power of the state. Côte d'Ivoire has not burdened itself with his principle and has clearly stated in its Constitution that the president chooses his vice-president. Better still, power can even revert to the Prime Minister in the event of the death of the President and Vice-President.[63]

2.   Undermined Political Change

The various constitutional reviews that have taken place in the sub-region have been followed by the retention in power of governments that had reached the limit of two (2) authorised terms; the change in the Constitution having allowed them to reset the term limit on the basis of the sacrosanct principle of the non-retroactivity of laws. These events led to a general outcry from national and international observers and triggered violent demonstrations that were often severely repressed in Guinea and Côte d'Ivoire, for example. In all cases, they were criticised as being similar to military coups.

For example, in Côte d'Ivoire, President Alassane Ouattara reneged on his public promise to step down after the death of his successor (Prime Minister Amadou Gon Coulibaly) a few months before the elections.

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[62] *Article 54 of the Constitution of Benin*
[63] *Articles 55 and 62 of the Constitution of Côte d'Ivoire*

In Guinea, the Constitution of 22 March 2020, adopted in spite of fierce protests by the opposition and part of civil society, gave Alpha Condé the possibility to run for a third term. Elected as the first president of the 4th Republic of Guinea on 15 December 2020, Alpha Conde will be overthrown by a coup d'état on 5 September 2021.

3. Revisions to the conditions for the emergence and participation of political parties and their consequences.

The new legal framework in Benin to combat the plethora of political parties has instituted draconian new requirements for the creation of political parties and participation in elections. Political parties must now demonstrate that they have 15 founding members per commune across the country, which is equivalent to having 1155 founding members before a political party can be created. The country has 77 communes. They are required to have a functional office in each department. Political parties planning to take part in the parliamentary elections must present candidates in all electoral districts, i.e. 109 main candidates and as many deputies in 24 districts. The deposit for candidacies for the parliamentary elections is set at 05% of the ceiling of campaign expenses authorised per main candidate,[64] i.e. CFAF 1,500,000. Any political party competing in the parliamentary elections must therefore pay a total amount of 163,500,000 CFA francs to the public treasury. At the end of the election, those who received at least 10% of the votes are reimbursed. Any political party that fails to present candidates for two consecutive parliamentary elections loses its status. Under these conditions, it is possible that political pluralism will give way to a two-party system or at best only three or four political parties will survive.

In contrast, Burkina Faso, by revising its electoral law in 2018, removed the provisions that ostracised supporters of former President Blaise Compaoré's regime and opened up participation in elections to all interested political actors, parties and candidates. Indeed, after twenty-seven (27) years in power, Blaise Compaoré was overthrown by a popular uprising on 31 October 2014 in the wake of an attempt to revise the Constitution to limit the number of presidential five-year terms from two to three. In preparation for the elections after his fall, Law N°005-2015/CNT of 7 April 2015 amending the Electoral Law was adopted. This law made supporters and allies of the former regime ineligible for the presidential, parliamentary and municipal elections under the provisions of its articles 135, 166 and 242, which stipulated that 'all persons who supported an unconstitutional change that undermined the principle of limiting the number of presidential terms of office and led to an insurrection or any other form of uprising shall be ineligible'. This led to the exclusion of political parties such as the CDP and members of the political transition from the 2015 elections. Subsequently, Burkina Faso, which had embarked on a process of national reconciliation, set about creating the conditions for national unity and social cohesion. This process contributed to the normalisation of participation in elections.

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[64] *Article 173 of the Electoral Law*

4.   Subterfuge and legal traps for opposition candidates

While the use of endorsements can discourage candidacies that do not really exist in the national political landscape, the type of endorsement and the implementation mechanism contribute, in some cases, to breaking the equality of opportunity between candidates and in other cases to blocking the path of the opposition.

In Benin, the pool of endorsers for the April 2021 presidential election was made up of 82 parliamentarians[65] from the April 2019 parliamentary elections, all of whom belong to the two main political parties supporting the president in office, and 77 mayors from the May 2020 communal elections, 71 of whom also belong to these two political parties. As double endorsement was not allowed, all the other opposition candidates only had a chance of obtaining endorsement from six (6) mayors, whereas the endorsement threshold was sixteen (16). This made it materially impossible for the opposition candidates to meet the conditions of admissibility of their candidatures with regard to this criterion. Out of twenty (20) candidatures received, CENA validated 17 and the Constitutional Court ratified this decision by CENA.

In Côte d'Ivoire and Senegal, the receipt of endorsements required the establishment of mechanisms at the regional level which proved costly for the limited means of some political parties.

The reforms made to the candidacy modalities include, in some cases, provisions that exclude categories of candidacies, as in Guinea for independents and in Benin for political party alliances (parliamentary and communal elections), or that specifically target opponents, as in Benin for potential candidates who are absent from the country (political exiles) at the time of filing candidacies. It should be recalled that several Beninese opponents have gone into exile following their conviction by the Court of Suppression of Economic Offences and Terrorism (CRIET), a special court.

5.   Unrest and Violence Caused by Reforms and/or their Implementation

Given that the reforms were mostly not carried out in a consensual manner and that they contain confidence-building provisions, they have created obstacles to the electoral processes in the countries in question. They have contributed to a tense political climate and often violent protests. The more exclusionary the provisions introduced were, the more they undermined equality among candidates, and the more they suggested a desire to remain in power. Consequently, there were strong reactions to these provisions.

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[65] *Instead of 83 following the death of a Member of Parliament*

Figure N°9 : Breakdown of 1704 incidents recorded during the 17 ESRs

Election	Country	Incident
Local	Senegal	65
Parliamentary & Referendum	Guinea	64
Parliamentary	Guinea-Bissau	14
	Mali (Round 1&2)	61
Presidential	The Gambia	7
	Guinea	43
	Guinea-Bissau (R1&2)	44
	Togo	48
	Senegal	51
	Cote d'Ivoire	374
	Benin	710
Presidential & Parliamentary	Burkina-Faso	35
	Niger (Round 1&2)	57
	Ghana	125
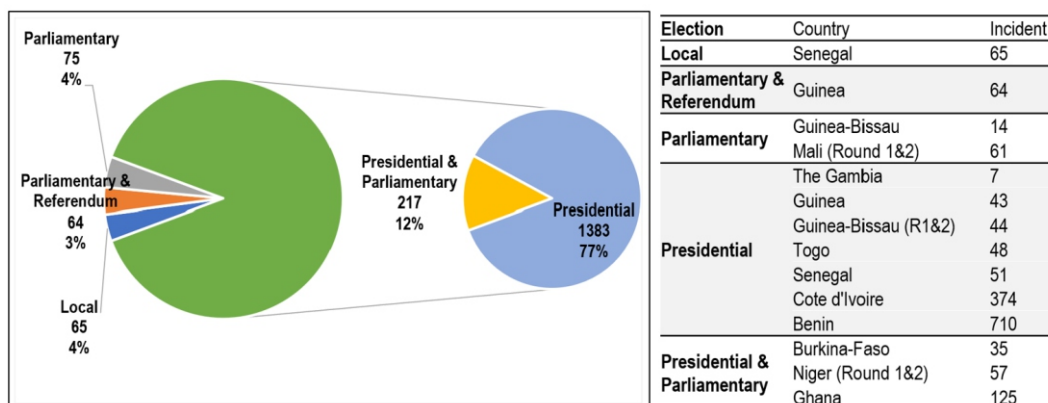
Source: Election observation data from the E-MAM project, 2018-2022

Figure N°10 : Breakdown of incidents recorded before and after the 17 polls
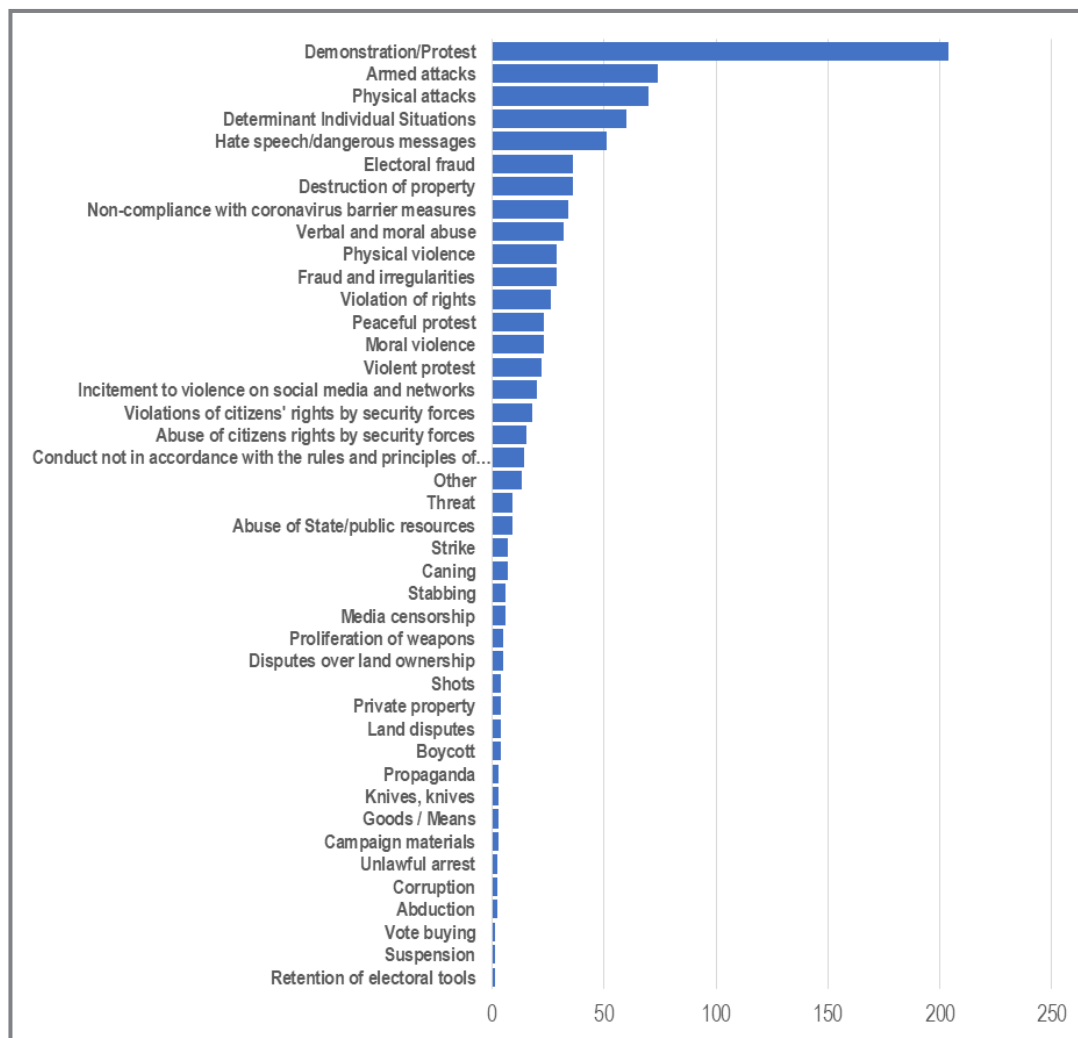
Source: Election observation data from the EMAM project 2018-2022

In Côte d'Ivoire, the announcement of Alassane Dramane Ouattara's candidacy and the dismissal of the candidacies of leading figures in Ivorian politics, notably those of former President Laurent Gbagbo and former Prime Minister Guillaume Soro, triggered a wave of violent demonstrations across the country. According to media sources, about fifteen people died in August in violence that occurred in the wake of the announcement by the Constitutional Council of the list of candidates selected for the election.[66] In total, the electoral violence around the 2020 presidential election in Côte d'Ivoire has, according to the prosecutor in Abidjan, led to the arrest of 233 people, including prominent opposition figures, 85 deaths and 500 injuries. In the Council of Ministers communiqué of 11 November 2020, the government confirmed these figures by announcing a death toll of 85 and 484 injuries.[67]

In Benin, a similar scenario played out from 2019 to 2021. Demonstrations broke out across the country following the reforms and during the presidential elections in April 2021. Some became violent. Policing was reinforced by the military and there were instances of excessive use of force against protesters. As a result, voters were unable to vote in 16 of the 546 districts of the country due to violent demonstrations that prevented, among other things, the delivery of voting materials. In a statement made public on 14 April 2021, the Minister of Interior, Mr. Sacca Lafia, said that the violent demonstrations of 6 and 9 April 2021 resulted in 21 bullet wounds to officers of the Defence and Security Forces and caused enormous damage amounting to billions of FCFA. Moreover, according to information gathered[68] by the Benin Human Rights Commission (CBDH), there were at least five deaths. The bodies of some of the victims killed by bullets from the Defence and Security Forces had not been handed over to their families for funeral ceremonies until the publication of the CBDH's 2021 report.

In Guinea, in reaction to the attempts to change the Constitution, a "Constitution Defence Front" was created by various political and social actors. Together with the opposition, they engaged in street demonstrations to make themselves heard. The police brutally repressed these gatherings, causing damage and death. The government imposed a ban on demonstrations to maintain calm, which was seen by opposing parties as intimidation and suppression. This exacerbated tensions which led to other incidents and violent demonstrations, notably in Zérékoré on 13 June 2019 (resulting in 1 death, 34 injuries including 2 law enforcement officers, several material damages and arrests) and in Conakry and Mamou on 14, 15 and 16 October 2019 with 11 people including 1 gendarme killed, 70 injured and several arrests.

D.   Cases of no reform or crippling status quo

There are still countries in the sub-region which have not carried out reforms prior to the 2018 to 2021 elections with outdated electoral architectures that are not adapted to their political environment (case of Mali) or whose legal framework includes provisions which have shown their limitations (case of Ghana).

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[66]   https://information.tv5monde.com/afrique/cote-d-ivoire-un-mort-et-des-blesses-lors-d-une-manifestation-de-l-opposition-380049
[67]   https://information.tv5monde.com/afrique/cote-d-ivoire-apres-les-violences-electorales-de-2020-des-opposants-toujours-poursuivis
[68]   2021 Report of the Benin Human Rights Commission

1.   Case of Mali

From 2006 to 2018, Mali has endeavoured to revise its electoral law five (5) times with the express aim of correcting the shortcomings identified during the elections that took place during the period, without daring to reform the system that was no longer appropriate. These changes were ineffective, as the harmful procedures identified during the periodic evaluations were replaced by others that subsequently proved to be equally ineffective.

At the same time, electoral governance was declining from cycle to cycle. The change in the EMB was in the opposite direction to that of other countries (from the independent model in 1997 to the mixed model decided after the audit of the first CENI). Electoral powers were spread over several bodies. Annual funding of billions of francs was paid to political parties while in return legislation was not passed to limit their campaign expenses. The financial management of election budgets is not transparent (relevance of the renewal of voter cards which are not distributed while voters can vote with NINA cards, etc.). The provisions governing electoral disputes are not detailed enough and affect the decisions of the Constitutional Court.

This crisis culminated in the March and April 2020 parliamentary elections, where the proclamation of the final results by the Constitutional Court triggered violent protests in several cities of the country. This crisis was the catalyst for the events that led to the military coup of 24 August 2020. Currently, the legal and institutional framework for elections in Mali is being developed under the transitional government.

2.   The weakness of a flagship model: Ghana

Despite Ghana's electoral record, tensions and violence persist in its electoral cycles. Disagreements over electoral issues, ethnic divisions, political vigilantism and issues of exclusion continue to resurface and generate conflict at every election. Elections are played out between the two major parties, the New Patriotic Party and the National Democratic Congress, with the goal of winning public office to change the living standards of not only the political actors, but also their associates, ethnic groups and political parties.

The institutional mechanism of the organisation and functioning of government is hijacked to distribute the benefits of being in power. The President of the Republic appoints ministers, members of the boards of directors of state-owned enterprises and district chiefs. These officials in turn award public contracts and create jobs for their political allies. Although the courts often intervene to overturn some of the executive's political appointments, the overall result is that the party that loses the election is side-lined and the winner takes all. This intensifies the competition between the two major political parties, which degenerates into a trend of violence. According to a statement by the Ghana Police Service on 9 December 2020, the December 2020 elections resulted in 5 deaths from gunshot wounds and 17 injuries from incidents that occurred.

2.3.   Other factors of Electoral Violence and Crises

Crises and violence also emerge from other factors beyond the legal framework and the conduct of the process by the election management bodies. They are external to the process itself. The political and socio-economic environment in the countries of the sub-region from 2019 to 2021 has been marked by a security crisis, a health crisis linked to the Covid pandemic19 and a social front in turmoil.

Since 2013, an unprecedented security crisis has hit the countries of the Sahel (Burkina Faso, Mali, Niger) with the presence and action of violent extremist armed groups that occupy large parts of the national territories. These armed groups are fighting against the values and presence of the state in order to replace it. They subjugate rural communities with bloody attacks resulting in hundreds of casualties, destroy schools, institute Sharia law and levy taxes. The relatively disorganised, poorly trained and ill-equipped national armies are no match for them, despite the presence and assistance of multiple international forces. Holding elections in these countries posed the challenges of organising them in occupied areas, recognising the results of elections that excluded a large proportion of the citizens, and ensuring the legitimacy of the results. The kidnapping of the Malian opposition leader Soumaïla Ciss in the middle of the electoral campaign on 25 March 2020, who was held in captivity for six months, is an example of the challenges of organising elections during a security crisis.

In addition to the security situation, there is rampant banditry in urban areas, which has spread to the outskirts of the country, with its share of robberies and murders or assassinations that are not always solved and which the security forces find difficult to deal with. The demands of the population for their security are added to those of the social front. Cases of attacks on the lives of electoral officials have been reported in several countries.

The Covid-19 pandemic has caused a sharp decline in social and economic activities, which has weakened the socio-professional groups and generated discontent that will increase public demands. Moreover, the health measures introduced to limit the spread of the disease (distancing, restrictive conditions for crossing borders, limiting gatherings) had considerable repercussions on the organisation of elections, such as restrictions on electoral campaigns, the introduction of new electoral procedures, and the refusal of the diaspora vote (Burkina Faso).

In the majority of the project countries, the period was marked by a turbulent social front. The low incomes of workers in the face of inequalities introduced in wage reforms led to a hardening of trade union demands.

Despite public subsidies in some countries, basic social services such as health, education and even the provision of water and electricity are no longer properly provided, increasing citizens' resentment against the state.

Corruption or the reporting of corruption has grown to the point, in some cases, of affecting public and private structures, draining states of large sums of money by means of collusion between senior officials on major mining, arms and other contracts. This gangrene, which states are no longer able to control, deprives them of the means to implement their policies on security and economic and social growth. In the most prominent cases, this situation has led to a virtual paralysis of action by the state in the face of the urgent challenges it was supposed to address. The reasons for the coups in Mali and Burkina Faso are explained by, among other things, the abandonment of the armed forces by the government in their fight against terrorist groups.

In Senegal, the conditions leading up to the 2019 election cycle were aggravated by social and economic hardships due, in particular, to the acute financial crisis of 2018, characterised by a very heavy domestic debt. The social front was in turmoil with protests and strikes over wage demands in the education, health, commerce and justice sectors. Rural areas were also affected by a poor agricultural season that threatened to cause famine.

In Côte d'Ivoire, the number of security incidents increased with the approach of the 2020 presidential election: community conflicts, banditry, attacks against the defence and security forces, and the circulation of drugs and light weapons. This insecurity culminated in a community conflict in the locality of Béoumi, which caused 14 deaths, 108 injuries and 300 displaced persons, as well as significant material damage.

2.4. Political dialogue as a mechanism to mitigate electoral crises and violence: strengths and weaknesses

Communication between stakeholders is essential in political and electoral processes. The complexity of these processes requires that they be explained and understood by stakeholders in all their aspects and throughout their duration. It is a key instrument for ensuring transparency, maintaining or restoring trust, resolving misunderstandings, and seeking and obtaining the support of stakeholders through consensus in order to conduct the processes in a relatively peaceful climate.

In all eleven (11) countries covered, the processes were accompanied by dialogue frameworks that had varying degrees of success in carrying out their tasks. From their review, one category of dialogue frameworks emerges which comes and goes with the issues that prevailed at their creation and another category which attempts experiments in institutionalisation. Political dialogue itself is conducted differently in different countries. Some strive to maintain dialogue throughout their political and electoral processes and others carry out unilateral reforms before opening dialogue.

A.   Monologue of seasonal consultation frameworks

In some countries of the sub-region, mainly Burkina Faso and Mali, we still see the use of consultation frameworks during the electoral period, divided by category of stakeholders

who work exclusively during this period on electoral process issues that interest a particular category. Thus, there is a framework for consultation with political parties, one with civil society, one with the media, etc. These consultations are held between the elections body and representatives of relevant stakeholders at different levels of representation depending on the importance of the issue. They are more of an informative than a consultative and dialogue framework, with the EMB giving stakeholders information on the progress of the electoral process and what is expected of them in the following phases. Meanwhile, the stakeholders also take the opportunity to point out the weaknesses in the procedures identified in the past and ask for their correction.

B.   Experiences in Institutionalizing Political Dialogue

Apart from the consultation frameworks held under the auspices of electoral commissions and specifically dedicated to the organisation of elections, there are other dialogue frameworks which are organised in different ways depending on the country. Their purpose is to bring together stakeholders (political parties and civil society in particular) around key issues relating to political and institutional reforms and try to reach consensus on key decisions before their adoption. In most cases, they are created and operate under the auspices of governments and fade away once their mission has been accomplished or aborted. However, there are models in both Anglophone and Francophone countries that are making encouraging progress in trying to make them sustainable and their successes are inspiring other countries in the sub-region. A French-speaking example, that of Niger, and two English-speaking examples, that of Gambia and Ghana, will be discussed.

Niger is a leading model in the successful experience of sustaining political dialogue. The National Council for Political Dialogue (CNDP), created in January 2004, has statutes and a permanent secretariat. It is chaired by the current Prime Minister and brings together the three components of Niger's political society which are the majority, the opposition and the non-affiliated. Since its creation and despite its episodic boycott by the opposition, it seems to have successfully played a role in regulating the electoral process in Niger by facilitating debates on all the laws governing elections, such as the Constitution, the electoral code, the general code of communities, the charter of political parties and the status of the opposition. It thus gives the one hundred and thirty-two (132) political parties that make it up the opportunity to express their views on crucial issues before they are submitted to the government and the parliament for adoption. This is a significant effort at inclusive dialogue given that only about fifteen political parties are represented in the parliament. According to an unwritten convention, the government and parliament would make a point of taking into account the opinions and recommendations of the CNDP.

In The Gambia, the Inter-Party Committee (IPC) is a body created at the initiative of the political parties themselves. Under Yahya Jammeh's regime, it was plagued by regular disputes within it between representatives of the majority and the opposition. It was revived in 2016 with the help of the UNDP and all political parties registered by the Independent Electoral Commission were included. A memorandum of understanding and a code of conduct were adopted on 7 March 2017. In 2021, the IPC continues its efforts to institutionalise itself by having a headquarters. Inter-party committees of women and youth are also created

with the objective, according to its leaders,[69] to facilitate consultation and dialogue and uphold the values of democracy and good governance. Eighteen (18) political parties are currently registered with the IPC with the objectives of promoting peace, tranquillity, tolerance, political decency and conflict resolution before, during and after elections. The IPC's work is most visible during the election period through the monitoring of its Memorandum of Understanding and Code of Conduct. It monitors incidents and reminds its members and other stakeholders of the need to fulfil their commitment to peaceful election campaigns. Like any other dialogue framework, its weaknesses lie in the lack of enforcement measures against the lack of commitment of some politicians to observe the provisions of the protocol and in the lack of funding.

Ghana's Inter-Party Advisory Committee (IPAC) is a platform composed mainly of representatives of political parties, civil society and partners. It was created by the Electoral Commission in 1994 and collaborates with it on all electoral issues. It acts as a framework for information and dialogue, but also as an advisory body. Since its creation, IPAC members have been able to balance their interests in order to provide useful advice to the Commission on improving the organisation of elections. The EC has generally been receptive to its proposals after assessing their feasibility and efficiency. IPAC has contributed greatly to the improvement of electoral procedures and even regulations. Several electoral instruments were initiated, discussed and approved by IPAC before their implementation. These include:

• the discontinuation of opaque ballot boxes and fingerprint identification cards in favour of transparent ballot boxes and cards with a photograph of the voter;

• the introduction of a Registration Review Commission to allow appeals from aggrieved new voters;

• the introduction in 1996 of party agents in polling stations to ensure transparency of the ballot;

• access for political parties to observe the printing of ballots and other election documents; and

• collaboration in the drafting of legislation such as the public elections regulations (2012), registration of voter's regulations (2012).

Although IPAC's success has led to the creation of national branches and its replication in other countries such as Nigeria, Liberia and Zimbabwe, it still faces some challenges. There is sometimes a lack of trust within IPAC, between its members or between them and the EC. There are also instances of members taking a political stance on issues that the body deals with. For example, the issue of the creation of the new voters' register in 2020 sparked off a protest within IPAC, which led to the creation of the 'Inter-Party Resistance Against New Voter Register'.

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[69] *See speech by IPC Co-Chair Halifa Sallah at the opening of the IPC headquarters: https://foroyaa.net/inter-party-committee-inaugurate-its-new-headquarters/*

IPAC is also faced with underfunding. Supported by the EC, which also struggles sometimes with the weakness of the Consolidated Fund (in 2000, for example, the EC received 53% of its funding from donors), IPAC depends on the support of the TFPs. The provision of special funds could help to develop the capacity of IPAC stakeholders to produce useful technical advice to the EC.

C.   The Instability of Political Dialogue

Generally speaking, where governments have majorities in parliaments, they are assured of being able to pass their decisions and endorse their actions. They then have the levers to maintain or reinforce their domination over the opposing parties. Therefore, they care little about opinions and positions outside parliament when their interests are at stake. The latter, if they cannot find a place to express themselves, take to the streets. Opposition parties, aware of the weight of the street on government action, do not hesitate to use it. The choice of weapons is made on both sides and dialogue remains the only recourse to try to resolve differences and avoid confrontations. Unfortunately, very often the positions of the parties are so clear-cut that the differences persist and lead to the suspension or breakdown of the dialogue.

Côte d'Ivoire carried out its reforms and the 2020 presidential elections without any real political dialogue, relying on a comfortable majority in parliament and the state's means of coercion. Dialogue only took place as a prelude to the parliamentary elections in order to ease the political climate and encourage the participation of the opposition. The themes discussed included measures to calm the political environment, national reconciliation and the legal and institutional framework for elections. However, according to the government, it continued with the aim of consolidating social peace and stability and will be concluded in March 2022 with the participation of some twenty political parties and 26 civil society organisations present at the signing ceremony of the final report.[70] Benin is also in a similar situation of reforms without inclusive dialogue of parties not represented in parliament, although the latter's composition required it (100% of the deputies in parliament come from two parties supporting the executive).

After three decades of electoral experience, West African countries have built real legal and institutional structures for elections. At the beginning, the laws were disparate, incomplete, not well adapted to the contexts of the new democracies and the organization of elections was carried out by government entities with little consideration for the concerns of stakeholders. Nowadays, almost all these countries have all the necessary legislation to cover the political and institutional environments (electoral laws, political party charters, laws on public financing of political parties, status of the opposition, media regulation laws, etc.) and are regularly updating them in view of the new contexts and the need for regional or global harmonisation for the adoption of best practices and standards. At the same time, the

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[70] *Cf. report of the signing ceremony of the final report of the 5th phase of the political dialogue on the Prime Minister's portal: https://primature.ci/actualite/?pm=11699*

organisation of elections has become more professional, giving rise to bodies that try to keep a distance from governments and organise credible elections with the increasing involvement of stakeholders.

However, electoral processes continue to be characterised by sharp differences between political actors. Reforms and lack of reforms and the management of elections still oppose and divide the political classes. Laws and regulations remain contentious because they contain provisions that break the equity between the parties. Weak dialogue and lack of consensus is evident in key decision-making. These are the challenges currently facing the electoral models in the sub-region.

Other Actors in Electoral Processes in Africa:
Dynamics and Contributions

Accordin to Joseph Schumpeter, an election is defined as "a political system in which the main seats of power are won as a result of a competitive struggle by the vote of the people".[71] This definition is perceived by some as a minimal definition because it confines the election to its competitive aspect without an in-depth appreciation of the quality, the preparatory stages and even the actors that should allow for the consolidation of a whole process of which the election is only one part. Political processes and more particularly electoral processes in Africa give rise to much debate. The mobilisation of direct and indirect actors during elections, particularly in West Africa, provides sufficient information on the various issues at stake (explicit, assumed or hidden). This diversity often makes the analysis complex. Similarly, the actors involved are not always paragons of virtue and agents of democratisation. Multiple and divergent interests can be involved in their activities, thus producing negative effects.

These counter-performances noted in the implementation of democratic processes in Africa have forced a number of stakeholders to develop control strategies. In the implementation of electoral processes, if one bases oneself on international norms and standards, one can easily identify the essential conventional actors. The main stakeholders in the implementation of electoral processes can be distinguished as follows: the public authorities, custodians of public policy issues, an election management body, stakeholders involved in political competition, citizens who have to express their choices, and the media which informs and makes information accessible.

The emergence of new practices, new behaviours due to the specific nature of societies and groups, often put to the test of democracy, have been important determinants for the emergence of new actors during the implementation of political processes and more specifically electoral processes, especially in West Africa. Thus, the conflicts surrounding electoral processes, the recurrent electoral governance crises, the frustrations generated by poorly organised electoral processes in Africa, leading to multifaceted crises can be factors that explain this strong mobilisation of a host of actors during the implementation of these

[71] *Joseph Schumpeter, Capitalisme, Socialisme et Démocratie, Paris, Payot, 1972, p. 269*

processes. In this regard, the involvement of traditional chiefs in an electoral process in Africa may be unusual or unprecedented for some international observers. Similarly, the massive involvement of civil society, observers and election observers at all stages of the electoral cycle in West Africa, provides information on the strategies of contribution to specific ends. Yet, upon closer look at the specific realities of the electoral process in West Africa, this chieftaincy and other local actors play a significant role in several respects.

As such, this chapter focuses on the review of other stakeholders who participate in electoral processes apart from those dealt with in the previous chapter (Chapter 2). Some stakeholders whose absence does not prevent the normal conduct of the electoral process, increasingly keep an undeniable dignity in the African context and play an important role of facilitation, regulation, mediation or intermediation in the management of electoral processes. Specifically, in the following sections, we will discuss: civil society, chieftaincies (religious and traditional), defence and security forces, the media, and international organisations with each category of actors playing a unique role in a West African context beset with challenges to strengthen democracy.

3.1.   Civil society: trajectory and dynamics

Defining civil society requires an extensive literature review due to its wide scope and the sometimes-subjective understanding of the field by a number of stakeholders. Indeed, the concept of civil society is open to several definitions and interpretations. In the early 1990s, the World Bank adopted a definition of civil society developed by a number of reputable institutions and research centres (United Nations, World Bank Institute): "The term civil society refers to the wide range of non-governmental and non-profit organisations that animate public life and defend the interests and values of their members or others, based on ethical, cultural, political, scientific, religious or philanthropic considerations. These organisations are recognised as: community groups, non-governmental organisations (NGOs), trade unions, indigenous peoples' organisations, charities, faith-based organisations, professional associations and private foundations.[72] »

In the same vein, the conclusions of Leonardo Villalon's 1995 work[73] on civil society share Patrick Chabal's definition of civil society as a space made up of changing groups and individuals whose only common feature is that they are outside the State and have acquired a certain awareness of their external character and their opposition to state institutions.[74] In one of his books, Abdoul Latif Coulibaly, journalist and writer, gives a definition and defines the scope of civil society. According to the author, civil society 'comprises all organisations and networks of organisations operating outside the powers of the state (executive, legislative, judicial), but collaborating and communicating with them in order to ensure better management of the democratic process. In other words, civil society organisations are structures that operate outside the state »[75]. Thus, in his definition, Coulibaly agrees with

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[72] https://www.grainesdepaix.org/fr/ressources/dictionnaire/societe_civile
[73] Islamic society and State Power in Senegal, Disciples and Citizens in Fatick, Cambridge University Press, 1995, 340 p
[74] Patrick Chabal, « Introduction: Thinking about politics in Africa », in P. Chabal, Ed. Political domination in Africa: Reflections ont the limits of power, Cambridge, Cambridge University press, 1986
[75] Abdou Latif Coulibaly, A democracy taken hostage by its elites, Political essay on the practice of democracy in Senegal, Sentinelles Edition, Dakar, 2007, p. 229

Patrick Chabal on the external nature of civil society in relation to state institutions, which is essentially the basis of the principle of independence. This definition highlights the role of civil society as a primary support for the state which goes beyond the democratic process.

As a result, civil society is a concept whose boundaries are difficult to define because of its nature and the highly political issues it raises. As a space that is structured outside the realm of the State, civil society seeks to propose actions carried out by civic organisations whose aim is to contribute to political and development processes, depending on the context and environment in which these actions take place. From one country to another, the composition of civil society and the extent of its collaboration in democratic projects may vary according to the regulatory and legal frameworks governing its operation. Thus, in West Africa, its course and the specificities of its composition reveal both similarities and differences. In Benin, for example, there is a unique feature regarding its composition. Indeed, it is clearly established that the components of civil society are: religious denominations, NGOs, trade unions, the media, socio-professional organisations, traditional chiefs and associations involved in development. Many purists would not place the media in the category of CSOs. This indicates the complexity of the definition of its scope but also its very rich dynamics. One would be tempted to say that there is not one civil society, but many civil societies, "each country has its own civil society" depending on the issues at stake.

2. Trajectory of Civil Society in West Africa

Civil society has accompanied the colonial government project in very specific ways and often at the initiative of the colonial administration. Several generations of civil society have succeeded one another: the first was pre-colonial and manifested itself through the colonial administration's groups (sports groups, festive groups, etc.) or sometimes those of the natives in order to make contributions whose purpose was to provide social support to their communities of origin.

Structural adjustment plans have disrupted a large part of African societies. The disengagement of the state from certain strategic sectors such as education and health was an important turning point that will impact on the implementation of development processes in Africa. The demands of the Bretton Woods institutions on African states from the 1980s onwards to reduce the size of their administrations, to give up some of their sovereign missions, to put an end to the welfare state, in a quasi-general context of experimentation with public affairs in West Africa in particular. Civil society, because of its multiple resources and its 'opportunistic' nature to develop 'response-strategies' in the face of the unfulfilled needs and expectations of the population, saw an opportunity for redeployment and adaptation. This is how a second-generation civil society with an 'economic' mission emerged, essentially driven by the informal sector, women through economic interest groups and self-employment, etc.

The opening up of the democratic process from the 1990s onwards marked the emergence of a new era in civil society, which has spread to the present day. This is a civil society of great scope and with a "political" content. They are groups led by stakeholders who are also of a certain calibre and have significant expectations in terms of topics and approaches. From then on, the issues raised by this third generation were cross-cutting and challenged public authorities in a

very significant way. Issues of human rights, governance, corruption, elections, etc. are now on the agenda of this civil society. It is in the same vein that Gautier Pirotte[76] proposed to consider civil societies in the South as realities in the making at the crossroads of external and internal dynamics. Patrice Meyer-Bisch, in his article "Clarifying and developing the characteristics of civil organisation" published in 2012[77] suggests that civil societies in the South should be seen as a process of development, making stakeholders communicate with each other in their cultural, economic, social and political diversity and being at the heart of the general will in the sense of Jean-Jacques Rousseau.[78]

In a context of pressing democratisation challenges, civil society, taking into account the high expectations of it but also its involvement in political processes, is making its presence felt in electoral processes.

3.   The Test of Democracy and Governance: Between Continuity and Breakdown

It should be noted that the three generations of civil society are not mutually exclusive but coexist perfectly. Moreover, the development of this third-generation civil society has coincided with the definition of new conditionalities for official development assistance by the bi- and multilateral liberal institutions and the emergence of the concept of good governance and human security, according to which development must also include other areas such as accountability, the environment, health, culture, etc. These institutions will contribute in particular to the recognition and legitimacy of civil society in their respective countries, making them key players in discussions, negotiations, the definition of legal frameworks and the design, implementation and evaluation of public policies. Thus, this civil society is given new functions. This, in turn, also becomes a challenge because it is now invited to the institutional discussion table. Expertise and professionalism will henceforth be imposed on civil society in order to build a credible, audible and contributing discourse vis-à-vis the government and employers.

In the same vein, the credibility of African civil society with institutions dedicated to development is being consolidated day by day. The experience of the African Development Bank (ADB) is a good example. It has defined a Bank institutional framework for civil society and community engagement that consists of regional CSO consultations, internal sensitisation with Bank staff, dialogue with CSOs - CSO Open Days, the AfDB-Civil Society Forum and the AfDB-CSO Database.

Furthermore, the legitimisation thus initiated and coming from very credible institutions continued to strengthen. The capital acquired was invested in the field of citizenship and, more precisely, in political competition to strengthen the democratic process. Thus, the expertise of African civil society has diversified but has only followed the course of the political evolution of countries and the challenges discovered over the years. Thanks to its capacity to adapt, it has defined 'popular modes of public action' in the face of the multidimensional crises of the

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[76] *Gautier Pirotte, The Concept of Civil Society, 2007, Repère Collection, 127 pages*
[77] *https://www.cairn.info/revue-mondes-en-developpement-2012-3-page-105.htm*
[78] *https://www.cairn.info/revue-mondes-en-developpement-2012-3-page-7.htm*

central government: watchdog committees to deal with the rise in insecurity, a consequence of urbanisation, legal assistance, especially for women, mobile courts to deal with problems of civil status, especially in rural areas, etc.

Through these various experiences, civil society has established its legitimacy and proposed areas of cooperation with state institutions, to the point where it is now involved in "co-supervision and co-definition of public policies" through the quality of the information it produces and the actions it takes. It now embraces very broad and diverse themes, on the scale of the challenges facing states, refines its strategies, learns about management in accordance with international norms and standards, adopts the principles of organisational efficiency and produces information to assist decision-making.

The involvement of civil society in electoral processes in Africa and more specifically in West Africa is by no means accidental. On the basis of the above, it is a logical consequence in the face of the multiple challenges of consolidating and deepening political processes in Africa, but also in the face of electoral conflicts, manipulation and instrumentalization of the democratic process, citizenship crisis, etc. Electoral crises have thus become a reality, with manipulation of electoral processes, tribalism, attempts to silence opponents, etc. as the main factors. Since the mid-1990s, civil society, as usual, has developed an interest in electoral processes through electoral observation.

Following the Baule speech and its " fruitless " results, the technical and financial partners imposed the principles of governance as a condition for aid. This demand will not exempt the management of electoral processes. Thus, constitutional and electoral reforms were initiated: electoral commissions were set up, new electoral codes were drawn up, etc.

In this process, electoral observation comes into play, which is the convergence of the expression of a particular interest on the part of civil society in the democratic process and the commitment of certain institutions to accompany and support the democratic process

4.   Major Challenges for Civil Society

Despite the significant achievements and usefulness of civil society in the implementation of political, peace and development processes in a challenging African context, civil society itself faces many persistent and interrelated challenges.

Institutionalization challenge: Institutionalization is a crucial step for any structure that aspires to make formal contributions to policy processes. It is a process by which a group defines modalities of existence and functioning that guarantee a lifespan beyond those who created it. Legal existence is one of these modalities, but also the definition of conditions allowing the organisation to renew itself regularly, to question itself regularly in a view to endowing itself with a certain stability and sustainability. This question of sustainability remains at the heart of a philosophical controversy which ultimately places certain stakeholders in a dilemma. Indeed, what is the basis of a desire for institutionalisation if the objective of civil society is to correct one or more dysfunctions and cease to exist? In other words, the need to institutionalise civil society implies that the challenges for which it exists and acts are permanent. If this is the case,

beyond creation, is the institutionalisation of civil society useful? This assertion needs to be modified, as processes are dynamic and some challenges persist and manifest themselves in different ways. Furthermore, certain civil society organisations embracing cross-cutting themes in addition to the change of regime which calls into question certain achievements, justify the need for institutionalization

Organisational governance challenge: Compliance with standards and procedures, respect for civil society guiding principles (independence, credibility, equidistance), depersonalisation are some of the aspects of organisational governance challenge. This is a major challenge in an almost general context of governance crisis, thus forcing civil society to crusade against this governance crisis. Organisational governance first of all implies the beginning of a process of depersonalisation, which is a real challenge for civil society. Indeed, the founders of organisations often find it difficult to move away from certain practices that tend towards a proprietorship of the organisation and, above all, to engage in a depersonalisation process. Furthermore, some of the crises encountered by civil society at key moments in its development are linked to leadership conflicts, but also to crises, particularly during the transitional and renewal phases of the organisations' structures.

Resource mobilisation challenges: the challenges of institutionalisation, organisational governance and resource mobilisation interact and feed off each other. Indeed, in a context of resource scarcity, institutionalisation and good organisational governance are guarantees, signs of competence in orthodox resource management. The increase in the number of civil society organisations creates a climate of competition. The increasingly common dynamics of civil society organisations have made up for the redundancy and, above all, have mitigated the challenge of mobilising resources, which is very important and which risks calling into question the dynamism and the very interesting issues raised by African civil society. Finally, African civil society has not yet structurally provided answers to the challenge of mobilising resources, even if some are developing strategies, notably self-financing, "selling" expertise, etc. It should be noted that the purpose of civil society is not to mobilise resources, which is however an essential means to achieve its objectives.

5.   Conventional Election Observation: Scope and Limits

It would be exaggerated to attribute the involvement of civil society in electoral matters to the demands of international partners. Civil society, especially in West Africa, with its strong commitment to citizenship through several initiatives, legitimately invested itself very early in the democratic process. It should be noted that the electoral field was not open to all stakeholders. Observation is therefore a major opportunity for civil society to intervene. There are many examples of the involvement of civil society in electoral processes through election observation. For example, one of the key moments in the positioning of Senegalese civil society, among others, on election observation was the 2000 presidential election in Senegal. Civil society understood the issues at stake in this context, particularly by becoming involved in the electoral process through election observation. For the 1993 presidential elections and the 1996 local elections, the African Meeting for the Defence of Human Rights (RADDHO) carried out a limited independent observation mission due to its very modest means. The 1998 legislative elections, on the other hand, offered a great opportunitý for RADDHO, as the

organisation, for the first time, requested and obtained accreditation from the Ministry of the Interior and participated in the monitoring of the electoral process.[79] This example can obviously be extended to several African countries during the same period even though some of them had not experienced open and multiparty political competitions.

In 2010, the Ivorian Convention of Civil Society (CSCI), which is an umbrella organisation of 133 Ivorian civil society organisations, became involved in election observation by deploying observers throughout the country, in a very critical political context, marked by a long-lasting political crisis, the main cause of which was the nagging question of the succession of President Felix Houphouët Boigny.

After a few years of involvement in electoral processes, these observer missions have challenged most specialists in electoral matters and political analysts as to their function and their capacity to qualitatively impact on electoral processes. Indeed, despite the involvement of civil society and the means often mobilised to contribute to the implementation of electoral processes, a certain loss of momentum was noted in the democratic model. Observation remains important in the implementation of the electoral processes observed, contributing to their transparency and to a greater legitimacy. Observation is an alternative tool for monitoring and assessing electoral processes for citizens' contributions to their improvement. However, it should be noted that the presence of observers has not been a fundamental factor in preventing electoral conflicts. The reports produced raise questions about their usefulness and systematic use during the evaluation of processes and the implementation of public policies.

It is important to remember that election observation is based on very specific principles to which civil society organisations adhere: independence, integrity, respect for laws and standards, transparency, impartiality and neutrality. Similarly, the observer "looks, sees, notes and reports". These conditions which define the classic observer confine him or her to a very passive posture, with no room for action during the course of the election or the process that is being observed. Furthermore, in the process of producing information, the reports sanctioning observer missions are produced after the polls or processes observed. There is therefore a certain inability to have a qualitative influence on the processes as they unfold. What are the possibilities of contribution of traditional observation in electoral disputes if the reports are not available within the timeframe of electoral disputes in a given country? What scientific and credible information is available to stakeholders in the management of electoral disputes, in mediation or facilitation, within a very short time frame to serve as a support for negotiation or arbitration? What is the purpose of a monitoring initiative which, on certain aspects, does not have the opportunity to express itself during the process which is the purpose of this monitoring? What is the use of awarding or withdrawing a certification from a process after its validation or invalidation by the direct stakeholders? Obviously, despite its very important functions, traditional observation has finally shown its limits in an African context of new electoral challenges whose responses require responsiveness but also a capacity to support the managers of electoral processes in a view to prevent and manage electoral conflicts peacefully, especially in West Africa.

[79] *Joseph Schumpeter, Capitalisme, Socialisme et Démocratie, Paris, Payot, 1972, p. 269*

6.   The Digital Revolution: New Paradigms for Election Observation and Monitoring

The advent of digital technology has impacted on all sectors of life. New strategies and approaches are now being proposed in all sectors. New information and communication technologies offer the opportunity of rapid information processing, reactivity and immediacy. Since 2010, there has been a growing investment in the digital space for citizens' initiatives, particularly in the area of elections. African civil society, with its dynamism and its ability to adapt quickly to realities, has begun a process of updating its skills, particularly in the area of elections, in order to address the shortcomings of traditional observation, which have often been held against civil society organisations. Furthermore, it is worth noting the interest expressed by several institutions in strengthening the contribution of civil society to electoral processes. At the same time, there is an abundance of national, regional and global instruments for the promotion of democratic principles, the promotion of participation, etc.

Citizens' initiatives developed to accompany electoral processes are manifold: observation, monitoring, etc. Each of these initiatives has its variants. The first and most significant examples are those of Senegal during the 2012 presidential election, in a very volatile context, but also of Mali in 2013 following the coup d'état and the prevailing security threats. In each case, large civil society platforms initiated digital observation and monitoring programmes.

Violence during elections is rife in Africa. Numerous causes, both situational and structural, of poor management of electoral processes can be identified as factors of electoral violence. Faced with these causes but also with the consequences likely to be produced, citizen initiatives have been able to propose solutions, essentially carried by civil society organisations in order to contribute to corrective measures during voting activities, specifically, with the aim of preventing electoral conflicts and especially electoral violence. These solutions are made possible by the opportunities offered by new information and communication technologies. Monitoring has thus been added to traditional observation which, until now, has shown its limitations linked to a lack of speed in the processing of data collected, but especially in the capacity of traditional observers to influence and objectively convince others of their potential to have an impact on possible electoral controversies. While traditional observation is generally carried out in the very short term and does not involve a technical evaluation, monitoring broadens the scope of intervention and is carried out in the medium to long term and has the intention to evaluate.

The emergence of new techniques such as the monitoring of electoral violence, media monitoring and census monitoring are now approaches proposed by civil society and which are supported by new information and communication technologies. Thus, in the face of recurrent controversies on the accuracy and integrity of voter registers, the monitoring of censuses was developed and proposed. Furthermore, taking into account the central role played by the media during elections and drawing lessons from the negative role played by some media in some conflicts in West Africa in particular,[80] civil society also designed a relevant media monitoring tool to assess the quality of media coverage of electoral processes.

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[80]   The so-called 'hate media' in Côte d'Ivoire during the transition period is an eloquent illustration. In the midst of the succession crisis between Henry Konan Bédié and Alassane Ouattara over the discriminatory concept of Ivorian identity, some Ivorian media were instrumentalized and strongly contributed to the dissemination of a hate speech against some people deemed "non-Ivorians".

The electoral monitoring programme carried out by the Citizens' Synergy for Democratic Elections in Togo in 2013, which is made up of 35 Togolese civil society organisations and includes monitoring of violence, the media and the biometric census, has made a significant contribution to resolving a climate of suspicion and a breakdown in dialogue between political actors. Thus, through the use of ICTs, Togolese civil society managed to accompany the biometric census process, which was carried out in two phases: a first phase in the northern region. The monitoring of the census during this first phase made it possible to produce a report containing a number of recommendations, the taking into account of which helped to improve the infrastructure and thus increase the number of persons registered during the second phase. In Senegal in 2012, civil society was able to carry out very broad monitoring through the Citizens' Observer Network, including monitoring of violence and the media, which contributed greatly to the civic awakening that took place. These experiences have been replicated in West Africa in particular. Civil society has been able to professionalise itself and above all to establish its legitimacy and credibility through this new breakthrough brought about by new information and communication technologies. There is no doubt that this is a turning point in its growth and in its contribution to political processes. Indeed, beyond electoral processes, the use of ICTs has finally positioned African civil society in its capacity to 'co-produce' and 'co-supervise' public policies. For a long time to come, it will not be possible to manage electoral processes in Africa without the contribution of civil society. Moreover, electoral monitoring rooms are made possible today thanks to the contribution of ICTs.

3.2.   The role of chieftaincy in the electoral processes

Even if the relationship between traditional institutions and the actors who embodied them was very heterogeneous from one country to another, they were not destroyed by colonisation in any way. On the contrary, these actors served as a support to a certain extent and as intermediaries for the implementation of the colonial project. Indeed, their legitimacy, but above all their capacity to influence the indigenous populations, was seen as an essential element in the establishment of systems of subjugation and domination by their colonial masters. Chieftaincies can be seen as exercising traditional domination over the population. Questions of legitimacy and the maintenance of domination are central issues in the analyses of Max Weber, whose studies focused on social action. Legitimacy here refers to notions of fairness or equity and refers to an authority that is recognised, accepted and justified. Traditional legitimacy then comes from the existence and regularity of customs and traditions that give the authority holder a power conferred by the history and culture of the organisation and its members. The authority holder is obeyed because he or she represents the founding values of the organisation and is the only one who has a general view. Here, tradition and related things are to be seen as unquestionable and immemorial, as the result of a repetition of time-honoured events inscribed in a temporality. Authority is based on the natural and continuous transmission of power, conferred through ancestral rules, customs, habits, patriarchal or dynastic relations. Traditional legitimacy is based on the binding nature of customary law.[81]

[81]   https://www.rse-magazine.com/Max-Weber-et-la-legitimite-du-pouvoir_a3424.html

In this section, we will consider the traditional but also religious chieftaincies present in Africa as exercising traditional dominance because of the manifestation of their powers, the relationships that exist between them and the populations, but above all because of the mode of transmission of power, which is indeed 'natural, continuous' and 'conferred via ancestral rules, customs, habits, patriarchal or dynastic relationships'.[82]

The anthropologist Etienne Le Roy, who devoted much of his work to the anthropology of justice and law, also took an interest in the issue by bringing in the concept of 'complex society'. From the outset, he defines anthropology as 'a point of view on social phenomena, meaning the observation of the behaviour of the singular man, then of his relations with other men and the collectives they form, and finally the nesting of these various groups in the society'.[83] According to Le Roy, 'anthropologists of Law have a tendency, following Michel Alliot, to add to these three levels - man, group, society - a fourth level, no longer institutional but socio-cultural, which is referred to as "traditions", a grouping of societies based on shared archetypes that characterise them and their particular modes of specification'.[84]

He concludes by saying that a complex society is first of all a society that is open, spatially to all the other societies of the globe, temporally to its past, present and future. It is a society in which social structures and regulations are volatile and therefore uncertain, at least within certain limits.

In his view, the complexity that typifies the societies in which these forms of domination are exercised has the following meaning:

Firstly, complexity can only be understood in retrospect: at first sight, a society is indecipherable for an outside observer. Everything is mixed up, seemingly upside down, and understanding, grasping an explanation from the inside, comes only slowly through retrospective calibration of all the accumulated experiences.

Secondly, complexity situates us between science, clairvoyance and initiation: each of these fields, exotic or not, has required particular procedures for accessing knowledge in order to enter into its questioning, to discover resource persons, to be part of the relational networks where information is exchanged and where conclusions are confronted.

Thirdly, complexity induces uncertainty and instability: this third proposition is not a discovery and merely confirms the conceptual bases of the interplay of laws. Not only is the result of the interplay of laws not given in advance (uncertainty), but also the solutions that can be used at a given point in time are likely to be called into question by the variation of one factor, which leads to the rebalancing of all the other factors (instability).

Fourthly, the reintroduction of an epistemology of opacity as a principle for reading complexity: the approach of modern science is based on an epistemology of transparency which is undoubtedly partly fictitious but which assumes that all reasoning and all reasoned

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[82] *Ibid*
[83] *Étienne Le Roy, The game of laws. A " dynamic " anthropology of Law, Paris, LGDJ, Col. Law and Society, Anthropological Series, 415p*
[84] *Ibid*

operations can be observed, categorised, expressed and reproduced, whereas in the complex society an epistemology of opacity is postulated in which all reasoned operations can be observed, categorised, expressed and reproduced.

Fifth point: all complexity presupposes interculturality: the body of knowledge, know-how and skills that we call culture is increasingly expressed in the plural and we can thus distinguish between learned and popular cultures, classical, corporate, religious or secular, traditional and modern cultures.

Finally, complexity is not uniformity: on the contrary! Complexity requires us to rediscover the principle of the complementarity of differences.[85]

All these characteristics are traceable within African societies where these modes of traditional and religious domination are expressed. Beyond the characteristics of a complex society that most African societies present, as demonstrated in the section above, it is also worth noting the phenomenon of urbanisation that is characteristic of almost all African societies, where tradition and modernity are intertwined and feed each other. In certain situations, it is common for a citizen to initiate a singular process in the event of difficulties or blockages, resorting simultaneously to formal, modern bodies and traditional structures. Recourse to 'meta-institutional' structures is thus very frequent in the event of a political crisis, for example. The anthropology of justice in Africa demonstrates the role played by these traditional mechanisms in conflict management. This has been the basis for their integration into the endogenous modes of conflict management today.

The chieftaincies (traditional and religious) in Africa will thus play an essential role both during the colonial period and within the framework of the so-called 'modern' processes through their various interventions both during the project of building the fundamentals of the State and during the implementation of the democratic project. Thus, we can observe the cohabitation of two 'legitimacies' that are dissimilar or even contradictory in many respects, but which find points of collaboration, a kind of exchange of good practices that will make Jean François Bayart state that it is a process of 'reciprocal incorporation'.

In Niger, the integration of traditional chieftaincy into the administrative system and its reorganisation during the colonial period was carried out by Order No. 2566/APA of 16 November 1955 of the Governor General of Niger. The traditional chieftaincy is organised as a legally recognised association and regulated by Law No. 2015-01 of 13 January 2015 on the status of Traditional Chieftaincy in the Republic of Niger, as well as its related laws, notably the various implementing decrees. In the past, this chieftaincy was essential in the management of local affairs.

During the colonial era in Senegal, the administration of the time largely associated this chieftaincy with certain initiatives. Thus, to collect taxes, the chiefdom, especially the religious ones, was called upon to raise awareness among the population. Similarly, during the rainy season, the chieftaincies served as transmission channels for the cultivation of groundnuts.

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[85] Ibid

Thus, the political-religious alliance in Senegal dates back to the colonial era and was based on a 'give and take' affair, taking into account the attachment of the subjects of the time to the marabouts, who had a real influence on the followers. In Benin, chieftaincy has always existed and still exists. Since then, Constitutional Law No. 2019-40 of November 7, 2019, amending the Constitution of the Republic of Benin of December 11, 1990, traditional chieftaincy is now recognised and will be regulated by the law. It is the guardian of customs and traditions (Article 151-1). Since 2019, it has been elevated to the rank of constitutional and autonomous institutions in Benin. Chieftaincies operate on a local basis, with an internal organisation. There is a High Council of Kings in Benin.

In the case of Burkina Faso, traditional chieftaincies have enjoyed a high degree of legitimacy among the population for centuries as the repository of tradition and moral and social order. The traditional chieftaincy plays a central role and is organised according to a very precise territorial network:

- Mogho Naaba of Ouagadougou;

- The Emir of Liptako-Gourma;

- The chief of the Bobo Mandarè of Bobo-Dioulasso

- Etc.

In The Gambia, ever since the colonial era, the colonial governor had taken it upon himself to designate the chiefs who would embody this traditional legitimacy. This tradition has been perpetuated to the point where chieftaincy is enshrined in the Constitution. The President of the Republic has the prerogative right to appoint traditional chiefs as well as to dismiss them.

In the same vein, traditional chieftainship in the above-mentioned countries, but also in others such as Togo, has been largely associated with the implementation of electoral processes. The forms of involvement are very diverse. In Togo, for example, the Electoral Code recognises the possibility for the traditional chieftaincy to testify to the effectiveness of the citizenship of any person wishing to register in the electoral register and does not have proof of Togolese nationality.

Like traditional chieftaincy, religious chieftaincy, through various forms, also intervenes in electoral processes in West Africa. For example, we can retain the contributions of the Church through the Episcopal Peace and Justice Commissions which deploy international observation missions. Similarly, some Catholic priests are often called upon to play a role as mediator and facilitator in the event of a deadlock or during the setting up of dialogue frameworks. For instance, in Togo, since the beginning of the "unfinished transition" in 2005, Monsignor BARRIGAH has been constantly asked to contribute to the smooth running of the political and electoral processes. In Côte d'Ivoire, this religious chiefdom plays a similar role through the Superior Council of Imams, Mosques and Islamic Affairs (COSIM). In Senegal, beyond the individual interventions of the brotherhoods through the appeals and instructions of the

general caliphs, a Unitary Framework of Islam in Senegal (CUDIS) was instituted during the 2022 local elections and played a central role in the pacification of the electoral process. Together with a platform of civil society organisations, the CUDIS proposed and had all stakeholders in the electoral process sign a non-violence charter. In the Gambia, we can respectively convene the Religious Council, which has had to play an important role in the country's electoral processes.

Even if, over time, their powers and capacity to influence large sections of the population have been eroded, the chieftaincies remain important in the political and peace processes, particularly in West Africa. The intervention of the Khalifa General of the Murids in Senegal was the basis for the lull in the bloody events of March 2021, during which the population demonstrated against the summoning of the opponent Ousmane Sonko by the Chief Justice. In the Republic of Guinea, the two religious leaders Monsignor Vincent Coulibaly and Imam Mamadou Saliou Camara, for example, were co-chairs of the Provisional Commission for National Reconciliation (CPRN) and currently chair the Commission for National Conferences initiated by the transition authorities. During political crises and social movements, they often call for calm and restraint through joint statements. They often set an example of religious tolerance and cohabitation of religions.

In sum, the chieftaincies play a central role at all stages of the electoral process in terms of sensitisation, facilitation and mediation in case of risks of instability, even if some of their positions may be perceived as having a negative impact on the political and electoral processes. As " leading voters " in some countries, because of their position as representatives of moral and religious orders, religious leaders are often solicited by political actors to get their support, to get their voting instructions. When it comes to sensitising the population to a given situation, the State and civil society organisations appeal to their wisdom because their voice is listened to. Traditional chiefs and religious leaders are often in the vanguard in the pacification of political crises. Beyond being mere intermediaries of awareness-raising and educational messages, traditional chieftainship has an influence on electoral processes, even if, to our knowledge, there are no specific studies on the degree of their weight in the expression of the vote in favour of a particular candidate in an election. But it is certain that the candidates who go round the royal palaces seeking the support of kings are convinced of the contribution of these rulers. However, the multiform crises experienced by the populations have reduced the hold of the chieftaincies over the populations. There is talk of a decline in the power of the chieftaincies, but their importance in electoral processes as a facilitating, mediating and sensitising body is undeniable.

3.3   Alternative media, new and essential actors

Mass media have profoundly transformed the forms of political activity ever since their inception. The media have also increased the density of public space, political action and the possibilities for political propaganda. The traditional media (print, radio and television) have played an important role in defining the modalities of participation. Similarly, their classic tasks are still applicable, regardless of the political sequences in progress. Educating, informing and

entertaining are their classical missions. Their role as an instrument of democratisation, control and counter-power, their involvement in electoral processes, their task of fostering democracy by setting up spaces for debate have made them key players, including through their capacity to destabilise, their involvement in conflicts and peace processes, or their mobilisation by donors and NGOs for social change.[86]

In addition to these traditional media, there is the so-called new media or "alternative media" with the boom of social networks which is a potential for the digital sector. This type of media was particularly noticeable in the 11 West African countries covered by the EMAM project from October 2018 to March 2022. Indeed,

In 2018, according to a joint report by "We Are Social" and "Hootsuite" Africa had:

•   435 million internet users (34% penetration rate)

•   191 million active users on social networks (15% penetration rate)

•   172 million active mobile social network users (14% penetration)

Within 12 months, Africa gained 73 million new internet users, a 20% increase. On social networks, of which Facebook is the most used, there has been a 12% increase since January 2017, representing 20 million new active social network users on the African continent. The use of social networks on mobile phones has also increased by 15% (23 million new users over one year).

The 3 African countries that are in the top 3 of the ranking of countries with high penetration growth in one year are all in the West African region. In 2018, they were Mali (460%), Benin (204%) and Sierra Leone (144%).

The internet penetration rate in West Africa is evolving at a real pace. It has increased from 39% in 2018 to 42% in 2021. Finally, with regard to the use of social networks, West Africa has a 16% share of the overall data for Africa.

In terms of social networks, Africa accounts for 6.6% of active users of social networks in the world, or about 277 million 200 thousand on the continent. West Africa ranks 3rd in terms of global social networking usage. It has a rate of 16%. 45% of users are connected to the Facebook network.[87]

Social networks have become "an additional electoral constituency" to be considered by all countries organising elections in order to be able to cope with them.

From the observations of this additional constituency, some recent elements emerge that require close monitoring of developments. New behaviours relating to the relationship of citizens to information are emerging.

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[86] https://www.cairn.info/revue-afrique-contemporaine-2011-4-page-25.htm
[87]   https://www.afroaware.com/les-chiffres-sur-l-usage-d-internet-en-afrique-de-l-ouest-2021

These citizens, instead of being in the classic posture of 'consumers' of information, are becoming producers, providers of information without having been trained or initiated in the imperatives of balanced information production. Social networks have thus become nests of false information or fake news. Social networks are thus real "vectors of war" with the appearance of pages and accounts qualified as "super diffusers" of misinformation on the elections.

With the explosion of social networks and fake news, fact checking has come to remedy the imbalance of information or its poor treatment, often on purpose, in order to clarify the public debate by verifying and correcting misleading or confusing assertions. Fact-checking - literally "verification of the facts" - is an activity of control and monitoring of the accuracy of information. At the beginning, it was a form of journalistic treatment, consisting of systematically verifying assertions made by political leaders or elements of public debate. The emergence of fact checking, which is currently taking on a very important role in the digital world, should be seen in the light of the omnipresence of fake news in social networks, which are used by all strata and are likely to influence opinion. With the growing need to fight fake news, fact checkers have become essential actors who are increasingly organising themselves into real networks to track fake news. These fact checkers exist in almost all West African countries even if they do not all have the same level of tools, experience and partnership relations with their peers or social network service providers. Indeed, the new element in this landscape is the arrival on the scene of the social networking companies Facebook and Twitter to support the efforts of the fact checkers. Thus, through partnerships and support relationships, social networking service providers have joined fact checking initiatives to attack evil from their facilities through keyword indexing.

States, for their part, have embarked on the fight against fake news because it has become clear, with examples to back it up, that "online misinformation is a destabilising factor for democracy in the digital age and especially during election periods"[88]. Thus, through specific laws and media regulatory bodies as their operational arms, West African States are attempting, without being able to succeed yet, to regulate communication through the internet and social networks to reconcile security and freedom of expression. A study[89] conducted in May 2021 revealed that "restrictions on freedom of expression in the context of platform regulation are either legislative or government-driven. States tend to infringe on freedom of expression through internet blackouts, arrests, blocking of internet access".

To sum up, the media, both traditional and alternative, in an African context of low opinion, but also of ongoing construction of the fundamentals of the State, are key players, but a double-edged sword, especially during elections. Indeed, they present, concomitantly, the advantages of a space for consolidating peace and social cohesion (due to their role as educators and instrument for promoting transparency) but they can also be a potential framework for deconsolidating the gains of peace and stability if the treatment of information is unbalanced due to several factors such as a lack of professionalism, manipulation and instrumentalization, intrusion of new actors motivated by gain, etc. This is a major concern given the extent of use of these social networks including WhatsApp, Tik-Tok and new facets such as Deep-Fake Video.

[88] Astou Diouf, The regulation of digital platforms and freedom of expression in West Africa, HEINRICH BÖLL STIFTUNG, May 2021, Page 13
[89] Astou Diouf, The regulation of digital platforms and freedom of expression in West Africa, HEINRICH BÖLL STIFTUNG, May 2021, Page 13

3.4   Defence and security forces: between classic mission and adaptation

Faced with the resurgence of electoral violence, several solutions have been envisaged, particularly by the actors who manage electoral processes in Africa. The intervention of the defence and security forces in electoral processes has been undergoing a shift in recent years, taking on particular forms in Africa. In the classical models proposed, the integration of the security apparatus is based on international norms and standards. Indeed, and in practice, public authorities resort to defence and security forces for several tasks that can contribute to the achievement of a regular electoral process. However, the analysis of the causes of electoral violence has highlighted the reality of several situational but also structural factors as determinants of this violence. The lack of inclusion in decision-making, unilateral decisions, the absence of an adequate legal framework, etc. are all factors that can cause all forms of violence: confrontations between political activists, destruction of material goods, aggression, intimidation, and murders that are often committed by those involved in political competition. In addition, there is the singular intrusion of the defence and security forces into the processes, sometimes going beyond their traditional mission of supporting the smooth running of these processes.

In fact, in several processes, as was the case in Côte d'Ivoire and Guinea in 2020, some demonstrations were violently repressed by the defence and security forces. The causes of these abuses by the FDS are of various kinds: lack of professionalism, politicisation, absence of an internal control mechanism, poor governance of the security sector, failure to take account of the human rights dimension in training curricula, etc. Their lack of expertise in the processes of armed conflict is a major obstacle to the development of the FDS. Their lack of expertise in dealing with the processes in Africa can be the cause of several dysfunctions, demobilise the electorate, create a climate of suspicion and ruin all efforts made throughout the process. The repressive tendencies of the FDS have created a distance between the FDS and the citizens, which has reinforced and fuelled some of the conflicts as well as the repression by the FDS on the citizens. The current trend is that of mixed integrated forces comprising the police, the army and the fire brigade, whose role is to supervise electoral processes or polls (the missions vary according to the country) in order to drastically reduce the risks of electoral violence and above all to encourage collaboration between the citizens and the FDS for a calm conduct of the electoral process, the electoral campaign and the polls.

In Togo, the Presidential Election Security Force (FOSEP) is a special unit created for each election by decree of the Council of Ministers. For the presidential elections held on February 22, 2020, FOSEP was set up following the decree issued by the Council of Ministers on November 27, 2019. FOSEP is placed under the joint supervision of the Ministry of Security and Civil Protection and CENI. It is made up of 10,000 security forces and police officers, deployed throughout the Togolese territory from the beginning of the electoral campaign until the proclamation of the final results. More concretely, the mission of this force is to secure the venues of meetings and public demonstrations, to protect the candidates and to guarantee public peace and tranquillity.

In retrospect, in 2018, during the legislative elections, in the same spirit, an "Election Security Force 2018" (FOSE2018) composed of 8,000 security forces and police officers was created in

order to "maintain peace, ensure security as well as the free movement of people and goods throughout the national territory before, during and after the 2018 elections". It was also tasked with 'taking all measures to maintain or restore public order in relation to the organisation of elections during all phases of the electoral process, including the census, campaigning, voting operations, counting and the proclamation of results'.[90]

In the Republic of Guinea, during the 2010, 2013 and 2015 electoral processes, the Special Election Security Force (FOSSEPEL), the Election Security Force (FOSEL) and the Election Security Unit (UNISEP) were respectively set up to secure the elections. The creation of the Special Election Security Unit (USSEL) for the 22 March 2020 double legislative and referendum elections and the presidential elections of October 18, 2020 can also be called for. These are units under the joint command of the police force and the National Police Directorate.

The establishment of special forces in Mali and Burkina Faso is justified by the security threats they face. During the last presidential election in 2018 in Mali, 148 defence and security forces officers were trained in election security with the support of the United Nations Police (UNPOL) with the mission of mastering the techniques of securing the electoral process before, during and after the polls. With regard to Burkina Faso, at the time of the double elections (presidential and legislative 2020), the Electoral Commission estimated that about 10% of the territory was a "red zone" where the elections could not be held due to the prevalence of the extremist threat that existed there. To strengthen security and create "security bubbles" in the rest of the country, a security committee chaired by the Chief of Defence Staff was set up with an operational plan to secure all polling stations.

These various experiences are being replicated in Africa. The new forms of intervention by the FDS in electoral processes in Africa show the efforts to endogenize traditional actors, the continuous efforts to adapt and above all the incessant search for solutions to pacify the public space, particularly during an electoral period characterised by several fragilities and several forms of vulnerability.

3.5 Other institutional actors: contribution and solidarity at regional, continental and global level

The universalisation of the democratic project has led to types of cooperation, support for the achievement of this political project, the development of actions of solidarity and support from institutions that promote the guiding principles of democracy, human rights, etc. The intervention of a certain number of institutional actors in the framework of electoral processes thus stems from the existence of regional and universal instruments which justify the political and legal commitments of these institutions with regard to the respect of specific standards related to elections.

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[90] https://www.savoirnews.net/elections-legislatives-creation-de-la-force-securite-de-8-000-gendarmes-et-policiers/

- Holding of periodic elections

- Fair elections

- Universal suffrage

- Equal suffrage

- Right to stand for election

- Right to vote

- Right to secrecy of the vote

- Free expression of the will of the voters

- Freedom of expression

- Freedom of association

- Freedom of meeting

- Freedom of movement

- Freedom from discrimination

- Right to an effective legal remedy

Thus, according to specific modalities, each institution, depending on its vision and missions, intervenes in Africa within the framework of political processes and more particularly in electoral processes, based on all or part of the above-mentioned principles. These interventions, which are very diverse, can often be read in the light of a desire to contribute to the fulfilment of the ideals of justice and peace that these institutions uphold.

African Union

The intervention of the African Union in electoral processes is justified from a principled point of view but also from a normative one. Indeed, the AU was launched on July 9, 2002 to replace the Organization of African Unity (OAU). It was created to accelerate the process of integration of the continent while addressing social, economic and political issues. These objectives include the promotion of democratic principles and institutions, popular participation and good governance. In addition to the revised founding treaty of the African Union, several other instruments carried by the organisation justify its interventions in electoral processes: the African Charter on Human and Peoples' Rights, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women. The formulation in 2007 of the African Charter on Democracy, Elections and Governance is a milestone in the strengthening and consolidation of democracy in Africa. Chapter 2 of the CADEG sets out its objectives, which include among other things to:

- to promote the adherence of each State Party to the universal values and principles of democracy and respect for human rights.

- to promote and strengthen adherence to the principle of the rule of law based on respect for and supremacy of the Constitution and the constitutional order in the political organisation of the States Parties.

- to establish, strengthen and consolidate good governance through the promotion of democratic practice and culture, the building and strengthening of institutions of governance and the inculcation of political pluralism and tolerance.

Chapter 3 addresses the principles for the implementation of the Charter. Chapter 7, in Article 17, reaffirms 'the commitment of State Parties to hold regular, transparent, free and fair elections in accordance with the Union's Declaration on Principles Governing Democratic Elections in Africa'.

Other instruments will reinforce the commitment of the African Union to the promotion of free and transparent elections: the African Union Convention on Preventing and Combating Corruption which was entered into force on August 5, 2006 and the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights which entered into force on January 25, 2016.

Finally, the African Union Declaration on the Principles Governing Democratic Elections in Africa, made in Durban in 2002, is a non-treaty standard that is also part of the dynamic impelled by the continental organisation aimed at committing itself to the consolidation of democracy in the continent and promoting the holding of regular, transparent and credible elections.

The African Union Guidelines for Electoral Observation and Monitoring Missions recall the principles governing democratic elections in Africa, which state that "the purpose of the principles governing democratic elections in Africa is to guide members of electoral observation and monitoring teams in their final assessment of the process and environment of the elections concerned".[91] In addition to defining election observation and monitoring, the guidelines provide a rationale for the relevance of election observation and monitoring in Africa in a context of democratic experimentation, political fragilities and vulnerabilities. By defining the criteria for determining the nature and scope of African Union election observation and monitoring missions, the process for deploying an election observation and monitoring mission within a country is clarified.

In the context of general elections in West Africa, the African Union deploys international observation missions to help ensure that regular elections are held. The Declarations that sanction these missions give an assessment of the conduct of the elections and systematically make recommendations in the post-electoral perspective and the implementation of public policies. The African Union, through its Electoral Assistance Unit, deploys both short-term and long-term observers, which provides information on the approach adopted by the African Union to meet the current requirements of electoral assistance in accordance with international norms and standards, which makes it possible to document all the processes with the information gathered.

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[91] *African Union Guidelines on Election Observation and Monitoring Missions, Unit for Democracy and Electoral Assistance Department of Political Affairs African Union Commission, Addis Ababa, 19 p.*

The last few years have coincided with an electoral cycle in several West African countries. The African Union has deployed election observation missions to each of these countries for each general election. For the 2020 presidential election in Côte d'Ivoire, the continental body deployed a mission led by Mr. Dileita Mohamed Dileita, former Prime Minister of the Republic of Djibouti, comprising 45 observers, including permanent representatives to the African Union, Pan-African parliamentarians, heads of management bodies and members of civil society. At the end of the mission, in the highly controversial context of President Alassane Ouattara's third candidacy, the continental body made key recommendations for the preservation of peace and social cohesion in Côte d'Ivoire.

In March 2021, during the legislative elections in Côte d'Ivoire, a smaller international observation mission was deployed by the African Union, under the leadership of Mr. Julien Nkoghe Bekale, former Prime Minister of Gabon, bringing together parliamentarians and members of African civil society. As with the presidential elections, and in accordance with the guiding principles of observation, the mission issued a declaration reviewing the entire electoral process and expressing its satisfaction with the holding of the elections despite the acute health crisis. It will make recommendations, calling on the government to improve the participation of citizens in the elections, calling on the independent electoral commission to strengthen the capacity of polling station agents, but also to strengthen the participation of women and to give the opportunity to those who are late to vote.

In October 2021, in Cape Verde, under the leadership of General Salou Djibo, the AU deployed an observation mission in a context of health crisis, but above all of deepening democracy. It should be noted, however, that the missions do not focus solely on countries facing democratisation challenges. As democracy is a very fragile process, the AU IEOM recommended that the Cape Verdean authorities explore ways of integrating civil society into the electoral process through election observation. A very important feature of this declaration was that, contrary to the usual practice, it called on the EMBs of the sub-region to draw inspiration from the Cape Verde model with regard to the Diaspora vote.

In Mali, in 2018, it was within a very complicated context of security crisis that the presidential election of 29 July was held. In accordance with its tradition, the African Union deployed an international observation mission. Led by H.E. Thomas Yayi Boni, former President of the Republic of Benin, the mission comprised a team of 4 expert analysts and 6 long-term observers, deployed for 5 weeks, to which were added 30 short-term observers, the High Representative of the African Union Mission for Mali and the Sahel (MISAHEL) as well as 8 officials of this mission, for a total of 49 observers. In its conclusions, the mission called for cohesion and dialogue. It insisted on cooperation between the various Malian armed forces, other armed groups and MINUSMA forces in coordinating the security of the voting process and the country as a whole, in a context of serious security crisis.

Thus, we can recognise the efforts made by the body to contribute to the smooth running of electoral processes in West Africa in particular. Its contributions have been diverse, very qualitative and multiform. However, because of its status, one main criticism is often levelled at it, relating to its content, which is considered to be very conciliatory with the authorities, very conventional, almost following the rules of diplomacy, which may limit the possibility of making certain observations if necessary.

ECOWAS

The Economic Community of West African States (ECOWAS) was established in May 1975 to promote trade, cooperation and self-reliance in Africa. A revised ECOWAS treaty, designed to accelerate economic integration and increase political cooperation, was signed in July 1993. The creation of a common market and a single currency are the objectives pursued by the revised treaty. In its regional framework on security, ECOWAS Member States signed in 2001 a Protocol on Democracy and Good Governance additional to the Protocol that led to the creation of the Mechanism for Conflict Prevention, Management and Resolution, Peacekeeping and Security in 1999. The Additional Protocol is designed as a tool that addresses the political root causes of conflict, instability and insecurity.

In its article 1, the Protocol on Democracy and Good Governance additional to the Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security, which was entered into force in 2008, declares several constitutional principles common to all ECOWAS Member States, justifying the intervention of the regional integration and cooperation body in the electoral processes of the community:

- Any accession to power must be through free, fair and transparent elections

- Anti-constitutional change is prohibited, as is any undemocratic method of gaining or maintaining power

- General participation in decision-making, strict adherence to democratic principles and decentralisation of power at all levels of government

- The army is apolitical and subject to the duly established political authority; any active military member cannot claim an elective political mandate

- (…)

- The rights contained in the African Charter on Human and Peoples' Rights and international instruments are guaranteed in each ECOWAS Member State (…)

- Etc.

Section III of the Protocol mandates ECOWAS to carry out electoral observation and monitoring activities at the request of a Member State. The Protocol prescribes that ECOWAS be involved in the preparation, organisation and supervision of elections in member countries of the Community. More specifically, the regional legislation in question provides that at the request of Member States, ECOWAS may provide aid and assistance in any useful form for the organisation and conduct of any election in the said country. In this context, ECOWAS is

requested to send a fact-finding mission to the country in the run-up to an election, which may be followed by an exploratory mission and finally by an observation mission for the election in question.[92]

In the book co - published by ECOWAS and the German Friedrich Ebert Foundation, addressing the issue of ECOWAS intervention in electoral processes, it is noted that: 'ECOWAS, essentially through the activities of its Electoral Unit, has already intervened in almost all the West African countries. It has, in fact, conducted pré-election missions in several countries, including Senegal, Nigeria, Mali, Sierra Leone, Togo, Côte d'Ivoire, Gambia, Benin, Ghana, Guinea Bissau, the Republic of Guinea etc. Election observation missions were also sent by the Community to each of the above countries. Better still, when circumstances required it, as was the case in Sierra Leone in 2007, ECOWAS provided logistical support whose useful and timely nature was welcomed by all, starting with the members of the Sierra Leone Electoral Commission.

ECOWAS' actions in favour of the consolidation of election management in the sub-region go beyond assistance during the election period. Indeed, in recent years, ECOWAS, through its Electoral Unit, has initiated actions to strengthen the capacities of electoral commissions and to improve the quality of the various missions it sends to the elections. Thus, for example, it has largely contributed to the creation of a Network of West African Electoral Authorities and to the drafting and publishing of a manual for ECOWAS observers. It also held a workshop to evaluate the instruments produced and/or used during ECOWAS observation missions and organised a seminar on the cost of elections in the sub-region.[93]

By way of illustration, all the last general elections that took place in West Africa saw the participation of ECOWAS through the deployment of international observation missions led by very high-level profiles:

- Legislative elections in 2019, Guinea Bissau: mission led by the late Soumeylou Boubey Maiga, former Prime Minister of Mali

- Presidential elections 2019, Senegal: mission led by Mr. Yayi Boni, former President of Benin

- Presidential elections in 2020, Côte d'Ivoire: led by Cheikh Hadjibou Soumaré, former Prime Minister of Senegal

- Presidential elections 2020 Niger: led by Mouhamed Namadi Sambo, former Vice President of the Federal Republic of Nigeria

- Presidential elections in 2020, Guinea: led by Josée Maria Neves, former Prime Minister of Cape Verde

- Presidential and legislative elections in 2020, Burkina Faso: led by Kabine Komara, former Prime Minister of Guinea

- Presidential elections in 2021, Benin: mission led by Ernest Bai Koroma, former President of Sierra Leone

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[92] *Ismaela Madior Fall, Matthias Hounkpe, Electoral Commissions in West Africa, Comparative Analysis, 2nd Edition, ECOWAS, Friedrich Ebert Foundation, Abuja, 2011 p. 168.*
[93] *Ibid, p. 168*

The choice of these high-level profiles shows the importance ECOWAS attaches to electoral events in the Community space, but above all, the preventive diplomacy approach adopted by the body, given the highly 'conflict-producing' nature of electoral consultations.

All these missions are increasingly deploying short-term and long-term observers, as part of an approach to the electoral cycle. Similarly, there has been a professionalisation of the observation process, although it is clear that the technical arrangements could be strengthened. The use of the contents of the declarations that sanction the missions deal with the pre-electoral, electoral and post-electoral stages. In the same way, all the stakeholders as well as the different sequences of the supervised processes are addressed. For example, in 2020 in Burkina Faso, the head of mission Mr. Kabine Komara had set as a precondition for his involvement a global consensus between the government and the opposition on the electoral file.

In the Preliminary Declaration of ECOWAS in Côte d'Ivoire in the aftermath of the very turbulent elections, the institution expressed its concerns and called for calm and serenity. In Guinea Bissau in 2019, ECOWAS did not fail to mention the efforts made within the framework of mediation to resolve the political and institutional deadlock that made it possible to hold the elections.

Thus, the community institution made contributions to the realisation of calm and peaceful electoral processes by invoking in all the preliminary declarations the validity of electoral observation missions through two key instruments, namely the ECOWAS Additional Protocol on Democracy and Good Governance and the ECOWAS Conflict Prevention Framework Document. However, there are some criticisms levelled at ECOWAS which is often suspected of bias or of adopting a 'conventional' discourse, without any critical opinion towards the State actors in charge of the management of electoral processes, regardless of the quality of these processes.

In a note from the ECOWAS Parliament in 2021, the institution reveals that 'the Economic Community of West African States (ECOWAS) participated in 2020 in the observation of presidential elections in Togo (22 February), Guinea (18 October), Côte d'Ivoire (31 October), Burkina Faso (22 November), Ghana (7 December) and Niger (27 December for the first round). The ECOWAS parliament was associated with this mission with members of parliament and parliamentary officials.

While noting shortcomings in the organisation of the elections, the observation missions deployed in these countries did not question the reliability of the results, according to a summary note from the parliament. In some countries, notably Côte d'Ivoire and Guinea, the note says, the elections were organised in a context of political crisis which affected the conduct of the poll and the post-election climate. [94]

ECOWAS has also developed collaborative approaches with West African civil society organisations which are key actors in the implementation of electoral processes. Thus, within

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[94] https://parl.ecowas.int/des-observateurs-electoraux-de-la-cedeao-dans-six-etats-membres/?lang=fr

the framework of its international observation missions, civil society actors are largely involved. Thus, through this junction, one can see a clear desire on the part of the sub-regional body to strengthen and diversify its forms of contribution, which in some cases are indirect, through other actors. The Memoranda of Understanding and collaboration with organisations such as WANEP within the framework of early warning, which is today a model that is embracing the electoral field, should be read in this light.

Like the AU, ECOWAS is often criticised because of the content of its declarations which are considered 'conventional', despite major dysfunctions noted during election observation missions. However, on the strength of its contributions, both in terms of mobilisation, legal framework and effective interventions on the ground during electoral processes in Africa, it can be stated unequivocally that it remains a major contributor to the implementation of electoral processes in West Africa.

European Union

The European Union is a forum for political and economic integration and cooperation that is one of the most successful experiences of grouping countries in the world. Its commitment to supporting, developing and consolidating democracy, the rule of law and human rights is at the heart of the organisation's identity, rooted in the various legal instruments that govern its structures and activities. Among these instruments is the Treaty of the European Union, which states that the EU is 'founded on the indivisible, universal values of human dignity, freedom, equality and solidarity; this is based on the principles of democracy and the rule of law.[95]

The various interventions of the European Union in the field of democracy are justified by the existence of several instruments. In the compendium of international standards for elections published by the European Union, a list of legal provisions is proposed, in particular for non-treaty standards, from which interventions in the field of electoral matters are derived:

• Communication from the Commission on EU Election Assistance and Observation in 2000.

• Communication from the Commission to the Council and the European Parliament - The European Union's role in promoting human rights and democratisation in third countries.

• Cotonou Agreement (between the EU and ACP partner countries in 2000)

The European Union thus focuses its intervention in the electoral field on election observation but also on the evaluation of electoral processes.

Election observation is an important instrument of EU foreign policy and external assistance. In its election observation handbook, the continental organisation presents its observation methodology, which is uniform in all countries where it observes elections. This methodology was established by the Communication on Election Assistance and Observation and covers:

• Long-term and in-depth observation
• Enhanced Election Day coverage

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[95] *European Union Election Observation Handbook, European Commission, February 2008, 2nd Edition*

- Impartial and independent assessment
- Non-interference in the observed electoral process
- Cooperation with the host country
- Transparency of findings and visibility of work

In terms of assessment, the EU focuses on the following elements:
- Political context
- Legal framework: election legislation, electoral system
- Electoral administration: work of the election management body, electoral education
- Voter Registration
- Registration of political parties and candidates: freedom of association, the right to stand as a candidate
- Election campaigning
- Media environment
- Litigation
- Human rights: minorities, women, non-discrimination, disabled, IDPs and refugees
- Civil society
- Voting and counting
- Compilation and publication of results, post-election environment[96]

The European Union has been involved in several dozen observation missions around the world. In Africa, the EU has deployed several dozen observation and assessment missions since 2000. It also supports civil society organisations in election observation and monitoring through its instruments. As an illustration, the EMAM project was carried out with the support of the EU through its Peace and Security Contribution Instrument.

For example, during the 2020 presidential elections in Côte d'Ivoire, 120 observers from 24 of the 27 European Union (EU) Member States, Switzerland and Norway were deployed in the country to assess the electoral process against international and regional standards for elections and the laws of the Republic of Côte d'Ivoire. Like its international observation missions, this one was sanctioned by a Preliminary Declaration that allowed for an understanding of the electoral context, the legal framework, the electoral administration, the distribution of voter cards, the preparation of the poll, the electoral logistics, the campaign itself, the media, civic education and voter information, civil society, the poll itself, and the transmission of results. It is worth noting the quality of the reports produced at the end of the EU observation missions, but above all the independence of thought which is mainly motivated by the desire to improve the quality of electoral processes in Africa.

United Nations

The United Nations system promotes peace in the world. The conflict-ridden nature of elections, particularly in Africa, due to the difficult learning process, remains an opportunity for the legitimate positioning of the United Nations in electoral matters. From a legal point of

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96   *European Union Election Observation Handbook, European Commission, February 2008, 2nd Edition, p. 31*

view, the Charter of the United Nations also bases the intervention of the organisation in political processes, particularly in Africa. The Charter refers to the Universal Declaration of Human Rights which marked the beginning of the development of the right to participation as a human right. The UN plays an essential role in electoral support, in providing international assistance to facilitate the implementation of change processes. It provides electoral assistance to interested Member States only if they specifically request it, or if it is mandated by the Security Council or the General Assembly. It first assesses the needs of the Member State to ensure that the assistance to be provided is tailored to the specific country or situation. As the Assembly has affirmed on numerous occasions, UN assistance must be objective, impartial, neutral and independent, fully respecting the principle of sovereignty and taking into account the fact that the organisation of elections is the responsibility of Member States. More than 100 countries have requested and received electoral assistance from the United Nations since 1991, when, upon approval by the General Assembly, the Secretary-General appointed the Under-Secretary-General for Political Affairs as the United Nations focal point for electoral assistance activities.

Presently, several UN entities have mandates that relate to elections and electoral support or carry out activities that are in one way or another related to the latter. In this regard, the General Assembly has repeatedly stressed the importance of system-wide coherence and consistency. It also reaffirmed the leadership role of the focal point in this regard. The focal point is responsible for setting policy on electoral assistance, establishing the parameters within which the United Nations should provide assistance to the requesting country and managing the single roster of electoral affairs officers who can be rapidly mobilized for assistance activities as needed.

The UN provides several types of assistance:
* Technical assistance covers a wide range of specialised services provided on a short- or long-term basis to national authorities responsible for administering elections in their country
* Election observation and the use of other means of assessment are intended to respond to requests for the UN to determine or even validate the integrity of an electoral process.
* The organisation or monitoring of elections, in the rare cases where the UN is tasked with carrying out all phases of the organisation of elections on behalf of a Member State.

The UN entities involved in electoral processes are:
* Department of Political Affairs and Peacebuilding (DPPA)
* Department of Peacekeeping Operations (DPKO)
* United Nations Development Programme (UNDP)
* Office of the United Nations High Commissioner for Human Rights (OHCHR)
* United Nations Volunteers (UNV)
* United Nations Office for Project Services (UNOPS)
* United Nations Educational, Scientific and Cultural Organization (UNESCO)
* United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women)

Within the Department of Political Affairs and Peacebuilding, the United Nations Office for West Africa and the Sahel (UNOWAS) has a political mission. UNOWAS has a responsibility for preventive diplomacy, good offices, mediation and facilitation of political action in West Africa and the Sahel. It also contributes to consolidating peace and democratic governance in countries emerging from conflict or political crisis. The highly conflict-ridden nature of elections in West Africa means that the body is de facto positioned within the electoral issue. Thus, UNOWAS is involved in all electoral processes in West Africa in a very qualitative manner.

In close cooperation with regional partners and other United Nations agencies, such as the Office of the High Commissioner for Human Rights (OHCHR) or the United Nations Development Programme (UNDP), UNOWAS undertakes assessment and early warning missions that help identify critical issues and put in place preventive measures. Already well in advance of an election, UNOWAS provides expertise to the electoral needs assessment, which takes stock of political risks and defines logistical and other requirements for the conduct of peaceful, free and fair elections. Support is also provided to the ECOWAS mediation and facilitation component.[97]

The year 2020 was a very electoral year in West Africa, with five general elections held in Guinea, Côte d'Ivoire, Burkina Faso, Niger and Ghana. As mentioned in the Magazine n°12 of the forum, "since the beginning of September, the Special Representative of the Secretary General and Head of the United Nations Office for West Africa and the Sahel (UNOWAS), Mohamed Ibn Chambas, has begun a series of marathon visits to the countries concerned. The political instability and tensions observed during the pre-election period, often accompanied by acts of violence, as in Guinea and Côte d'Ivoire, are a source of concern. From Niger to Guinea, through Côte d'Ivoire and Burkina Faso, the Special Representative, alone or with his partners from the Economic Community of West African States (ECOWAS) and the African Union (AU), has carried out several good offices missions with the aim of encouraging everyone to work towards peaceful and inclusive elections. Mohamed Ibn Chambas recalled "the need to resolve disputes through legal means, and to seize the opportunity of these elections to further consolidate peace and democracy. He also called on other actors, including the media in Guinea, to contribute to the culture of peace and to refuse the dissemination of speeches of hatred and division". As part of the role of the United Nations Office for West Africa and the Sahel (UNOWAS) in supporting peaceful political processes, including free and credible elections, the former Special Representative of the Secretary-General and head of UNOWAS, Mohamed Ibn Chambas, undertook several missions to Nigeria to support the country's efforts to hold peaceful general elections. These interventions intensified in the run-up to the presidential and legislative elections on February 23 and the regional and state assembly elections on March 9, 2019.

In October 2021, under the leadership of Mohamed Ibn Chambas, Representative of the SG of the Nations in West Africa and the Sahel, UNOWAS was heavily involved in the implementation of the electoral process in a critical context of health crisis and especially controversies around the 3rd candidacy of the incumbent President Alassane Ouattara.

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[97] https://unowas.unmissions.org/fr/prévention-de-conflit-bons-offices-et-diplomatie-préventive

It is worth mentioning the collaborative approach often implemented by UNOWAS through joint missions sometimes carried out with other sister bodies as part of its contributions to peaceful electoral processes and in its mission to define preventive actions. By way of illustration, we can note:

- The joint ECOWAS, AU and UN delegation through UNOWAS which visited Guinea in October 2020 to conduct a pre-election facilitation mission.

- The joint pre-election mission to Nigeria with the Economic Community of West African States (ECOWAS) and the African Union (AU) in the run-up to the presidential and legislative elections on February 23 and the regional and state assembly elections on March 9, 2019. During the mission, discussions were held with President Muhammadu Buhari, the Office of the Inspector General of Police, senior military officials, civil society organisations and other key actors and institutions. The mission also discussed national efforts and partner support to ensure peaceful elections.

Thus, as a global peacebuilding body, the positioning of UNOWAS in West Africa and the Sahel on electoral issues is indicative of the need for effective involvement of the body in electoral processes due to the conflict-ridden nature of elections in West Africa. The organisation of elections is a challenge superimposed on security challenges. The United Nations' approach is diversified through the specific contribution of its office for West Africa and the Sahel, through constant monitoring of the process in the region, the deployment of preventive and good offices missions, etc. These are qualitative contributions, with above all an opportunity to develop synergistic approaches and to carry out very high-level missions allowing access to decision-makers as well as to other stakeholders.

The International Organisation of La Francophonie

The International Organisation of La Francophonie was founded in 1997 to serve as a bridge between countries that share the use of the French language and have an interest in the French language and culture. Today it brings together 80 Member States and governments (57 members and 23 observers) from around the world. The adoption of the Charter of La Francophonie in 1997 and its revision in 2005 was a crucial step in affirming its commitment to the ideals of democracy and good governance. The objectives of La Francophonie are to assist in the establishment and development of democracy, the prevention, management and resolution of conflicts and support for the rule of law and human rights. In 2000, through the Bamako Declaration,[98] the OIF expressed its commitment to the principles of democracy. Thus, adopted on November 3, 2000 by the ministers and heads of delegation of the states and governments of the countries sharing the French language during the International Symposium on the assessment of the practices of democracy, rights and freedoms in the French-speaking world, the Bamako Declaration justifies the interventions of the OIF in the electoral field in the member states and the countries with observer status. The OIF provides electoral assistance to member states and governments in order to support the emergence from crises and the consolidation of democracy.

[98] *Original version available at www.francophonie.org*

This assistance aims to strengthen the material and operational capacities of the bodies and institutions in charge of organising, monitoring and supervising electoral operations, in particular national administrations, electoral commissions, constitutional courts and councils, media regulatory bodies, political actors and civil society organisations.

Several types of activities are implemented, ranging from the organisation of seminars and training missions to the provision of experts and the deployment of election observation missions. Thus, in the context of the organisation of inclusive and credible elections, the OIF has contributed to the sustainability of electoral bodies, the consolidation of civil status and electoral files, the professionalisation of electoral actors and agents, and the strengthening of the capacities of national electoral observers, particularly women and young people.

As part of the deployment of this electoral assistance, the OIF is cooperating closely with international and regional partners, including the African Union, the United Nations, the European Union, the Economic Community of West African States, etc.[100]

In short, West Africa has embarked on the path of democratisation not without difficulties and some setbacks. It has made a lot of efforts both in the implementation of the democratic project and in the search for alternatives for greater efficiency. If during electoral processes, counter-performances are often noted due to several factors, the different stakeholders have expressed their desire to 'domesticate' the processes through certain singularities, both through the experimentation of new strategies and approaches, as well as through the inclusion of new actors, specific to Africa, whose contributions have been positive.

3.6   EMAM: Case study of a civil society experience in electoral conflict management

1. Case of Implementation

The Electoral Violence Monitoring, Analysis and Mitigation (EMAM) programme is the result of a very fragile security context, particularly in West Africa. Indeed, West Africa is confronted with various types of security threats. The determinants of these security threats and their manifestations are very heterogeneous. Burkina Faso, Côte d'Ivoire, Gambia, Guinea, Guinea Bissau, Senegal, Togo, Mali, Ghana, Niger and Benin are among the countries that have been specifically targeted by the EMAM project and demonstrated several forms of political and institutional vulnerabilities. In addition, in 2018, the situations in the various countries were as follows:

Burkina Faso experienced a very turbulent transition phase following the departure of President Blaise Compaoré in October 2014. The country continued to face political challenges related to the constitutional reforms initiated from the transition in 2014. These

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[99] *https://www.francophonie.org/accompagnement-des-processus-electoraux-282*

reforms have led to major strides particularly in the area of mandate limits. In the midst of these political challenges, persistent attacks by armed Islamist groups in the North continued to threaten the peace and security of the country. It is also worth mentioning the disgrace of some former associates of former President Blaise Compaoré, suspected of intrusions and influence in the Burkinabe political game from his country of exile, Côte d'Ivoire. Attempts to use the past to fix responsibility for the assassination of Thomas Sankara are a sort of sword of Damocles hanging over the heads of certain military officials whose capacity to interfere with the national security apparatus is real.

Côte d'Ivoire has had great difficulty in normalising its political process and restoring the fundamentals of the rule of law. The whole point of closing the Rule of Law Section of the United Nations Mission in Côte d'Ivoire (UNOCI) was to restore the rule of law fundamentals to the Ivorian State.   In addition to these challenges, all forms of extremist threats were added, one of the main manifestations of which was the Grand Bassam attack. In addition, the very tense interplay of actors, the trial of the outgoing president Laurent Gbagbo at the International Criminal Court (ICC), the inability of the Ivorian political class to renew itself, the absence of informal social channels for regulating the political game, the recurrent upheavals within the army, etc., are important determinants in the analysis of the context in which the EMAM programme was conducted. Furthermore, the country has experienced several decades of trauma which has finally called social cohesion into question. To all these determinants, we can also mention the debate surrounding the succession of President Alassane Ouattara, who seems to be keeping a lid on a possible third term.

The Gambia has not finished consolidating its democratic gains because of the several "fronts" that beset the country. Indeed, it is very difficult to move away from the aporias of the past caused by the former despot President Yahya Jammeh whose regime lasted 24 years. President Barrow, from the beginning of his mandate, has encountered difficulties in consolidating his legitimacy, the first challenges to which came from within his ranks. The system put in place by the previous regime is so entrenched that it was almost impossible to get rid of it. From a political and institutional point of view, there are still concerns about political instability and insecurity. Similarly, some tensions arise from the controversy over whether the presidential election will be held in 2019 or 2021. It should be recalled that President Barrow had pledged to serve a three-year term to ensure a transition. They will finally be held in late 2021 at the end of President Barrow's five-year term. Moreover, clashes took place during the spring 2018 local elections, which demonstrated the need for continued dialogue and awareness-raising on mitigating electoral violence and respect between different party supporters. The initiation of transitional justice can be a significant factor in the stability of the country. The work of the Justice and Reconciliation Commission was underway. The conclusions could augur an uncertain future if the process does not meet with the support of all actors. Finally, it should be noted that The Gambia is surrounded by southern Senegambia (The Gambia, Casamance, Guinea Bissau), where the Senegalese conflict in Casamance has been raging for several decades. The border regions of Guinea Bissau and The Gambia with Senegal are areas of rebel retreat.

The political process in the **Republic of Guinea** has been marked by recurrent political instability since the death of President Lansana Conté. The country was in deep crisis at the time, with a very heavy history of persecution of opponents, imprisonment of all dissenting voices, and community and ethnic conflicts. In this regard, we can mention the imprisonment of the then opponent Alpha Condé, the recurrent political tensions, the coup d'état of Captain Moussa Dadis Camara and all the events that followed, the very slow and controversial electoral process of 2010 that led to the election of Alpha Condé. After having served his two terms and having initiated 'deconsolidating' and contested constitutional reforms, President Conde arrogated to himself the right to run for a third term. This decision constituted a significant breaking point and exacerbated political and social tensions as well as the aggravation of the lack of social cohesion. Moreover, all previous elections (Legislative 2013, Presidential 2015, Municipal 2018) have been marred by violence and contestation. Ethnicism is at a worrying level. Indeed, the ethnic factor is an essential determinant in the choice of voters, but also in the choice of men by those in public power, in the promotion of actors, etc. Between the Fulani, Sousou and Malinke, tensions are very palpable and accepted. The very clear-cut political positions and the absence of a constructive political dialogue have also affected the work of the Independent National Electoral Commission (CENI), which is struggling to establish an unquestionable legitimacy.

Guinea Bissau, after a period of transition following the death of President Vieira, held multi-party presidential and legislative elections in 2014. The political system inherited from the colonial era following the elections actually forced a form of cohabitation, with President José Mario Vaz allying himself with former President Coumba Yalla's party, the Party for Social Renewal (PRS), but the majority in the People's National Assembly (ANP) being held by the African Party for the Independence of Guinea and Cape Verde (PAIGCV). Prime Minister Domingo Simoes Pereira is the President of the PAIGCV. After a few months of cohabitation, a lasting political and institutional crisis took hold at the top of the State following the refusal of the ANP members of parliament to vote on the government's governance programme. Several mediation actions were carried out by ECOWAS. The October 2016 agreement signed in Conakry for a way out of the crisis, comprising 10 essential points, has not been respected. The implementation of this Conakry Agreement, which includes the creation of an inclusive government and constitutional reforms, has had many setbacks. ECOWAS and other international actors, including the UN, were impatient with the political stalemate in Guinea-Bissau and the failure of the ruling government to honour its commitments, and finally issued sanctions against some political leaders to push for a way out of the political impasse. Moreover, the dissidence within the PAIGCV, following the Cacheu Congress in 2014, had negative impacts on the politico - institutional tensions. Indeed, as the saying goes, 'Quando o PAIGCV vai, a Guiné Bissau vai - When the PAIGCV is doing well, Guinea Bissau is doing well'. It should be recalled that considerable efforts were made by the international community for the stability of Guinea Bissau following the assassination of President Nino Vieira and the ensuing instability. Indeed, the United Nations Integrated Peacebuilding Office in Guinea Bissau (UNIOGBIS) and the ECOWAS Mission in Guinea Bissau (ECOMIB) were present in the country. It is also worth recalling the failed attempts at Security Sector Reform (SSR). These are all factors that merit electoral conflict prevention mechanisms.

Senegal began its democratisation process in the early 1980s, but it has not been a smooth political process. Democratic achievements are very fragile, despite the democratic bursts that have led to two political alternations. The political actors have not been able to establish a trusting atmosphere, causing instability in the electoral law and several disagreements over the electoral register. When President Macky Sall came to power, he opted for accountability. This option, added to a review of the legal framework, will be the basis for the exclusion from the political game of two potential serious competitors to President Sall in the run-up to the 2019 presidential election (Khalifa Sall and Karim Wade). Similarly, the choice of citizen sponsorship, which now obliges all political competitors in general elections to use citizen sponsorship, and the breakdown of political dialogue are all seeds of future electoral disputes. In addition to this situation, there are flaws in the organisation of the 2017 legislative elections caused by the poor processing of the new merged ECOWAS biometric cards (identity card/voter card). This will also impact the new electoral map confusing many voters who could not find their polling stations and will be the cause of the prevalence of a climate of mistrust. With the fragile peace in the Casamance region and Senegal's exposure to violent extremism, the 2019 elections required concerted efforts to ensure the consolidation of the country's democracy.

Togo in 2018 was emerging from several months of contestation by the opposition, which joined forces in a coalition of fourteen parties demanding a two-term presidential limit, to be made retroactive, which would prevent the head of state from seeking a fourth term in 2020. After several months of discussions between the government and the opposition facilitated by the presidents of Ghana and Guinea on behalf of ECOWAS, hopes for a way out of the crisis were on the verge. Unfortunately, the government and the opposition were unable to reach a consensus on constitutional and electoral reforms and given the fact that the legislative elections scheduled for 2018 could not be held on time, a roadmap was proposed by ECOWAS accordingly at the 53rd Ordinary Session of the ECOWAS Heads of State Summit held in Lomé in July 2018. The ECOWAS Summit communiqué reaffirmed the need for all parties to engage in a peaceful dialogue and called on the Togolese authorities to review the electoral register in view of the holding of legislative elections on December 20, 2018. ECOWAS committed itself to providing political and logistical support, thus inviting the actors to commit themselves to the achievement of institutional reforms (two-round ballot for the presidential election, two-term limit for the presidential mandate, renewal of the Constitutional Court, revitalisation of the CENI, etc.). The Togolese opposition parties' adherence to the proposed roadmap was very timid, but it nevertheless has the advantage of giving political impetus to the pursuit of electoral and constitutional reform with high-level support from West African regional leaders.

Mali has experienced a long-standing armed conflict between the central government and northern-based jihadist groups since 2012, a struggle characterised by low to medium intensity conflict in the northern part of the country. Despite the imposition of international peace and successful presidential elections in 2013 and 2018, extremist violence persists and has moved beyond the north to the central region of the country. The persistence of political conflict and violence often hinders the ability of the national election commission to remain consistent with the drafted electoral timetable, particularly at the parliamentary level. The legislative elections initially scheduled after the 2018 presidential elections were postponed

twice on October 28 and November 18, 2018 due to the magistrates' strike. On October 1, 2018, the Constitutional Court announced a further postponement of the parliamentary elections to April 2019, extending the mandate of parliamentarians by six months. Parliamentarians received a further extension of their mandate on June 7, 2019 from the Constitutional Court until May 2, 2020. From December 14 to 22, 2019, an inclusive national dialogue including political, military, civil society and ex-combatant actors had been organised. It led to the announcement of a new electoral calendar on January 22, 2020, which provides for the holding of legislative elections in 2020. These elections will take place in a country facing socio-political crises and various levels of conflict that threatened the peaceful conduct of the elections.

Since the early 1990s, **Ghana** has made considerable progress in the quest to consolidate its democracy through seven successive credible elections and peaceful political transitions between 1992-2016. This achievement has stabilised its political landscape and enhanced its image in the concert of nations. Multiparty elections have become an established feature of its democracy. The alternation of power between the two main political parties, the National Democratic Congress (NDC) and the New Patriotic Party (NPP), has created a platform for balanced political participation and development in all its regions. While Ghana has been hailed worldwide as a beacon of democracy and stability in Africa, electoral processes in the country continue to be marred by recurrent conflicts and violence that threaten its democratic dividends. While electoral contests remain a source of tension and violence in the country's hottest constituencies, the dynamics of the 2020 elections were likely to intensify these threats. For the first time in Ghana's political history, an incumbent president, Nana Addo Dankwa Akufo-Addo of the NPP, will face a former president, John Dramani Mahamah of the NDC, who lost his bid for re-election.

Niger was preparing to hold municipal and regional elections in December 2020, to be followed by legislative and presidential elections in 2021. President Mahamadou Issoufou will complete his second term by 2021, paving the way for the election of a new president of the country. The Independent National Electoral Commission (CENI) has begun preparations for the elections amid political tensions and accusations of government corruption. Insecurity is a major threat to the country's stability, particularly in the border regions of Nigeria, Burkina Faso and Mali (namely Tillabéry, Diffa and Tahoua) where violent extremist groups such as Boko Haram and the Islamic State of West Africa Province (ISWAP) have a strong presence. As a result, the government has declared a state of emergency in these areas. In addition, accusations of limited space for the opposition to participate in the National Council for Political Dialogue (CNDP) have implications for the electoral process ahead of the 2020 and 2021 general elections. Similarly, with recurrent terrorist attacks and the state of emergency in the north of the country, CENI faces the challenge of organising elections in rural border communities. This may also lead to low voter turnout and have other implications for increased violence that would affect the outcome of elections across the country.

Benin has recorded successive credible elections and peaceful political transitions between 1991 and 2016. However, recent policies, including the reform of the political party system adopted by the National Assembly in 2018, have contributed to a reduction in the number of

political parties from over 200 to about 15 registered parties. A key aspect of the policy was an amendment to the electoral code. Although this policy was proposed by the state as a means of addressing the increasing proliferation of political parties, opposition parties initially agreed with the reform but later challenged it in light of its implementation and the consequences. The implementation of these reforms for the 2019 legislative elections led to a situation where opposition parties were not able to contest the April 2019 legislative elections. These non-inclusive elections saw the participation of only the 2 political parties close to the President, with the result that the opposition is not represented in the National Assembly. The elections were held in a context of widespread demonstrations and violence. This also resulted in a low voter turnout of 27.12% compared to 65.88% in the 2015 legislative elections. This situation will be the cause of the lack of trust by voters and opposition parties in the new electoral system. Other decisions will corroborate the apprehensions of a shrinking civic space: creation of the post of vice-president, introduction of the system of sponsorship by elected officials, unilateral decision making, exclusion of civil society from certain consultation processes and discussion frameworks, etc. The organisation of local elections in a context of a health crisis that has a negative impact on the participation rate does not augur well for the holding of a presidential election in a peaceful and serene environment. Thus, the challenges related to the management of the electoral process are numerous.

The EMAM project was conceived in a very fragile, potentially conflict-ridden context, where cyclical and structural factors of instability were intertwined. Its ambition is to propose responses in order to anticipate and prevent electoral violence or to mitigate it, if necessary.

2. Institutional Support: Receptivity, Experiences and Achievements

The Electoral Violence Monitoring, Analysis and Mitigation (EMAM) proposal is an integral part of WANEP's overall strategic plan/framework, which aims at strengthening the capacity of civil society and relevant State institutions for the promotion of human security, conflict prevention and peace building. Drawing on its extensive experience, WANEP has established that electoral dispute management mechanisms are a prerequisite for the maintenance of peace and security.

The rationale for this proposal is based on the observation that there are gaps in civil society capacity and levels of engagement with relevant institutions to address threats related to electoral processes. These gaps include weak electoral early warning and monitoring of electoral violence, limited institutional networking and collaboration, dialogue and mediation, inability of the media to cover elections and report in a conflict-sensitive manner, and weak knowledge and skills in civic education.

With regard to institutional responsiveness, WANEP, as a sub-regional civil society institution, has been able to build a network that has enabled it to have a real community network (15

national networks in the ECOWAS region). The WANEP network brings together more than 700 member organisations working for peace and human security. The areas of intervention are: Women, Peace and Security, Democracy and Good Governance, Early Warning and Conflict Prevention, Dialogue, Mediation and Peace Education.

Similarly, the organisation has an interesting measurement tool, the WANEP Organisational Development Index (WODI), which is a relevant instrument for assessing the organisational effectiveness of its members and the quality of their interventions, and which makes it possible to position them according to the above-mentioned areas of intervention in the implementation of programmes.

Furthermore, in the area of early warning, the organisation has managed to establish a clear and undeniable positioning. This positioning has led to a Memorandum of Understanding with ECOWAS since 2002 with experience of collaboration with the ECOWAS Commission through the Early Warning Directorate but also the Analysts Division in the framework of quarterly debriefings and knowledge sharing. In accordance with the above-mentioned Memorandum of Understanding with ECOWAS, the national early warning and response officer in each WANEP national network serves as the national focal point for the collection and submission of community data into the ECOWAS ECOWARN system.

In addition, WANEP already operates a national early warning system in each of the Member States, although it is not focused on electoral processes. It has more than 400 community monitors in the 15 ECOWAS countries who serve as a medium for collecting data, producing information and reporting to ECOWAS through the Early Warning Directorate which consolidates its reports under ECOWARN on peace and security in the ECOWAS region. This already existing mechanism remains an opportunity and a support that guarantees the success of the EMAM Programme.

In addition, WANEP has various experiences in mitigating electoral violence through national early warning systems in several ECOWAS countries: Côte d'Ivoire, Burkina Faso, Niger, Ghana and Sierra Leone under the first phase of EMAM, which started in 2015.

Finally, WANEP has put forward a theory of change that perfectly fits the spirit of the EMAM project: "If a well-equipped and standardised national early warning system is developed and local capacity for data collection, analysis and reporting is strengthened, based on specific and relevant indicators of electoral violence, then policy makers, CSOs and other stakeholders will have accurate information, which will feed into the development of informed response strategies that will ultimately contribute to minimising electoral violence in West Africa".

Various assumptions must hold for this theory of change to be realised and these include: the availability of and access to reliable data on agreed indicators; the existence of appropriate communication channels to transmit relevant data to those who are in a position to act on it; the willingness of different stakeholders to work together to find inclusive, peaceful and sustainable solutions to the identified crises; and the credibility and legitimacy of the different actors involved in shaping responses to the identified crises. The EMAM project is designed to address these assumptions through several activities built on a holistic, multi-actor approach.

3. Contributing instrument to the security and peace of the European Union

The Electoral violence Monitoring Analysis and Mitigation (EMAM) project is the result of a meeting between two converging visions of conflict prevention, namely the strategic vision of WANEP and the European Union strategy, as well as a fragile security context requiring adequate interventions and responses. The EMAM project is funded under the European Union's Instrument contributing to Peace and Stability[100] (IcSP), which is one of the main external support tools enabling the EU to play a major role in preventing crises in the world and intervening in the event of an emerging or established crisis. IcSP thus contributes to the comprehensive approach to crisis management by complementing EU humanitarian and development support.

The overall objective of the IcSP is to provide direct support to the Union's external policies by increasing the effectiveness and coherence of the Union's actions in the areas of crisis response, conflict prevention, peacebuilding and crisis preparedness, as well as the fight against global and trans-regional threats. To this end, the Union implements development cooperation measures as well as financial, economic and technical cooperation measures with third countries, regional and international organisations, and other State and civil society actors.

More specifically, the IcSP aims to:

• Contribute rapidly to stability in a crisis or emerging crisis situation by providing an effective response designed to help preserve, establish or restore the essential conditions for the effective implementation of the Union's external policies and actions

• Contribute to conflict prevention and ensure sufficient capacity and preparedness to deal with pre- and post-crisis situations and to consolidate peace,

• Respond to specific threats to peace and international security and stability at global and trans-regional level.

4. Introduction to EMAM

The overall objective of the project is to contribute to a reduction in electoral violence in West Africa, through the strengthening of regional and national capacities to improve peaceful electoral processes.

[100] https://www.europedirectpyrenees.eu/wp-content/uploads/2014_2020_fiche_pratique_instrument_stabilite_paix_20200410.pdf

The expected outputs are two folds:

- Output 1: Electoral violence Monitoring, Analysis and Mitigation mechanism (EMAM) established and implemented in targeted West African countries.

- Output 2: Specific electoral violence mitigation activities supported and implemented by the national WANEP network and/or other entities

Under each output, several activities are planned.

Output 1: Electoral violence monitoring, analysis and mitigation mechanism established and implemented in targeted West African countries
- Joint consultative meeting with ECOWAS and establishment of a regional working group.
- Visibility Action Day
- Mapping and assessment of stakeholders and areas at risk of electoral violence in the target countries
- Drafting of an election-specific online system for reporting and data analysis
- Training and deployment of community monitors of electoral violence prevention indicators
- Grant management training for CSO stakeholders
- Consultative meeting and training of National/Regional Election Response Groups
- Constitution and training of national electoral expert groups on electoral conflict management
- Consultation and meetings of national/regional electoral response groups
- Definition of strategic responses to mitigate or prevent identified threats
- Setting up an election situation room in target countries from the day before to the day after the election
- Annual debriefing and evaluation of the project by the regional working group
- National lessons learned conference at the end of each election
- Holding of a regional lesson learned conference at the end of the programme

Output 2: Specific electoral violence mitigation activities supported and implemented by the national WANEP network and/or other entities

- Strengthen the capacity of civil society organizations to promote greater involvement in the creation or implementation of appropriate awareness-raising, prevention and crisis preparedness measures and/or appropriate communication channels and cooperation with security forces and authorities.
- Support to civil society initiatives and/or domestic observation capacities, with a focus on anticipating possible risks of electoral violence (identification of specific areas or stages of the process).
- Support for civil society initiatives to increase women's involvement and contribution to the prevention and resolution of election-related violence.

- Mobilisation of national/international expertise to support or accompany the revision of the legislative framework, the strengthening of electoral institutions or any other relevant activities appropriate to the context and aimed at ensuring the integrity and transparency of an electoral process and preventing electoral violence.
- Carrying out awareness and education campaigns on electoral processes, emphasising the need for peaceful participation, dissemination of non-violence messages, with particular emphasis on the role of youth involvement in preventing electoral violence by all means.
- Promotion of the role of independent, informed and conflict-sensitive media (including social media) in preventing and mitigating the risks of political and electoral violence due to misleading information or false news (specialised training, promotion of codes of conduct, etc.).
- Promotion of national and/or local (risk areas) mediation and consultation initiatives: exchange platforms, round tables or other inclusive processes.
- Support for political parties to behave responsibly throughout the process, discouraging violence, through training, a code of conduct, etc.

The methodology implemented includes the following elements:

- Training
- Debriefing and feedback sessions
- Brainstorming
- Participatory learning action
- Networking
- Analysis and documentation
- Preventive diplomacy
- Civic education
- Lessons learned
- Taking into account the recommendations of EU election observation missions

Gender Sensitivity

Furthermore, in the implementation of this project, WANEP has made gender a cross-cutting theme, considering that gender is an integral part of the discrimination and inequalities that characterise violent conflicts. Its role as a facilitator of conflict prevention and peace in the sub-region, but also as an advocate for social justice, is to ensure that its strategies and approaches integrate gender at all stages of implementation: selection of the coordination team, Constitution of monitoring and data processing teams, recruitment of observers, etc.

Overall, the monitoring of direct beneficiaries of the activities implemented during the project cycle revealed the participation of 41% women and 59% men, as shown below, out of a total of 7,853 beneficiaries.

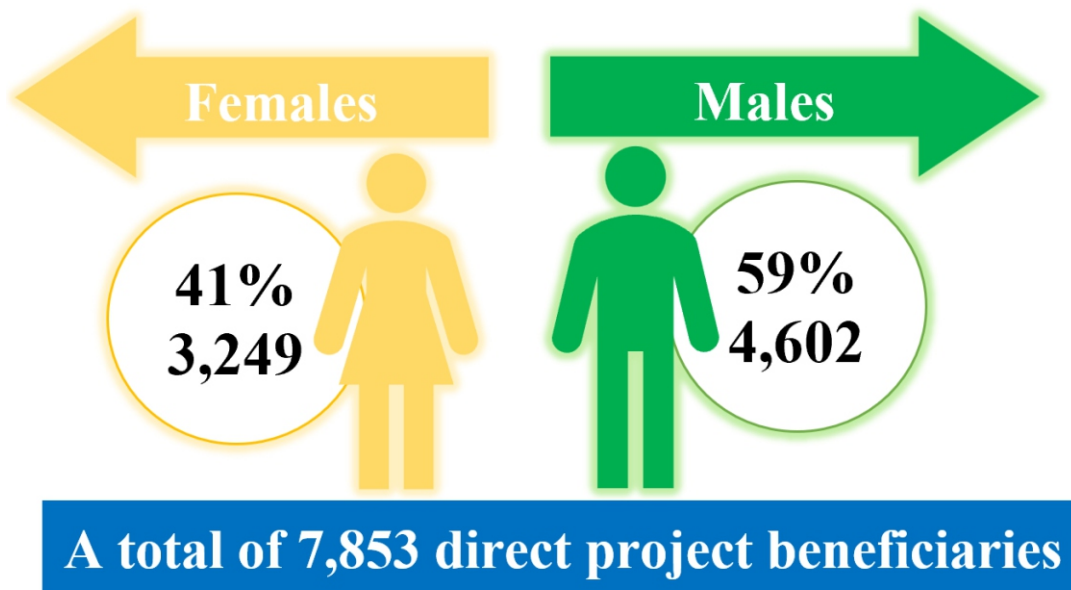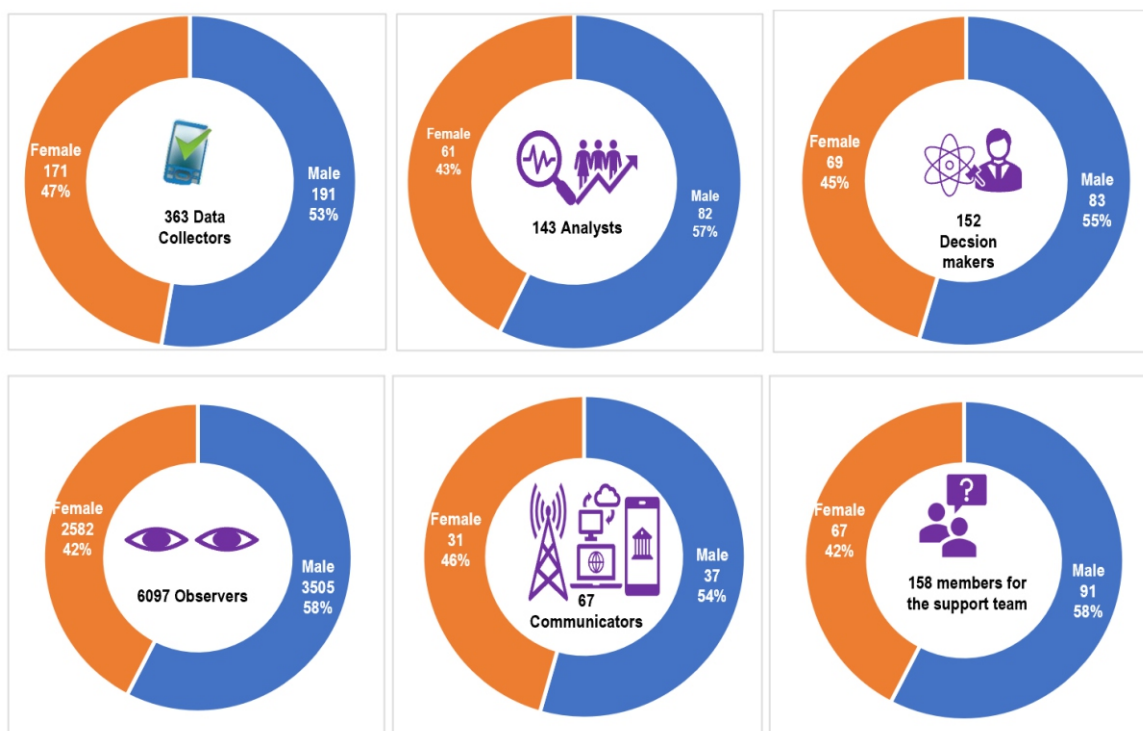Figure N°11 : Gender breakdown of the EMAM project beneficiaries

Females 41% 3,249

Males 59% 4,602

A total of 7,853 direct project beneficiaries

Figure N°12 : Gender breakdown of the EMAM project beneficiaries per ESR units

Female 171 47% — Male 191 53% — 363 Data Collectors

Female 61 43% — Male 82 57% — 143 Analysts

Female 69 45% — Male 83 55% — 152 Decision makers

Female 2582 42% — Male 3505 58% — 6097 Observers

Female 31 46% — Male 37 54% — 67 Communicators

Female 67 42% — Male 91 58% — 158 members for the support team

## 5. Focus on key project strategy

5.1.   Policy Briefs

A policy brief is a summary of what is known about a particular issue. A policy brief is a policy document written in the form of a well-argued and easy to read publication. It is a concise summary of a particular problem. It presents policy options for dealing with it. It offers a recommendation on the best option. The choice of offering policy briefs in the framework of

the EMAM programme is in line with WANEP's strategy of constant monitoring and documenting a monitored electoral process. It should be noted that the policy briefs produced respond to a specific need for a good levelling of the processes in a context of abundance of information, but especially of difficulty in accessing credible information from "authorised" actors. The "policy brief" in its content specific to this programme is a policy-oriented analytical report that links structural and systemic causes of the identified threat to an electoral process in a target country. It also links these factors to the risk accelerators identified in the relevant electoral processes, as justified by the analysis of existing threat trends. It provides an understanding of the factors behind the identified threat and provides possible scenarios anticipated from existing data and analysis. Actionable recommendations are also provided to support the initiatives of the established National Electoral Response Group (GNRE) as well as key governmental and intergovernmental agencies to prevent or mitigate threats. An electoral process is very dynamic and is part of an overall process with several interrelated determinants. Understanding these issues is not self-evident. Thus, by facilitating the understanding of processes through policy briefs, the EMAM project contributes to making processes transparent and to providing stakeholders and observers with elements to decipher the complexities related to electoral processes.

The different policy briefs produced within the framework of the EMAM Project are the following:
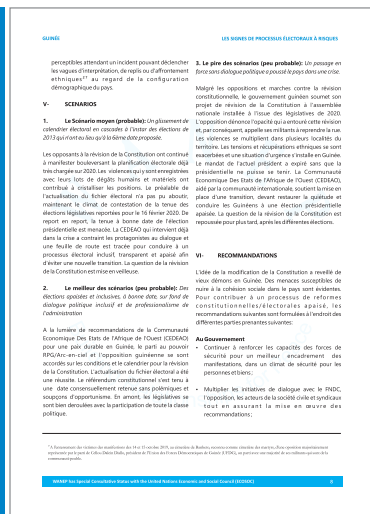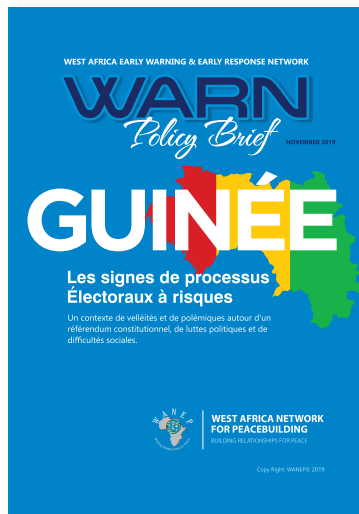
1. Togo's 2020 presidential elections: The need for inclusiveness, openness and transparency as a way to consolidate peace in Togo
2. Ghana, Presidential and Parliamentary Elections 2020 - Building confidence and generating trust amid Covid19 pandemic
3. Mali's presidential and legislative elections: Elections in 2018 and insecurity in Mali: challenges and issues
4. Challenges and opportunities of multi-stakeholder engagement for the transition to democratic governance in Mali
5. Senegal, presidential elections in 2019: Context of a "high risk" election
6. Niger, 2020-2021 general elections: Electoral processes threatened by a breakdown in political dialogue
7. Guinea Bissau: As Eleições legislativas e presidencial a vir, serão suficientes para uma saída da crise? (Will the upcoming legislative and presidential elections be enough to end the crisis?)
8. Guinea: 2020 presidential election: Signs of high-risk electoral processes - A context of vying and controversy around a constitutional referendum, political struggles and social difficulties
9. Gambia, 2021 presidential election: A pathway towards democratic consolidation or retrogression
10. Benin, 2021 presidential election: Will Benin be the location of electoral violence again?
11. Burkina Faso, legislative and presidential elections 2020: Strengthening social cohesion and the reconciliation process: a path to peaceful elections in 2020

In the policy briefs, WANEP has included a prospective dimension through the scenarios outlined, the purpose of which is to anticipate possible factors of instability likely to occur during the electoral phases and to make proposals to mitigate them. Finally, the recommendations formulated in the policy brief open up opportunities for improving electoral processes.
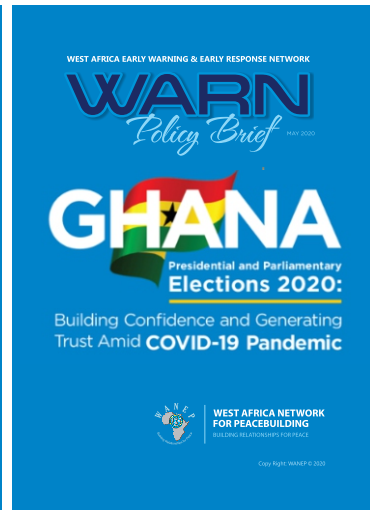
5.1.1.   Stakeholder Matrix

A plurality of actors is involved in electoral processes. A good knowledge of the actors involved in the process is essential. With regards to electoral conflict prevention, WANEP has calibrated a specific matrix that first identifies the actors involved in the electoral process according to their level of responsibility. Thus, for each electoral model concerned, the matrix allows for the identification of the primary stakeholders, secondary stakeholders and the so-called invisible stakeholders but whose role remains important in the implementation of the process. For each of the actors concerned, the following are assessed on the stakeholder matrix:

- The role and mission,
- The challenges faced by this actor and
- The influence of the actor concerned on the process. In this respect, the matrix highlights both the positive and negative influences that these actors can have on the process concerned.

This approach of proposing a stakeholder matrix is in line with the finalised policy brief, integrating scenarios and recommendations. Furthermore, considering the plurality of actors but also the need for readability of electoral frameworks, the stakeholder matrix allows for the categorisation of actors and above all facilitates the classification of electoral systems given the presentation of the links between the different actors in the stakeholder matrix. Finally, it is a useful tool to inform observers and other stakeholders when the time comes to intervene, to involve the required actor/decision-maker or to size up a response initiative that should result from the analysis of the data collected.
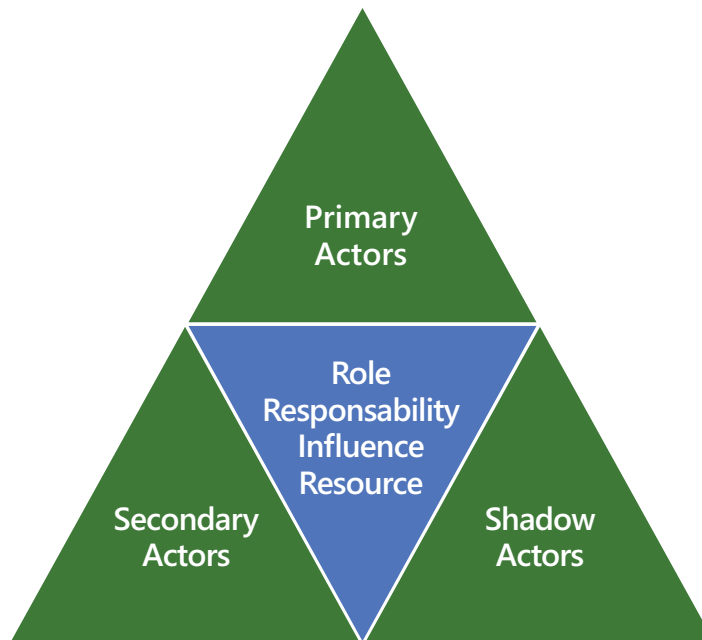
## 5.2   Hotspots or mapping of risk areas: early warning for rapid response

The E-MAM project aims to prevent electoral conflicts, among others. Most of the post-cold war conflicts in Africa have become intra-state conflicts whose main causes are controversies related to access to resources and power. The inexpert management of electoral processes has often led to electoral violence, the consequences of which are often harmful to the people. The prevention of electoral violence requires a good control of all the information likely to alert people to the risks of electoral violence and tension. The monitoring of electoral violence is part of this desire to identify signals to anticipate possible cases of electoral violence. Thus, in order to make the early warning system operational, a mapping of risk areas is carried out. This mapping is carried out on the basis of a participatory approach. It is an assessment of the country's hotspot map, carried out following a consultation with key stakeholders.

The assessment in each of the targeted countries preparing for the elections identifies the predominant threat conditions derived from the structural indicators in the WANEP National Early Warning System. It will map geographical areas into high, medium and low risk categories based on the intensity of volatility that constitutes a threat of electoral violence in the specific focus countries. The mapping exercise thus facilitates a baseline that informs the geographical areas targeted by the expert groups for intervention. As part of its routine activities, WANEP had already conducted similar hotspot mapping in Côte d'Ivoire, Burkina Faso, Niger, Ghana and Sierra Leone during the previous E-MAM phase of 2015. The uniqueness of WANEP's hotspot mapping is its correlation with electoral indicators that establish a continuous trend analysis of risk areas throughout the electoral cycle.

In the electoral field in particular, hotspots are defined on the basis of clearly established criteria:

• Political and electoral analysis and linkage to trends in electoral violence based on the last two years but also the last elections in the country in question
• Profiling of political conflict carriers in the country
• Relevant direct and indirect actors in the management of the electoral process as well as levels of vulnerabilities within the country.

The hotspots vet the countries involved in the programme on the basis of administrative division. Each region is assessed on the basis of the following elements: a brief description of the problem, problems during previous processes, type of threats, actors and perpetrators, targets and victims of violence, and level of risk. The assessment exercise ultimately allows regions to be classified according to the level of risk (low, medium or high). An accurate and successful assessment allows for the definition of effective actions to mitigate these risks.
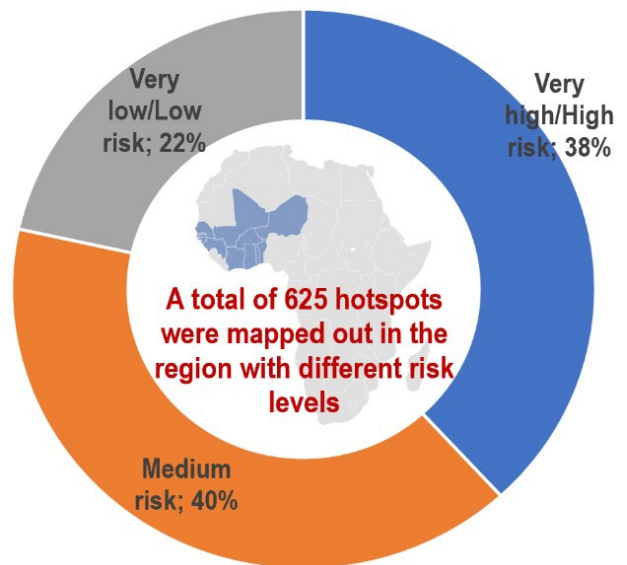
A total of 625 hotspots were developed in the regions, highlighting different risk levels of instability and violence. In fact, out of the 11 countries covered, 22% of the areas observed presented low risk levels, 40% were medium risk areas and 38% were identified through mapping as very high-risk areas. Subsequently, the risk level of the hotspots informed on the distribution of the election monitors or observers as presented in both charts (for Benin and the Gambia).

Figure x: Hotspot mapping and monitors/Observers deployment plan
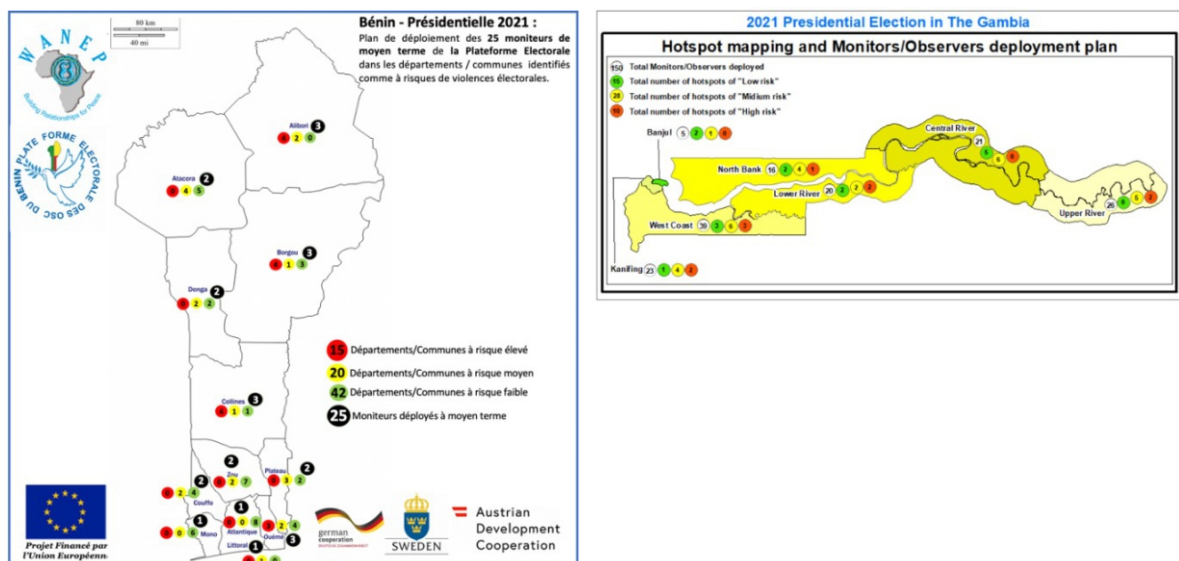
5.2.1. National Election Response Groups (NERG)

The National Elections Response Groups have played an important role in defining strategies for the prevention and management of electoral conflicts. The aim is to establish a multi-stakeholder framework with commonalities and interests in electoral matters and the electoral process. By establishing a National Elections Response Group, WANEP aims to network electoral expertise at the national level. It also aims to provide a framework for consultation and information sharing, a space for deliberation with CSO stakeholders, a sharing of roles and responsibilities according to areas of expertise, given the complexity of the electoral issue.

In addition to the identified CSOs, the elections response groups also involved representatives of key state institutions with an impact on the elections, including election management bodies, security agencies and relevant state ministries.

The NERG plays several roles:

Conflict prevention: NERGs are in line with the spirit of the E-MAM project which aims at preventing and managing potential electoral conflicts. By establishing a composite framework for discussion and information sharing, the aim is to identify possible difficulties and to define approaches and responses aimed at reducing the likelihood of destabilising the process. Since electoral conflicts have become a scourge in Africa in recent years, their prevention has become a necessity. Civil society has thus developed very diverse strategies to carry out actions to prevent electoral conflicts. The NERG is a very relevant framework that plays this role.

Guidance and advisory support: within the NERGs, all the problems relating to the electoral process, the blockages, difficulties and points of misunderstanding are raised and thus make it possible to provide a certain transparency, especially for citizens. Moreover, all the expertise gathered within a single framework is also a strategy for defining responses, solutions, opinions and recommendations whenever necessary, in an African context of fragility of electoral processes, but especially of lack of knowledge of legal frameworks by some of the actors. It is therefore a relevant framework for transparency and facilitating access to information for voters.

Mobilisation and pressure group: bringing together several actors involved in the electoral process, particularly state actors, is one of the interests of the NERG, which contributes to establishing a chain of values and above all to achieving the principle of collaboration, which is an opportunity to see the recommendations of civil society integrated into the decision-making process. Similarly, the establishment of such a framework remains an opportunity to establish a concerted approach to mobilisation and, above all, pressure in the face of various attempts to destabilise the processes.

Preventive diplomacy, mediation, facilitation and advocacy: by identifying leading personalities with specific profiles in facilitation and negotiation as members of NERG, the aim is to envisage the possibility of conducting mediation and facilitation actions. Through

preventive diplomacy, NERG broadens the spectrum of potential actions that civil society can legitimately take in electoral processes. In the same way, the challenge of producing information targeted by the NERG is essential because it allows for the structuring, if necessary, of a discourse to be addressed to stakeholders with the aim of pacifying electoral processes. The operational NERG produces information that enables, if necessary, an advocacy according to the expectations, challenges and issues of the moment.

In summary, the cross-cutting functions of the groups were the creation of multi-stakeholder reflection frameworks to mobilise responses to the elections identified in the countries.

In total, during the programme we counted:
- 52 meetings held by NERGs before and after the elections in total
- 42 meetings before and after the local elections in Senegal which presented a singularity that motivated the creation of Regional Response Groups
- 25 Statement with proposals for crisis risk mitigation actions formulated
- 51 response activities to identified tensions were validated
- NERGs have been involved in the Election Situation Rooms
- 252 people were mobilised for the implementation of the NERGs

Figure x: Gender breakdown of NERG member across the targeted countries
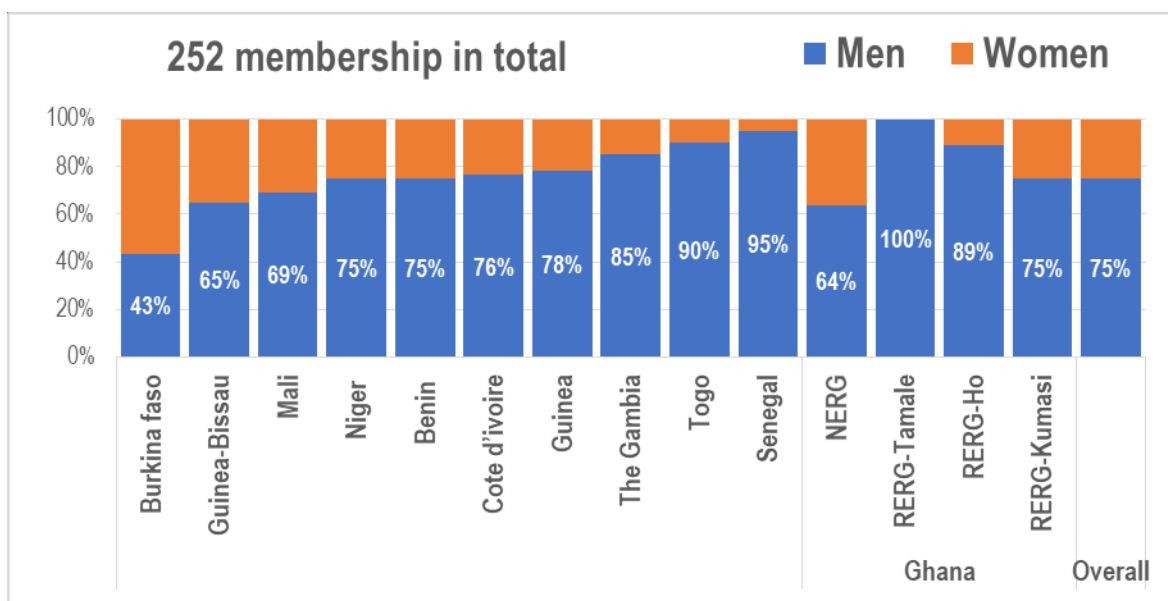
5.2.2   Election Situation Room: digital observation

Citizen space for the prevention of electoral conflicts
The 'situation room' or 'election headquarters' or 'electoral crisis monitoring and management room' essentially implemented during electoral periods in West Africa should be read in the light of civil society's desire to contribute to the prevention and management of electoral conflicts. The first experience of an election situation room was initiated by the Angie Brooks International Centre to ensure women's empowerment, leadership development,

international peace and security during the presidential and legislative elections in October 2011 and during the last round of presidential elections in November 2011 in Liberia.[101] Earlier in the year, a quasi-similar experience was implemented during the general elections in Nigeria by civil society with the support of OSIWA.

At the present stage of production, very few studies have been devoted to the situation in the room. The Open Society Foundation, through its West African representation, Open Society Initiative for West Africa (OSIWA), following the successful experience in Senegal, has designed a Guide for the implementation of the civil society electoral situation room. It presents the "Electoral Situation Room", so called because of the analogy with famous crisis management rooms, especially in times of war. These rooms were used to ensure coordination between the armed forces and the civil authorities. The Electoral Situation Room, for its part, aims to "ensure coordination of civil society efforts to contribute to democratic, free and fair elections". It is in this context of redefining new approaches to contributing to electoral processes in Africa that WANEP has also adopted an endogenous approach, which is very appropriate. Indeed, WANEP has been able to develop, among others, other platforms, one set up by the organisation itself and the other by Survey 123 which has been acquired and adapted to the cause. The important element remains the mapping of areas at risk of electoral violence, the deployment of observers in these risk areas and the processing of data that are essential to the realisation of a Situation Room or an electoral watch.

The Situation Room is a space for interaction and communication, intended to be the interface between the electoral monitors[102] deployed on the ground and the authorities in charge of the organisation, management and supervision of the electoral process. The Situation Room fundamentally aims to support an election by producing information concerning the election, by focusing on possible dysfunctions identified and by defining strategies for direct intervention in order to correct these dysfunctions.

It is structured as follows:
- A technical platform or data collectors' room, which is the repository of all the information reported by observers on election day. This technical platform is run by data collectors in direct contact with the election monitors in the field.
- An analysis chamber which analyses the data received from the technical platform, identifies the main trends and produces a decision support document. This chamber is composed of political analysts, specialists in electoral matters, statisticians, representatives of international organisations but also of civil society involved in the observation, etc.
- The decision chamber, which is responsible for defining the intervention strategies and channels through which malfunctions relating to the election should be addressed and corrected by the competent authorities. This decision-making chamber will be composed

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101   https://www.unwomen.org/fr/news/stories/2015/10/womens-situation-rooms-boost-peaceful-voting-in-africa
102   *The election monitors intervene in a more technical manner than the traditional observers, consisting of defining a sample of polling stations to be observed on election day. On this basis, observers are trained and static deployment is carried out at these pre-identified polling stations from the beginning to the end of the election so that feedback can be provided at a defined frequency. This allows for real time assessment of the levels of dysfunction in order to make corrections, thanks to frank collaboration with the authorities in charge of the organisation, management and supervision of the electoral process. It should be noted that in the mechanism, traditional observers are also mobilised, as well as monitors of electoral violence, political corruption, long-term observers and media monitors. It is even possible to integrate other citizen initiatives taken during the elections. A linkage mechanism will be designed.*

of eminent personalities from civil society, senior civil servants, media leaders, religious and customary leaders, etc.

• A communication chamber responsible for organising and centralising information to be relayed to the public. It is made up of communication specialists, communicators and those responsible for managing information within the organisation

The objectives are:

• Promote a mode of observation that is no longer stigmatising, but systemic, consisting in setting up an inclusive framework for interaction between public authorities, technical and financial partners, civil society, the media, political actors, observers, monitors, etc.

• To bring together all civil society actors who have developed real competence in electoral matters;

• Develop collaborative ranges with the authorities and other stakeholders in the electoral process in order to establish the institutional legitimacy of civil society organisations involved in the electoral process;

• Establish and optimise an early warning and rapid response system on election day;

• Collect credible, scientific information relevant to the electoral process for proper documentation of the process

Data from observers?

• Opening time of the polling stations
• Presence of law enforcement
• Electoral material: quality and availability
• Accessibility of polling stations
• Assistance to vulnerable groups and people with reduced mobility
• Participation rate
• Secrecy of the vote
• Presence of polling station members
• Attendance of the EMB representatives
• Compliance with procedures
• Closing of polling stations
• Counting
• Results
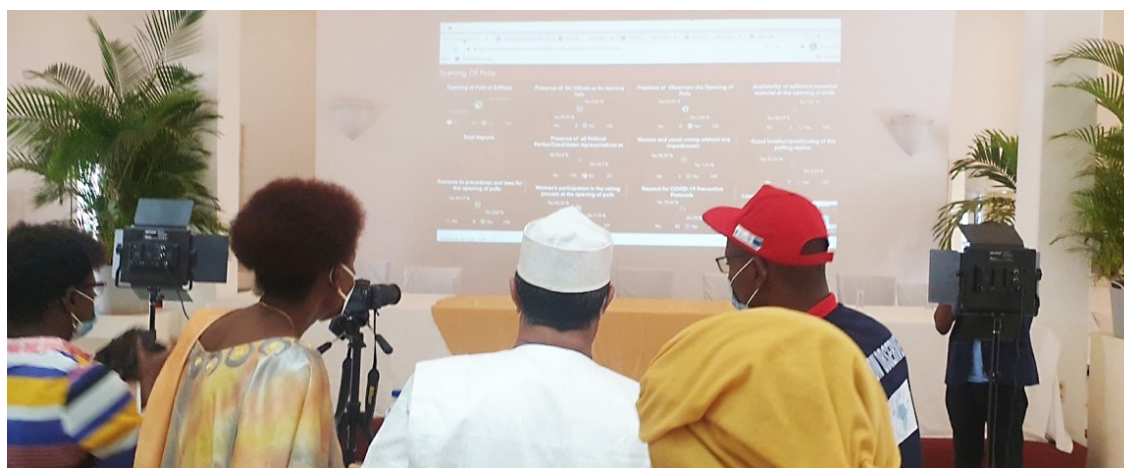
The Gambia, December 2021, UNOWAS delegation facing data in the ESR/SSS

One of the essential supports of the situation room is digitalisation, which enables data to be produced in real time thanks to applications designed for this purpose, to make elections more transparent by putting non-strategic data online, by providing access to information and finally by the ability to produce observation reports in a very short time and according to real performance conditions. The data produced will thus be used in the event of controversy, particularly for preventive diplomacy and possible mediation.

This framework made it possible to strengthen the electoral expertise of civil society, to position it more in the electoral processes in Africa, and to give it credibility as a source and producer of information. The democratisation of the situation in the room was also made possible by forms of South-South collaboration and the density of electoral expertise emanating from civil society.

Similarly, these strategies of observation and electoral monitoring have enabled civil society organisations specialising in electoral matters to take up the challenge of producing information. Similarly, taking into account the quantity of information produced, but also the quality of this information, civil society can carry out advocacy and structure a coherent discourse around the electoral issue based on credible, scientific information.

The E-MAM Project has positioned the electoral monitoring structure at the heart of its electoral conflict prevention and management mechanism. Thus, a lot of data has been produced in this framework, and many actions have been initiated during the implementation of these frameworks aimed at informing citizens, making the polls transparent, dissuading any desire to tamper with the polls, and preventing and managing electoral conflicts.

In addition, as a result of significant adaptation efforts, EMAM has introduced some changes in the implementation of the RSEs through the following elements:
- Involvement of key state structures in analysis and decision-making chambers (Ministry of Security, National Warning Response Centres, National Media Regulatory Bodies, Structural Analysts/National Analysis Institute,
- Establishment of more operational collaboration with ECOWAS, AU, UNOWAS in the implementation and dissemination and exploitation of the data collected, analysed and facilitated responses on the ground.
- Definition of a strategic deployment approach not on a statistical basis of observers in the field but rather on the basis of previously mapped areas at risk of electoral violence

In total, 6980 people were mobilised for the operationalisation of the Situation Rooms in the 17 elections covered by the EMAM project, including:
- Election observation
- Data production
- Data analysis
- Decision-making
- Communication
- Technical coordination

In total, 40487 data reports were recorded for the 17 elections covered, with a peak of data reports (18046) on election days. 1704 incidents were analysed on polling days thanks to the situation room system across the 11 countries concerned.
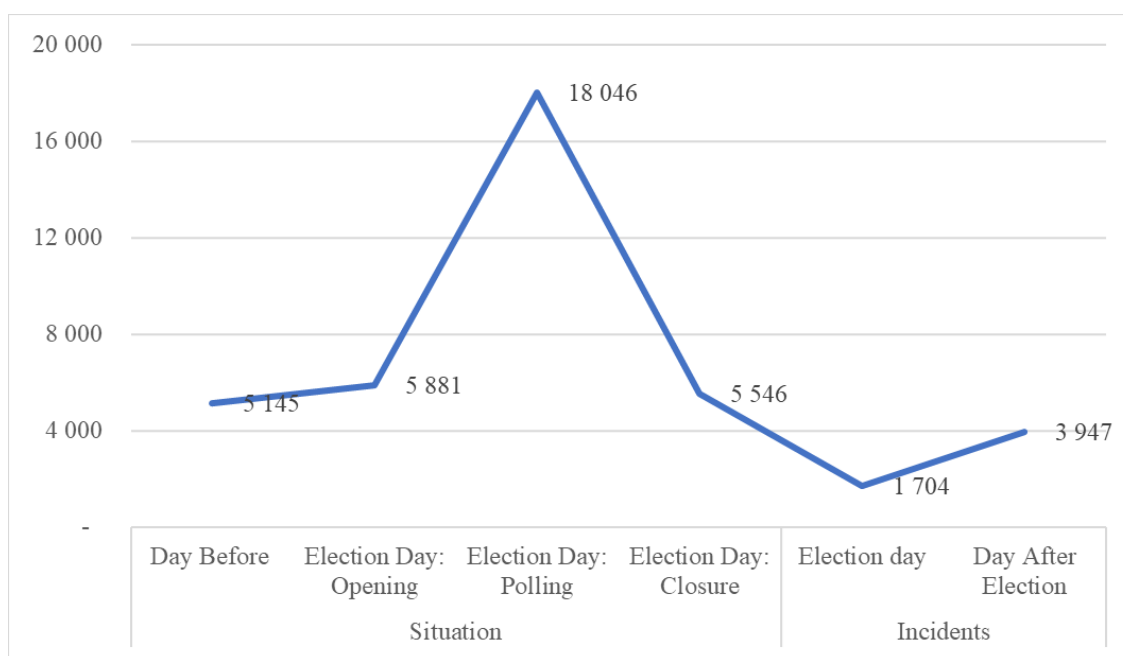

6. Lessons Learnt

Credibility of civil society: The E-MAM Project largely consecrates the credibility of West African civil society, particularly those who have positioned themselves on the electoral issue but also on other related issues. Indeed, beyond the electoral issue, the E-MAM project raises other issues related to peace and development processes in West Africa. Moreover, the ability to implement a project of sub-regional scope, to link it to the various electoral cycles that were to take place during the implementation period demonstrates WANEP's capacity to adapt and support. Through this E-MAM project, WANEP was also able to bring together several categories of institutional actors for the implementation of certain activities. This indicates the credibility of the organisation and beyond that, the willingness of other stakeholders to adhere to the ideals of civil society and the ideals of peace and stability.

Effective contribution to the mitigation of electoral violence: At first glance, the success of a project is measured by the presentation of the context upstream and the downstream implementation of the action, in relation to the problem that needed to be addressed. Did the E-MAM project concretely contribute to reducing electoral violence during the 3 years of implementation in West Africa? There has been some effectiveness in monitoring, reporting, analysis and response reflected in changes in priority of hotspots or risk levels in the region. If one compares the risk levels during the pre-election and post-election periods, one can

indeed see the decrease in risk levels in the post-election period and thus an improvement in the security environment following the implementation of the project in the sub-region.

Source: WANEP @ Hotspot mapping
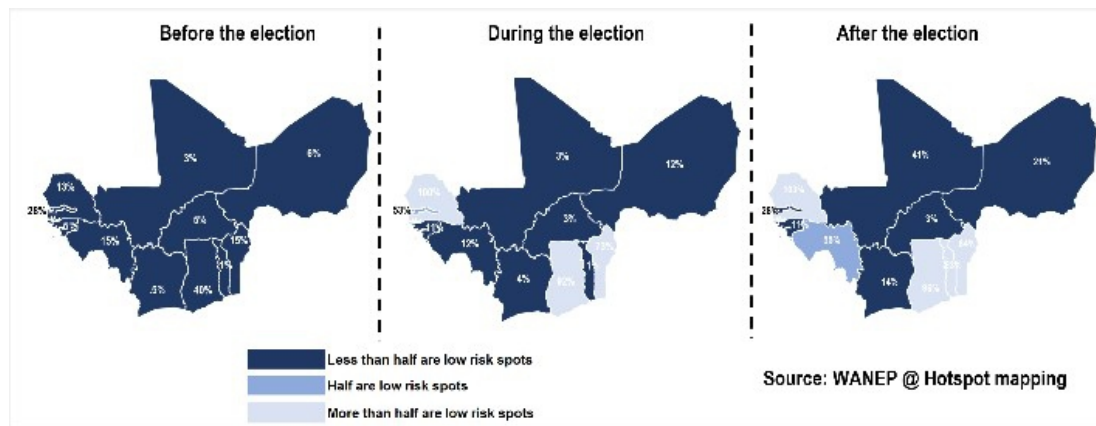
Proven technical skills of civil society: the implementation of a project such as E-MAM requires proven technical skills. Indeed, the ambition to cover 11 countries in the ECOWAS region within a specific timeframe and according to conditions that meet very precise guidelines requires a good mastery of the principles that guide project management, the respect of implementation deadlines, and the provision of products within acceptable timeframes. In total, 15 activities were carried out, including 14 national activities and 1 regional activity. Similarly, despite a context full of challenges and uncertainties caused by the lack of respect for electoral appointments, the instability of legal frameworks, etc., the E-MAM project saw 99% of its activities completed.

The challenge of producing scientific, credible data and documentation of processes: The E-MAM Project has demonstrated its capacity to produce a critical mass of information that can positively impact electoral processes and beyond, peace processes in West Africa if we know the interrelationships that exist between the two. Indeed, in 3 years of implementation
- 11 policy briefs were produced,
- 11 national early warning frameworks defined,
- 17 election situation rooms operationalized,
- More than 6000 observers deployed
- And about 41,000 data collected through situation reports and incident reports related to the observed electoral processes.

E-MAM is therefore an opportunity for civil society to demonstrate its readiness to develop new skills, particularly in the area of quantitative data production, which can reinforce efforts to improve electoral processes and the information production challenges facing the African continent.

Resilience: the implementation of the E-MAM project has experienced some moments of vulnerability that have not spared any country in the world. Indeed, the Covid-19 pandemic emerged midway through the implementation of the E-MAM project. It should be noted that the pandemic has impacted all sectors of life in our countries. Through the respect of the E-MAM timetable, we perceive a resilience capacity of African civil society and more particularly of WANEP, despite the unforeseen events but also the review of most of the commitments by some actors, due to Covid-19. Thus, even if there were some perceptible setbacks, civil society was able, through this E-MAM project, to recover institutional resources that enabled it to implement the programme under optimal conditions. It is interesting to note that in the information produced, WANEP has enriched the perspective by focusing on the adherence of voters to the Covid-19 protocols. The data produced on the monitoring of compliance with the prevention standards indicates that 50 to 80% of voters complied with the preventive measures against Covid-19 during the elections that took place in 2020.

Collaboration with state actors: The E-MAM project has highlighted WANEP's capacity to develop collaborative approaches with state actors. Indeed, the objectives of the E-MAM project cannot be achieved without collaboration with state actors who are in charge of public action. Similarly, the NERGs have welcomed state actors, defence and security forces and EMB members who have contributed to the achievement of the objectives of the E-MAM project. These collaborative approaches ensured the availability and responsiveness of the authorities. It should be noted that at least 120 CSOs from the West African region were involved during the implementation phase.

Adaptability: The E-MAM project covered 11 ECOWAS countries where electoral processes were taking place. Similarly, the project covered all types of elections. Indeed, E-MAM covered: 7 presidential elections, 3 presidential elections coupled with parliamentary elections, 2 legislative elections, 1 legislative election coupled with a referendum and the local elections in Senegal in 2022. It is worth noting that the electoral models involved are very diverse. Moreover, the contexts in Senegal, Côte d'Ivoire, the Republic of Guinea and Benin are not identical. This makes the implementation of projects with uniform objectives in different contexts very critical. This diversity of contexts has in no way diminished WANEP's ambitions to contribute to peaceful electoral processes. WANEP's capacity to adapt can be noted in this regard despite a context of multiple challenges.

Stimulation of electoral accountability: The project contributed to the achievement of a certain electoral accountability. Indeed, with the resources deployed in the project, WANEP has enabled state actors to demonstrate openness and availability by making information on the electoral process available to actors and citizens. Thus, an important aspect of electoral accountability has been taken care of, making the process transparent, an essential aspect of electoral accountability.

Efforts to diversify activities and targets to optimise results: E-MAM had the advantage of diversifying activities, which offers the possibility of diversifying targets, taking into account the plurality of actors involved in the processes, but above all the complexity of the channels for transmitting and sharing information, particularly during the election period. This leads to

the lesson of the interest of an enrichment of approaches in similar programmes due to the multiplicity of actors.

Thus, we noted actions of conflict prevention and mitigation of electoral violence of various kinds:

- Dialogue with women and young people
- Capacity building
- Fact checking to combat misinformation
- Promotion of a culture of peace and non-violence
- Awareness raising through radio broadcasts
- Awareness-raising spots for peaceful elections
- Peace caravans

Contribution to the beginnings of a regional electoral integrity system: the management of an electoral process is taking on new orientations due to the current requirements linked to the achievement of an electoral process with integrity: participation, transparency, integrity, independence, equidistance, neutrality, respect for the norms and laws in force, etc. These requirements call for a synergy of actors: The State, EMB, political parties, media, civil society, citizens, etc. Thus, the involvement of all these actors will contribute to the establishment of a relevant framework for monitoring, professionalism and, above all, for sharing certain principles. On a national scale, a national electoral integrity system could be convened.

The E-MAM Programme, whose approaches have enabled the integration of a plurality of actors in the various electoral processes that took place between 2018 and 2022 in the ECOWAS region, has undoubtedly contributed to laying the foundations of a regional system of electoral integrity that must be consolidated. This will require the involvement of an integration body such as ECOWAS, which has moreover formalised its collaboration with WANEP regarding early warning and the implementation of some components of the E-MAM programme.

| Chapter 04 |

Hopes and Challenges for the Coming Electoral Cycle

D emocratisation processes in West Africa are increasingly faced with violence. While the euphoria of victory over authoritarian regimes allowed the first multiparty elections in the early 1990s to be held in an ideally peaceful climate in most countries, the elections of the last decade have mostly been held in climates of often extreme tension and even violence, with regrettable consequences for the political and social environments. The wide range of reasons for such violence, its manifestations and efforts to mitigate it have been discussed in previous chapters.

By 2023 - 2025, apart from three countries in the sub-region where the electoral calendar is disrupted by political transitions,[103] four (4) general elections, four (4) presidential elections and four (4) legislative elections are scheduled in ten out of fifteen West African countries.[104] Faced with this, there are institutions which, with the experience of several electoral cycles, have been able to professionalise themselves to varying degrees and acquire relative confidence in public opinion. Important reforms have also been made to improve the quality of elections. However, there are still elements and factors in the political, legal and institutional environments and in the contextual situations that could reignite violence in the coming cycle. These elements and factors constitute challenges of various kinds to which the institutions in charge of electoral processes, political actors and other stakeholders must pay particular attention in their programming and actions to prevent and mitigate violence.

4.1.   Challenges related to legal and institutional frameworks
A.   The instability of Electoral register

The generic term "electoral register" or "electoral roll" refers to all the data of the voters of a country, enumerated and gathered into a unit. In concrete terms, the voters are counted by parts of the territory (according to the defined modalities of the census), and all the lists constitute the electoral register at the national level. The lists identify and list the citizens who have the right to vote under the Constitution and the law and who have been registered. These are citizens who have reached the electoral majority (18 years in almost all countries) and who are not affected by any electoral disabilities defined in the laws.

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[103] Mali, Guinea, Burkina Faso
[104] General elections in Liberia, Nigeria and Sierra Leone in 2023, Ghana in 2024. Presidential elections in Guinea-Bissau and Senegal in 2024, Côte d'Ivoire and Togo in 2025. Legislative elections in Togo and Benin in 2023, Guinea-Bissau in 2024 and Niger in 2025.

In the early 1990s, states initially used fully manual voter lists that were developed using different approaches. One approach was the 'automatic registration' of citizens who reached voting age from the civil registers with the chief administrative officer. These raw manual lists were then published by posting to open claims and purge them of unduly registered persons, to register omitted valid voters and to satisfy transfer requests due to change of residence. This automatic enrolment was used in Mali and Burkina Faso in particular. Another approach was to invite potential voters to enrolment centres where they were identified by means of identification or testimony and put on the voters' list. They were then issued a manual voter's card as well. This physical enrolment was used mainly in the Gulf of Guinea countries (Benin, Togo, etc.). The manual electoral list did not survive the second electoral cycle because of its many disadvantages (tedious manual work, numerous loopholes making fraud possible, low participation rate, etc.). Once the uncertainty of the[105] bug had passed, countries gradually turned to digital technology, which offers ever greater possibilities of leaving the manual lists, carrying out a physical census of voters and having electoral files with personal data on each voter. These data can then be processed centrally using software to improve their reliability (deduplication, generation of various statistics, geolocation, etc.) and substantially reduce fraudulent votes linked to electoral lists. A study by Marielle Debos reveals that from 2000 onwards, no less than 35 countries on the African continent adopted biometrics in the enumeration of their voters.[106] The technique consists of taking fingerprints and identity photos of voters, using computer tools in addition to alphanumeric information. Since fingerprints are never identical for two people, they can subsequently be used to detect people who have enrolled more than once. The photos will allow for easier recognition when the lists are displayed.

Each country in the sub-region has had its own unique experience with biometric voter registration. The transition from the manual to the computerised list was not without difficulty in some cases.

In 2008, Benin launched its Approved National Electoral Census (RENA) with the aim of having a Permanent Computerised Electoral List (LEPI). Although most political actors recognised it as an instrument of progress and notable democratic advance, it was the subject of endless discussions and procrastination and no consensus was reached for its implementation until the 2011 elections. The NEC responsible for its use during these elections was faced with multiple difficulties.[107] Some voters were in possession of several voter cards while others had not, foreigners were on the electoral list, data were erroneous, illegible or incomplete, entire areas were not mapped, the distribution of voters by polling station did not respect the legal proportions, the deduplication was not fully carried out, etc. The situation was so chaotic that the electoral list was not used for the first time. The situation was so chaotic on the day of the election that thousands of people voted without a voter's card and it was necessary to wait for the election results to know the number of voters retained by the Constitutional Court. Since then, Benin has made several corrections to the LEPI with the help of partners (OIF, UNDP, Friedrich Ebert Foundation) and has used it in its subsequent rounds with less disruption than in 2011.

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[105] *Public concern in the 2-3 years before the end of the second millennium about a possible crash of the global computer system at Y2K.*
[106]*Marielle Debos, lecturer in political science at the University of Paris Nanterre in AFRICA XXI*
[107] *See Friedrich Ebert Foundation Benin Office Bulletin No. 2 September 2012*

This example is not unique. In the majority of countries, electoral files are the object of discord at the beginning of elections to the point that the opposition cyclically demands their audit. The audits carried out by the OIF have, according to its reports, always revealed shortcomings to be corrected. It is fortunate that once these shortcomings have been identified, the stakeholders generally agree on the register. This shows that biometric files are not a panacea. Some harsh critics even argue that their fallibility makes them a success for regimes that want to maintain a façade of democracy, as the technology gives the image of a modern election without preventing fraud. To this must be added their high cost. They include two components (the data collection and transfer equipment and the processing software) which are not always within the competence of national companies. They are therefore the subject of fairly expensive international invitations to tender, sometimes of dubious morality, for the benefit of specialised foreign companies. Faced with this, the EMBs are obliged to rapidly develop local skills in the use of this technology so as not to be forced to have permanent recourse to these foreign companies.

The instability of the electoral register lies in the weakness of their 'permanence' over time and demographic growth. The initial biometric census to constitute the basic register may take adolescents up to the age of 12-15 years and add them gradually to update the electoral register. This is because the biometric data (fingerprints) of younger children are not yet fully drawn. Consequently, after three to six years, the pool of new adults whose data is complete in the databases is fully integrated into the electoral roll while the growing demography continues to produce new citizens who gradually reach voting age. To take this category into account, the lists are updated annually.

Increasingly, countries are trying to link the biometric register to the civil registry in order to continue to supply the reserve database by digitising civil registry data, which will have to be completed later with the collection of biometric data. These precautions are not enough to fully absorb the flow of new adults due to the poor coverage of the civil registry (births and deaths), especially in rural and suburban areas and the poor accessibility of their inhabitants to identification documents. Thus, the older the electoral register gets, the more it distances itself from the country's demography and the greater the number of people who are entitled to vote but not taken into account. After a while, it becomes necessary to redo a new electoral register. The following table is an attempt to illustrate the gaps between the population and the electorate.

Table 4: Comparison of population and voter statistics[108]
NB: The electoral age of majority is 18 years throughout the ECOWAS region

COUNTRY	TOTAL POPULATION IN 2019	15 YEARS & ABOVE	15 - 17 YEARS	VOTERS 18 YEARS & ABOVE	ELECTORATE POPULATION RATIO
Cote d'Ivoire	25 717 000	14 941 577	8 772 268	6 066 441	23,59%
Burkina Faso	20 321 000	11 806 501	4 605 104	6 490 162	31,94%
Niger	23 311 000	13 543 691	3 859 279	7 446 556	31,94%
Gambia	2 348 000	1 364 188	349 487	962 157	39,47%
Guinea-Bissau	1 921 000	1 116 101	377 477	761 676	39,65%
Guinea	12 771 000	7 419 951	2 176 496	5 179 600	40,56%
Benin	11 801 000	6 856 381	2 054 078	4 802 303	40,69%
Mali	19 658 000	11 421 298	2 319 988	8 000 462	40,70%
Senegal	16 296 000	9 467 976	2 358 352	6 800 000	41,73%
Togo	8 082 000	4 695 642	940 692	3 738 786	46,26%
Ghana	30 418 000	17 672 858	1 587 875	17 027 941	55,98%

It should be noted that governments and EMBs communicate very little or not at all on the fragmented statistics of the electoral register for fear of attracting criticism on its reliability and unfortunately, this lack of communication generates a lack of confidence in the register. The difficulties linked to the electoral register when it is updated or renewed must be communicated and dealt with by consensus involving all stakeholders. A local and efficient handling of technologies for processing electoral files would be judicious in terms of saving resources and empowering EMBs. Given the fragility of the electoral files, international expert organizations could evaluate the benefits of moving from correction assistance to preventive consolidation.

During the 2018-2022 elections in the sub-region, the management of the electoral roll posed a number of problems in most countries. Among these problems, the impact of the presence and activity of armed terrorist groups on the enrolment and updating of the voters' lists

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[108] Sources: for population statistics see "Demographic prospects in West Africa" on the website of the French Ministry of the Economy, Finance and Industrial and Digital Sovereignty: https://www.tresor.economie.gouv.fr/Pays/CI/perspectives-demographiques-en-afrique-de-l-ouest
For voter statistics, see the results of the last elections (2019-2021) on the Wikipedia pages.

deserves special attention in the preparation of the next electoral cycle, given the extension of this phenomenon to the borders of the coastal countries (Benin, Togo, Côte d'Ivoire). Indeed, in Burkina Faso, Mali and Niger, the operations of voter registration or updating of the electoral roll could not take place in parts of the territories concerned (Communes of Niangoloko, Ouo, Mangodara, Sidéradougou in Burkina Faso; some parts of the regions of Diffa, Tillabéry and Tahoua in Niger and some localities in the central regions of Mali), thus depriving thousands of voters of their right. In the same chapter, in the months preceding the polls, more than one million internally displaced persons were recorded in Burkina Faso, nearly 500,000 in Mali and nearly 900,000 in Niger. In this situation, the EMBs were faced with a double challenge. The first challenge, relatively within their reach, was to be able to register voters in IDP camps and host families and to generate additional polling stations for them to vote in the presidential elections. The second, almost insoluble, challenge was to get them to participate in legislative elections. To do so, the option of either keeping them in their own constituencies or attaching them to the host constituency would have to be removed.

In the first case, it is just not materially possible, given the number of constituencies from which the displaced persons come, to bring the ballots of the candidates of the constituencies concerned to their polling stations, to organise, without confusion, the voting of several constituencies in these stations, and to count and centralise the results. The second option raises the problems of the representativeness of the population in the Assembly and the inequity that this would create between the candidates of the constituencies concerned. Politically, it is also clear that such an option would be a stumbling block between competing political actors.

B.   Bottlenecks to Participation in Electoral Contests

The introduction of the sponsorship system in the Constitution of candidatures for elections is tending to become widespread in the sub-region. As discussed in Chapter II, the sponsorship mechanism certainly offers advantages in the consolidation of the system of representation. Indeed, the democratic opening up in the 1990s led to the creation of a multitude of political parties, the number of which in some countries has reached the two hundred and fifty (250) mark. Thirty years and more than five election cycles have not been enough to reduce this number to proportions that are truly representative of the electorate. Large and medium-sized parties have emerged from the lot, but there are still micro-parties with no electorate that remain clumped together in the political landscape. The latter occasionally try to act as a counterweight on certain national issues outside parliaments and try to get governments to bargain for their support. In some countries, even those with no political weight continue to benefit from public funding, as long as they manage to present a few candidates in legislative or communal elections.[109] Seen in this light, sponsorship mechanisms force political parties to be more dynamic and to win over the electorate, at the risk of disappearing from the political landscape.

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[109] *Article 29 al.3 of Law N°05-047 of 18 August 2005 on the Charter of Political Parties in Mali allocates 15% of the credits intended to finance political parties to parties that participated in the last general legislative or communal elections.*

It should be remembered that two sponsorship mechanisms are used. The sponsorship of elected representatives and citizen sponsorship.[110] In the citizen sponsorship mechanism, candidatures are supported from the outset by a given number of voters registered on the electoral roll with a minimum threshold in a given number of regions of the country. Candidates sponsored in this way have a base in the electorate even before the elections. Subsequently, the day of the election will be the crucial moment for these voters to carry their candidates to victory. This electorate drive effect can contribute to a significant increase in voter turnout and increase the legitimacy of elected officials.

The sponsorship mechanisms can, on the other hand, lead to the exclusion of competing candidates or impose heavy constraints on political parties. Thus, in the system of sponsorship of elected representatives, the dynamics are driven by the headquarters of the major parties that hold the assemblies (national and municipal according to the law). It would be illogical for them to grant their sponsorships to their challengers even if they still have sponsors in reserve. The case of Benin in the April 2021 presidential election is illustrative. With a sponsorship threshold of 16 senators or mayors (in application of the 10% set by the Constitution and the electoral law and given the 160 seats of senators and mayors), only the three candidacies of the ruling party out of a total of twenty applications submitted obtained this threshold and were validated. One of the validated candidates obtained 118 sponsors, i.e. 74.21% of the total number of available sponsorships. On the other hand, among the rejected candidates, the "Parti pour l'Engagement et la Relève (PER)" declared that it had observed all the steps imposed on it by the political parties with elected representatives but was not retained by NEC because it had not reached the sponsorship threshold.

The citizen sponsorship mechanisms require political parties to have sufficient logistics to collect a certain threshold of sponsors from voters registered on the electoral list in at least half of the country's constituencies and with a second minimum threshold in these constituencies. This logistics require the establishment of collection centres with the appropriate resources (premises, staff and equipment) in the proportion of constituencies indicated, and arrangements for soliciting voters.

Moreover, the mechanism does not sufficiently protect candidates from the risk of invalidation that can result from double and multiple sponsorships. An elector can only sponsor one candidature. In the event of double or multiple sponsorship, the sponsorship of the same voter is validated for the first application checked in the order of submission to the EMB and invalidated for the following applications. This runs the risk, in the event of a high number of duplicates, of falling short of the thresholds required for the validation of candidacies. Parties do not have the means to protect themselves against double and multiple sponsorships and everything depends on the hope that the sanctions provided for by the law against this fraud will dissuade them.

The modalities of candidacy in some legislations are such as to exclude categories of candidates, as in Guinea for independents and in Benin for political party alliances.

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[110] *See details of the two models in Chapter II, Major Reforms in Constitutions and Electoral Laws.*

Others specifically target opponents, as in Benin for candidates who are absent from the country (political exiles) at the time of filing candidacies. In some cases, parties that do not have a national scope are not given a chance to exist. In Benin, for example, parties are required to present candidates in all constituencies in the country for the legislative elections and any party that does not participate in two consecutive election cycles loses its status.

Electoral legal frameworks should be more in line with the principles that underpin the credibility of elections and their inclusiveness.[111] Reforms should, as much as possible, be carried out in a concerted manner, seeking consensus. This will make the legal provisions more impersonal and fairer between competing parties. Therefore, the implementation of the resulting new procedures must ensure that fairness is not broken. This is also a price to pay for peace of mind during the next round of elections in West Africa.

C.   Electoral Blunders: Irregularities and Fraud

Irregularities are defined as acts or actions carried out in a way that does not comply with the requirements of the law or regulations. Electoral fraud is defined as an intentional act of tampering with a procedure or document in order to mislead and distort the results of an operation. This suggests that irregularities can be "unintentional" as opposed to fraud. In general, irregularities stem from the EMBs' poorly developed procedures or from the low competence of election staff due to insufficient training. Fraud for the benefit of political parties and candidates, including those in power, is attributable directly or indirectly to them. Irregularities can, as well as fraud, distort the results of an operation.

Empirically, irregularities and fraud can occur at every stage of the electoral cycle, during the revision of the voters' lists, their posting, the preparation of voters' cards and their distribution, the electoral campaign, polling day, the counting, the centralisation and the proclamation of the results.

At the revision stage of the electoral lists, the frauds that can be detected are mainly: multiple registrations that allow the same person to register more than once and/or under different identities; the registration of non-majors, the registration of foreigners, the registration of ghost voters and the refusal to register citizens deemed to be political opponents. When posting the electoral lists, the main complaint is the inversion or posting in the wrong places. In this practice, all or part of the lists of a voting centre, for example, is posted in a voting centre other than the one to which the list is dedicated. At the stage of the distribution of voters' cards, fraudulent manoeuvres and anomalies range from the withdrawal of large numbers of cards by people who are not the beneficiaries, to the fact that voters' cards cannot be found by their holders and that cards are sent to localities other than those of their real destination. There are also reports of the purchase of voters' cards in order to dispossess voters.

During election campaigns, the main frauds denounced concern postings that do not comply with the law; inequity between candidates regarding airtime on public radio and television

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[111]   *See Chapter II Section 2 of this publication Legal and Institutional Framework Reforms: Progress and Limitations*

stations; defamatory and misleading statements against political opponents; and the use of state resources.

On polling day, the frauds and irregularities reported included the existence of parallel or fictitious polling stations, the late arrival or intentional and unintentional absence of materials in the polling stations, multiple voting and voting by foreigners. In addition, there were acts of intimidation, vote buying, influencing the voting of the elderly under the guise of assistance and the substitution of ballot boxes with others already filled with ballots.

At the counting stage, the erroneous reading of the ballot papers by the deputy returning officer giving the name of a candidate other than the one on the ballot paper, tricks to deliberately render the ballot paper null and void, incidents deliberately provoked in order to interrupt the counting operation, as well as intentional and unintentional delays in the delivery of the results are the manoeuvres generally reported. During the centralisation and proclamation of the results, the alteration of figures or calculation errors committed are also part of the panoply of irregularities and frauds.

In all countries of the sub-region during the 2019-2021 cycles, as in previous cycles, irregularities and fraud were indiscriminately alleged or reported by opponents, election observers and the media. The following two selected examples provide an overview of an environment fraught with widespread suspicions and allegations of irregularities and fraud over the entire election period and a case of alleged fraud in a generally calm environment.

Following the 22 February 2020 poll, the NEC announced the provisional results of the Togolese presidential election, with Faure Gnassingbé winning with 72% of the votes against Kodjo Agbéyomé with 18%. While the provisional results were expected 48 hours after the voting day, they were published 24 hours before the deadline. This "anticipation" of the proclamation of the said results amplified the allegations of fraud that had been circulating since before the election by the opposition candidates. On election day, three opposition leaders had told the press that the election was marked by fraud with the existence of fictitious offices and vote buying. Earlier, THE NEC had rejected the opposition's request to adopt measures to prevent fraud such as the authentication of ballots and the publication of results on a polling station-by-polling station basis. A security detail deployed by the police around Kodjo Agbéyomé's residence during the vote and a few hours after the vote was denounced as intimidation. Access to internet messaging services was cut off during the elections. On 17 February, The NEC revoked the accreditation of a citizens' observation group, the 500-strong National Council of Civil Society (CNSC), for interfering in the electoral process. It also refused to accredit the Episcopal Council for Justice and Peace. The authorities had also expelled NDI staff who had come to support the CNSC. The opposition considered this set of facts and allegations as part of a concerted fraud plan. It should be noted that ECOWAS and the AU had also deployed 300 STOs.

On 9 December 2020, the Electoral Commission of Ghana announced the results of the presidential election, with Nana Akufo-Addo elected with 51.59% of the votes against John Dramani Mahama with 47.36%. Apart from a few incidents on the day of the vote, the organisation of the elections was generally carried out without much recrimination.

However, John Dramani Mahama claimed that the results were fraudulent. Among his evidence was the heavy military presence deployed during the counting of the ballots to "intimidate and subvert the results". He appealed to the Supreme Court to annul the election but the appeal was unsuccessful. At the same time, Nana Akufo-Addo's victory had been judged to be fair by the Coalition of Domestic Election Observers (CODEO). This organisation had covered a sample of 4,000 polling stations out of 38,000 and had carried out a parallel tabulation of the results.

Over the 2018-2021 electoral cycle, Togo and Ghana have experienced tensions and even violence. In sum, the poor performance of electoral staff as well as electoral delinquency are among the triggers of violence and mar the quality of elections. In this regard, EMBs should be more vigilant in training their operational staff and adopt a zero-tolerance policy on the strict observance of procedures. Similarly, they should, through codes of conduct, push political parties and candidates to further engage their supporters in law-abiding practices and procedures.

D.   Results Management

The management of election results refers to all the operations carried out from the closing of the polling stations to the proclamation of the provisional and final results. The practice is to count the votes in each polling station where voters have cast their ballots. The results of the polling stations are then collected by polling centre to be transmitted to an intermediate stage which will proceed to a first compilation of the results of its area of competence before transmission to the national level for a national compilation and the proclamation of results. All these phases take place in the presence of party or candidate representatives and sometimes observers. This stage, which is the culmination of the electoral competition, is the most delicate and constitutes the culmination of all the recriminations of the stakeholders on the issue of irregularities and fraud. The countries covered by the EMAM project that held elections between 2019 and 2021, recorded to varying degrees, challenges or even protests against the results proclaimed.

In Guinea during the 2020 elections, while the Electoral Commission was proclaiming the results of the presidential election, a report[112] by members of this institution from the opposition criticised the refusal to display the results and the lack of transparency in the reporting of the minutes. In the region of Upper Guinea, reputed to be a stronghold of the ruling power, some participation rates ranged from 98% to over 100%. The report also stated that when the votes were compiled, "the total number of votes cast did not correspond to the sum of the votes obtained by all the candidates".

Taking into consideration the major crisis in Mali simply because of the mismanagement of the results of the 2020 legislative elections, it becomes necessary to place a premium on the quality and transparency of results management processes in West Africa. Otherwise, many more post-election crises and violence could be recorded during the next electoral cycle.

[112] https://www.rfi.fr/fr/afrique/20201026-guin%C3%A9e-commissaires-c%C3%A9-d%C3%A9noncent-fraudes

## E.	Accountability and Punishment of Electoral Offenders

The issue of accountability of actors in electoral processes and that of sanctions for perpetrators of fraud pose the problem of the quality of application of the legal framework that governs electoral processes. The appropriate legal framework aims at fostering an environment of confidence for all stakeholders in elections. This requires that the rules of competition are applied in letter and spirit, but also that they are protected from all possible infringements, whether by EMBs, candidates or candidate-related organisations and even other stakeholders in the elections or not.

The first responsibility lies with the EMBs. They provide training for their staff, especially electoral staff. Unfortunately, the complexity of the procedures and the time constraint for training are an obstacle to in-depth learning, especially for operational staff who have a temporary status. An example of the "training expectations" that are generally not met during these trainings is the correct filling in of the Voting Minutes. In practice, it can be seen that a large number of minutes are subject to irregularities (incorrect filling in, omissions, discrepancies with the counting sheets, etc.). **It is on this type of irregularities that most EMBs are reluctant to publish the results polling station by polling station.** The EMBs must equip themselves with competent personnel and work to continuously improve their performance, especially with regard to operational staff. They should also include in their programmes, electoral training for the benefit of other stakeholders (media and CSO umbrella organisations).

The responsibility for electoral training also lies with the political parties vis-à-vis their members and supporters. It is clear that the political parties' staffs have a mastery of electoral legislation. Unfortunately, this knowledge is not disseminated down the pyramid. Because of the stakes of the elections, what prevails most in the political parties and campaign staffs is to take maximum advantage of the legal provisions that benefit them and to find strategies to circumvent those that disadvantage them.

The courts of justice in charge of electoral disputes and offences (and the members of these courts) must not remain on the side-lines of electoral professionalization. Judges of the judicial order, members of courts and councils in charge of electoral disputes must be as well-equipped as their colleagues of the administrative order to deal with appeals against candidacies and results, which are mainly based on public law. It is therefore important that members of these institutions benefit from regular training on electoral law.

As far as the legal framework is concerned, it must necessarily provide for sanctions for electoral offences so as to discourage attempts to breach the rules. It is reassuring to note that all the countries of the sub-region, without distinction, have provided in their legal framework for penal provisions sanctioning the perpetrators of fraud and irregularities. With the exception of Benin, which has integrated them into its penal code,[113] the others have inserted them into their electoral laws while referring to the penal code for offences already taken into account at this level.

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[113]	*Articles 243 to 267 of the Benin Penal Code*

On the whole, the provisions foreseen sanction the whole range of possible irregularities and fraud in electoral operations. The penalties provided for are more or less dissuasive and even heavy from one country to another. In Guinea-Bissau, for example, the minimum fine is 15,000 CFA francs to punish a person appointed to a polling station who refuses to take up his or her duties. The minimum prison sentence is six months and the maximum eight years to punish the perpetrators of 'electoral corruption'. In Benin, the minimum fine is 200,000 FCFA for bringing alcoholic beverages into polling stations. The maximum fine of twenty-five million (25,000,000) FCFA punishes the disclosure and illicit processing of personal data, delay in transmission, confiscation or alteration of results. The minimum prison sentence is six months and the maximum five years. Penalties of deprivation of the right to vote and to stand for election of up to ten years are also provided for.

Referral to the judge is made either by the party who considers himself wronged or by the public prosecutor if he is aware of the offence. Some laws have also made the heads of EMBs responsible for taking action against offenders, even if they are their own staff. This responsibility extends to personal criminal liability if they fail to press charges.

In spite of the above, it can be observed that criminal prosecution of electoral offences is far from being proportionate to the allegations and denunciations that accompany electoral processes. The following facts recorded in Benin are illustrative of the weakness of the prosecution of electoral offences. In the aftermath of the presidential election of 11 April 2021, videos of ballot box stuffing circulated on social networks. Addressing the issue during a joint press conference on 13 April, which also brought together the government spokesperson and the director of communication of the presidency, the Minister of Justice Mr. Séverin Maxime QUENUM had stressed the seriousness of these facts and indicated that he had already instructed the prosecutors territorially competent to open investigations and that if the frauds were proven, the perpetrators would be prosecuted. The chairman of the NEC, Mr. Emmanuel TIANDO, also announced that he had initiated investigations. At least one year has passed since the time of these promises, no communication from these institutions has brought any update on these cases. However, it should be noted that from the beginning, both institutions had rejected the thesis of fraud and favoured "an attempt to discredit the election".

The weakness of the prosecution of electoral offences may be due to several factors: the lack of consistency of many allegations, the difficulties in gathering evidence, the assessment of the competing parties on the impact of the alleged offence on their results, the feeling of non-independence of justice, etc. On the other hand, the processes that take place in violence are the occasion for the arrest of demonstrators who are often brought to justice and some of them undergo the rigour of the sanctions for electoral offences (most often obstruction of the exercise of civil rights). It should also be pointed out that the political game sometimes takes over and at a time of dialogue, the stage of calming the social climate during or after the elections involves measures of pardon for those arrested.

It is important to note that, in addition to the frauds that are carried out discreetly, those that are committed in broad daylight and with violence are becoming more and more important in the electoral processes in some countries. Throughout the process, the competition is played

out as a latent battle between clans. Supporters of each clan seeking to prevent the other clan from winning at all costs engage in acts of sabotage and obstruction of the exercise of civil rights. These acts range from clashes between activists to threats with weapons to intimidate opponents, the erection of roadblocks to cut off access to voting centres, attacks on census centres to prevent opponents from registering, the invasion of counting offices to stop the counting process, etc. These acts of violence provoke a series of attacks on the electorate. These outbursts of violence inevitably result in human and material damage. Ghana's electoral cycles are faced with this kind of violence that overshadows the quality of elections. Indeed, the police and civil society organisations have documented more than sixty incidents related to the December 7, 2020 general elections that resulted in loss of life, injuries and property damage. Despite repeated calls from civil society activists, some victims and families of victims are still waiting for justice.

In such contexts, a feeling of electoral impunity could consolidate on the ground and motivate ambitions and desires for revenge. These revenges, as some victims warn,[114] could take place during the next elections, when yesterday's victims will try to pay back their torturers.

4.2. Political, socio-economic and media environment challenges and recommendations
A. Democratic retreat and 'deconsolidating' political practices

African political processes have had many ups and downs. Initially, the priority given to Western-centric theses did not facilitate the definition of viable models. The democratic project, following the Baule speech, has not been uniformly printed. As we tried to demonstrate in a previous part of the study, the democratisation process has had very different fortunes in Africa. The National Conferences, which were original ideas, did not have the expected outcome in most of the states that tried to implement them. Subsequently, the authoritarian and totalitarian regimes that were in power tried to dress up as democratic regimes, liberalising the press, easing up on the establishment of an open civic space and adopting a multi-party system. All these actions proved to be fake, as no fundamental change took place in the renewal of the ruling elites, in the implementation of public policies, or in the improvement of the living conditions of the people.

The new conditionalities of bilateral and multilateral aid imposing the principle of good governance will not have a qualitative impact on the establishment and consolidation of democracy in most African states either. The option of focusing on elections as an essential condition for assessing the quality and vitality of a country's democracy is a shortcut, as a political process encompasses several sequences, with elections being only one aspect.

The new types of conflict that have emerged since the end of the 1990s are mostly caused in Africa by access to power and resources. Poorly organised elections have been at the root of several factors of instability in West Africa in particular. The absence of inclusive approaches, the diktat of the majority in representative and consultative frameworks, the

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[114] *In its validation report on cases of election-related violence in 2020, the Center for Democratic Development (CDD) reports on victims who no longer hope for a judicial resolution, but expect to take revenge when their party regains political power.*

instrumentalization of democratic principles, the absence of a renewal of the political elite, institutional weaknesses and instabilities, the crisis of representation, and the instrumentalization of justice have all contributed to the loss of momentum of the democratic project in Africa.

An essential determinant of this loss of momentum is the desire of the ruling elites to remain in power, using all sorts of tricks and subterfuges. Thus, the issue of term limits is currently back in the spotlight. All of these elements have caused what we should call today a 'democratic disenchantment' that can provide a breeding ground for all sorts of criminalities, instability and deviant practices by the peoples.

In addition, it is worth noting the desire of political actors, particularly those in power, to increasingly narrow the civic space. The civic space can be seen as a space encompassing all the actions carried out by several stakeholders, including civil society but also political parties, which are themselves entities carrying partisan citizen demands.

An open civic space implies that civil society and individuals are able to organise, participate and communicate without hindrance and, in so doing, influence the political and social structures around them. While there are minor differences in the definition of civic space, we believe that it ensures the following three fundamental freedoms:
- Freedom of association
- Freedom of expression
- Freedom of peaceful assembly[115]

The civic space also includes:
- Political parties as a space for education, socialisation, training, confrontation of ideas and as electoral machines, which need opportunities for expression in order to achieve their objectives, thus a strong demand for presence in the civic space.
- The media, which serve as a framework for animating and energising political processes. Their absence could result in a certain narrowness and nebulosity of the civic space
- To a certain extent and depending on the context, the chiefdoms that now exist have demonstrated their capacity to influence processes and sometimes in new ways that do not meet with the approval or dynamics defined by political competitors.

Clearly, a narrowing of civic space will impact on a plurality of actors and thus on the environment and the political processes that take place there. The Economist Intelligence Unit's Democracy Index, which has been providing an overview of the state of democracy in the world since 2006, confirms in its 2021 report that Africa's overall democracy is in decline. The index is based on 60 criteria grouped into five categories: electoral process and pluralism, civil liberties, government functioning, political participation, and political culture. Countries are classified according to four types of regimes: "full democracy" (only 21 countries in the world in 2021 in full democracy), "imperfect democracy", "hybrid regime" and "authoritarian regime". In this ranking, Mauritius is the only African country that occupies the "Full Democracy" category. Only six African countries are categorised as 'Imperfect Democracies'

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[115] https://www.civicus.org/documents/reports-and-publications/reporting-civic-space/civic-space-media-toolkit_fr.pdf

(Botswana, Cape Verde, South Africa, Namibia, Ghana, Lesotho), with the majority of African states, including ECOWAS member states, falling between the categories of 'Hybrid Regimes' and 'Authoritarian Regimes'.

Table: 2021 ranking of the most democratic ECOWAS country by the Economist intelligence unit

Continental rank/50	Country	Score	Type of scheme
3	Cape Verde	7,65	Imperfect democracy
6	Ghana	6,50	Imperfect democracy
12	Senegal	5,53	Hybrid regime
13	Liberia	5,43	Hybrid regime
17	Sierra Leone	4,97	Hybrid regime
19	Gambia	4,41	Hybrid regime
20	Ivory Coast	4,22	Hybrid regime
21	Benin	4,19	Hybrid regime
22	Nigeria	4,11	Hybrid regime
24	Burkina Faso	3,84	Authoritarian regime
27	Mali	3,48	Authoritarian regime
31	Niger	3,22	Authoritarian regime
37	Togo	2,80	Authoritarian regime
39	Guinea Bissau	2,75	Authoritarian regime
43	Guinea	2,28	Authoritarian regime

The democratic backsliding noted by the report thus particularly affects West Africa, which is affected by a shrinking civic space, constitutional reforms that structurally weaken democratic processes, the absence of viable frameworks for consolidating democratic gains, etc. Moreover, the surprising return of coups d'état in recent years in Burkina Faso, Guinea and Mali corroborates this decline. The causes can obviously be of various kinds.

The challenges for the next electoral cycle are
• Addressing the electoral issue as a sequential aspect of a broader development process
• Giving stability to representative bodies and institutions to ensure a deepening of democratic gains
• Systematise inclusive policy dialogue frameworks

• Involve civic actors in the processes of consultation, discussion, dialogue and definition of the frameworks governing political competition

B.   Media, digitalisation and their impact

The media play a central role in the animation of public life. When it comes to electoral processes, at all stages, the intervention of the media remains essential to make these processes transparent, facilitate access to information for citizens, serve as a relay for political competitors, propose topics and offer spaces for debate. The liberalisation of the public space, particularly in terms of the classic media, leading to a media boom, has resulted in the intrusion of actors with 'opaque' positions whose interventions, which are very diverse and at different levels, can contribute to the complexity of information processing. Thus, there are many biases in the processing of information leading to difficulties in the regularity and transparency of electoral processes. Despite the proposed solutions consisting in defining regulatory frameworks, legislating in particular in the electoral laws of the States, etc., the challenges of an optimal management of the media, particularly during the electoral period, remain.

In the wake of the liberalisation of the traditional media, the irruption of social networks with their current digital medium has led to the development of what can be described as "alternative media", thus aggravating the multiplication of information, based on processes that do not respect any of the quality control stages before the information is made available to the public.

The Facebook-Cambridge Analytica scandal or Facebook-Cambridge Analytica data leak refers to the data of 87 million Facebook users that the company Cambridge Analytica started to exploit from the beginning of 2014. This data was used to influence voting intentions in favour of politicians who retained Cambridge Analytica's services. In 2015, Cambridge Analytica's involvement in the Republican Party primaries was established. In 2016, illegally captured data, with the support of Cambridge Analytica, was used by Donald Trump's campaign committee to alter voting intentions or cause enough voters to abstain. Through Cambridge Analytica, illegally obtained data was used to influence public opinion via social networks in favour of Brexit. This 'digital peril' has occurred in countries that have developed resilience and structural strategies to respond to the potentially destabilising consequences of their political processes. The development of ICTs, laptops and mobile telephony has changed the world, changed habits, created new ways of thinking, reduced spaces, and reversed or challenged the process of producing and transmitting information, which has now become so ubiquitous that controlling it remains a major challenge, particularly for the African continent.

The spread of ICTs on the continent, which dates back to the late 1990s, has accelerated significantly in recent years. With an average annual growth rate of over 6% according to the GSM Association (2017 Sub-Saharan Africa Mobile Economy Report), mobile telephony in Africa is the fastest growing sector in the world. According to the Sub-Saharan Africa Mobile Economy Report 2019, at the end of 2018, Sub-Saharan Africa had 456 million unique mobile

subscribers, an increase of 20 million over the previous year and a penetration rate of 44%. About 239 million people, or 23% of the population, also use the mobile internet on a regular basis. Sub-Saharan Africa will continue to be the fastest growing region, with a compound annual growth rate (CAGR) of 4.6% and 167 million additional subscribers by 2025. This will bring the total number of subscribers to just over 600 million, or about half the population. By 2025, Nigeria and Ethiopia will have the fastest growth rates, at 19% and 11% respectively. Across the region, population growth will lead to large numbers of young people acquiring mobile phones for the first time. This segment of the population will account for the majority of new mobile subscribers and, as "digital natives", they will have a significant impact on how different mobile services are used in the future.[116] Thus, the rapid spread of ICTs in Africa contrasts with the absence of policies to draft control and regulation strategies, the weakness of the state of opinion, the absence of policies to control personal data, etc. All of these points of vulnerability can be seen in the fact that there is a lack of awareness of the importance of ICTs in Africa. These are all points of vulnerability that could be exploited by certain actors, thus ruining all efforts at democratic consolidation, democratic governance and good management of future electoral processes. Already, the 2017 Electoral Integrity Index of Harvard University ranked Senegal among the countries whose electoral integrity is average, due, among other things, to the digital revolution to which no control strategy is opposed.

Finally, we also note the emergence of a certain "cyber citizenship" through citizen initiatives developed thanks to digital media, but also a "cyber governance" based on credible alternatives proposed by the digital sector for better efficiency in the management of public policies. Two fundamental issues need to be addressed: the governance of the digital sector and the definition of strategies to avoid the reinforcement of the hegemony of certain exogenous forces that can be truly intrusive and harmful to the electoral process and to the stability of the African continent and the West African sub-region in particular. These are essential challenges to be taken up beyond questions of hegemony, which embrace the problem of contribution to the production and control of information.

C.   Security and territorial governance challenges: two sides of the same coin

Governance is a polysemous concept which today occupies the jargon of all the institutions involved in development issues at both national and global levels. It involves a range of actors and institutions from different backgrounds, with negotiation, the horizontal approach and consultation at the heart of the decision-making process. Moreover, it postulates the regular and transparent management of resources and people. Territorial governance refers first of all to local development and is situated in the historical context of the growing involvement of local actors (public, private, associations) in development dynamics, in their capacity to mobilise and take charge of themselves.[117] The issue of local governance therefore requires the establishment of consultation frameworks at the decentralised level, but also the reality of the principle of participation by actors who are effectively present at the local level and who have acquired legitimacy, a capacity to carry out debates and to contribute with dignity to the

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116   https://www.findevgateway.org/fr/publication/2019/09/leconomie-mobile-en-afrique-subsaharienne-edition-2019
117   Paolo Groppo (ed), Participatory and Negotiated Territorial Development, Facilitation for Territorial Governance, FAO, 2013, p. 5

decision-making process. The territory appears as an entity that draws its development potential from its local resources, understood in the broad sense of the term, i.e. with its activities, its actors and its networks.[118] The genesis of the state in Africa reveals an incoherent, impertinent division of territories, leading to real imbalances, territorial inequity, frustrations and even multiform crises that call into question the reality of the nation-state. One of the essential criteria for a good management of an electoral process is the control of the territorial network by the managers of this process, which is based on the existence of good territorial governance. A non-effective territorial governance may therefore have a negative impact on the process.

Today, several security challenges beset the Sahelo-Saharan space, caused by the absence of viable territorial governance and the absence of the central state in certain areas, thus creating what specialists call 'grey zones' or 'collapsed states', which are conducive to all kinds of criminality. These security challenges, but also the multi-faceted crises of governance, which are becoming more pronounced and creating structural imbalances, are forcing a downward review of certain states' ambitions in terms of governance. The inability of these states, but also of other actors, normally stakeholders in development processes, to define relevant and effective territorial governance, a guarantee of stability, may be a factor that could make future electoral processes critical, particularly in West Africa. The two most perfect illustrations are the cases of Burkina Faso during the presidential election in 2020 during which the authorities, due to the extremist threat whose causes are, among others, a lack of territorial governance, were forced to cover only the secure areas that have been commonly referred to as 'security bubbles'. This fundamentally challenges the principle of participation and therefore may undermine the legitimacy of elected officials. Mali has not escaped this reality due to a very serious and long-lasting security crisis, thus obliging it not to involve the peoples present in the areas occupied by terrorist movements in the electoral process in 2018. The quasi-institutional political crisis that occurred a few months after the presidential election in Mali can be analysed in terms of the fragility of the legitimacy of the then elected representatives due to the low participation of Malian citizens, caused by the existence of 'grey zones', particularly in the northern part of Mali.

It should be noted that over time, the issue of peace and security has become more complex due to an increase in the number of actors and an evolution of the security context (birth of a system of conflicts in West Africa, reinforcement of extremist networks, internal political conflicts arising from poorly organised electoral processes). To date, several parts of the region are affected by a certain amount of insecurity, tension and conflict: the Sahelian strip (Northern Mali and Niger), Guinea Bissau with drug trafficking, Northern Nigeria, the Niger Delta, etc. It should be noted that the issue of human security, which broadens the spectrum of security, has emerged and remains relevant in the elaboration of development strategies, particularly in Africa. Indeed, beyond peace in its classic sense (military), human security diversifies the angles of attack on the problem of peace and opens up various perspectives through which it is appropriate to address peace and stability: food security, environmental

118   Ibid

security, etc. The escalation of insecurity in the region and within countries and the expansion of violent extremism to coastal countries (Benin, Togo, Côte d'Ivoire, etc.) could disrupt the forthcoming electoral processes and jeopardise all the joint efforts of actors dedicated to deepening democracy in the West African sub-region.

The future of democracy and therefore the quality of electoral processes cannot be disconnected from the capacity of states to establish viable territorial governance that can guarantee the participation of all citizens in political, peace and development processes. The growing threat of violent extremism, its establishment in certain regions of Africa, the presence of "grey zones" that are breeding grounds for all kinds of criminality may be important determinants of electoral crises in future electoral cycles.

Lessons to be learned from the health crisis

The pandemic crisis has shown several limitations in the governance of people, institutions and resources in the world and in West Africa in particular. The various electoral processes that took place during the last electoral cycle demonstrate this sufficiently. From March 2020 onwards, an increase in the number of cases of Covid19 contamination was noted, thus obliging the public authorities to take measures to combat the spread of the disease. During the year 2020, the Republic of Guinea, Côte d'Ivoire, Niger and Burkina Faso held elections. Covid19 was an additional element in the uncertainty that often characterises electoral events in Africa. Similarly, the community dimension could not be overlooked, given the integration efforts of the West African region, characterised by the free movement of people and goods, which is also a potential factor for the spread of the disease.

The principles of participation and freedom, which are essential to the implementation of any electoral process, were put to the test by the restrictive measures taken by the authorities. It is therefore appropriate to ask questions about the risk incurred by these electoral processes both in terms of their implementation and their quality. There was a certain amount of uncertainty about the holding of these various elections, which in the end were all able to be organised but with restrictive measures. Thus, one of the criteria by which the quality of an electoral process is measured was strongly impacted: the principle of participation. In fact, an election characterised by a low turnout negatively impacts the legitimacy base of elected officials, thus weakening all governance structures and reducing the state of grace that is a guarantee of stability.

Before the advent of the pandemic, many countries, particularly in West Africa, were home to protest movements against democratic backsliding and, in particular, against attempts at 'deconsolidating' constitutional revisions. These movements did not weaken during the Covid 19 period. Indeed, the restrictive measures taken by the government in response to the pandemic contributed to aggravating the protests.

The health crisis will not, however, have prevented the electoral cycle from taking place in all the countries concerned in West Africa, but will have some consequences:
•   Direct effects on participation, undermining legitimacies and weakening powers

- Human rights sacrificed on the altar of an obsession with health care
- Social tensions due to binding human rights decisions
- The wider human security challenge

There is a lack of credible response strategies at continental and regional levels. The Covid-19 pandemic demonstrated the transnational nature of crises and threats. Never before has the ECOWAS integration and cooperation body been faced with such a major challenge. Moreover, the policies and decisions taken at these supranational levels have had very little impact on the people. Similarly, there is a relative lack of foresight in Africa, and particularly in West Africa, in its strategies and approaches. The future of democracies and therefore of electoral processes has been to some extent tested by the Covid-19 pandemic. Future processes are not immune to global threats given the situations of cases of sign fever, influenza, etc. Responses will have to be structured in line with the scale of these threats. Regional and continental dynamics should therefore be encouraged in order to anticipate possible scourges and also to develop continental and regional solidarity in order to deal with potential future threats.

4.3. The prospects of a gloomy global economic context and its potential consequences

The economic crisis caused by the pandemic, but especially the prospect of a deeper global crisis due to the Russia-Ukraine crisis, will not spare Africa, and more particularly West Africa, in the short/medium term. Indeed, according to the African Development Bank's African Economic Outlook 2021 "in 2020, as countries struggled to support their people during the pandemic, public spending in Africa soared. This has had a direct negative impact on fiscal balances and debt burdens: Africa's average debt-to-GDP ratio is expected to increase by 10-15 percentage points in the short to medium term, fuelled by the surge in public spending and the contraction in fiscal revenues caused by the pandemic[119]

Moreover, even if it is very premature to assess the effects of the Russian-Ukrainian crisis on African economies, which are extroverted and dependent on trade with the economies of the North in particular, it should be recognised that the profound repercussions of this crisis on African economies can be expected.

Thus, the prospects of an African context marked by successive crises may have several potentially destabilising effects on future electoral cycles:

- The mobilization of resources for the implementation of an electoral process that meets international norms and standards is a crucial step in the electoral cycle. Indeed, several electoral events have been postponed or have been difficult to implement due to financial constraints or inability to mobilise resources to ensure the optimal holding of elections by the public authorities. Thus, economic forecasts predict a certain gloom for the next

[119] https://www.afdb.org/fr/news-and-events/press-releases/perspectives-economiques-en-afrique-2022-les-effets-persistants-de-la-pandemie-de-covid-19-et-de-la-guerre-recente-russie-ukraine-compromettent-le-rebond-economique-de-lafrique-en-2021-51866

electoral cycles if we know that the political authorities do not systematically make electoral events a priority.

- Social contexts often influence the behaviour of voters, but also their choices at the time of voting. The impact of the Ukrainian crisis on African economies, if structural responses are not immediately proposed by Africa, could aggravate the very fragile socio-economic situation and determine whether the next electoral cycle will take place in a context of peace and serenity. The "food riots" during the subprime crisis in 2008 and the recent demonstrations following the restrictive measures taken during the pandemic show the interrelation between the economic situation of a country and the quality of the political process that takes place there, both interacting and mutually enriching. Democratic disenchantment, the rejection of politics, the increase in protest movements, the rise of nationalism and extremist movements are all factors that can have an impact on future electoral cycles, particularly in West Africa, and which can lead to economic gloom.

The responses to these possible risks must be on a community basis: develop synergies in logistical management and move towards a pooling of resources to optimise the costs of elections through the ECOWAS Electoral Assistance Unit. Finally, the challenge of economic development as well as that of improving the living conditions of the population must be taken up in order to guarantee the resources necessary for the realisation of the electoral process and to reduce the risks of instability due to possible popular protests and demonstrations.

With regard to the hopes and challenges concerning the contributions and roles of international cooperation and multilateral institutions (ECOWAS, UNOWAS, AU) in the forthcoming processes, given the situations experienced during the past processes, we can affirm that their contributions remain a considerable contribution to the realisation of the processes. However, certain strategies, particularly those of ECOWAS and the African Union, need to be refined and above all popularised among the public, who perceive them as always being part of the approach of supporting the outgoing candidates. Otherwise, the reports produced risk being discredited, rightly or wrongly. However, the new approaches adopted by ECOWAS and the AU to involve a wide range of actors in their international observation missions remain a guarantee of the quality of observation reports.

Finally, the involvement of UNOWAS in electoral processes, which is part of a perspective of prevention and management of electoral crises, is a very relevant approach that has made it possible to remove several obstacles in the management of electoral processes in West Africa and the Sahel. In view of the forthcoming elections, particularly in West Africa, it is necessary to strengthen the momentum and provide more support for citizens' initiatives.

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Annexes

Extent of prerogatives of independent EMBs in the EMAM project area*

COUNTRY	Registers political parties	Determines electoral districts	Convenes the Electoral College	Registers voters	Registers candidates	Proclaims the results**	Proposes electoral reforms	Strengthens its institutional capacity
Benin	X	X	***	X	✓	✓	****	****
Burkina Faso	X	X	X	✓	✓	✓	****	****
Côte d'Ivoire	X	X	X	✓	✓	✓	****	****
Guinea	X	X	X	✓	✓	✓	****	****
Niger	X	X	X	✓	✓	✓	****	****
Togo	X	X	X	✓	✓	✓	****	****
Guinea-Bissau	X	X	X	X	✓	✓	****	****
The Gambia	✓	✓	✓	✓	✓	✓	✓	✓
Ghana	✓	✓	✓	✓	✓	✓	✓	✓

* According to applicable laws between 2018 and 2021
** In line with legal provisions: provisional results of presidential and legislative elections and final results of municipal elections as appropriate.
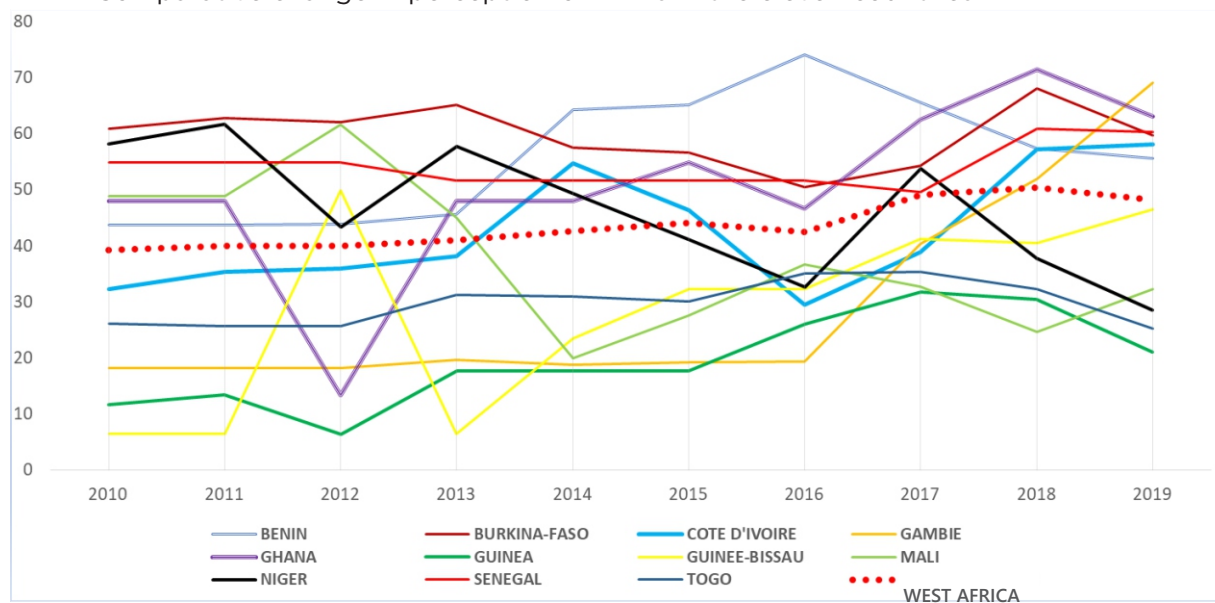*** The electoral calendar is set out in the Constitution and the electoral law
**** Not apparent in the legal framework
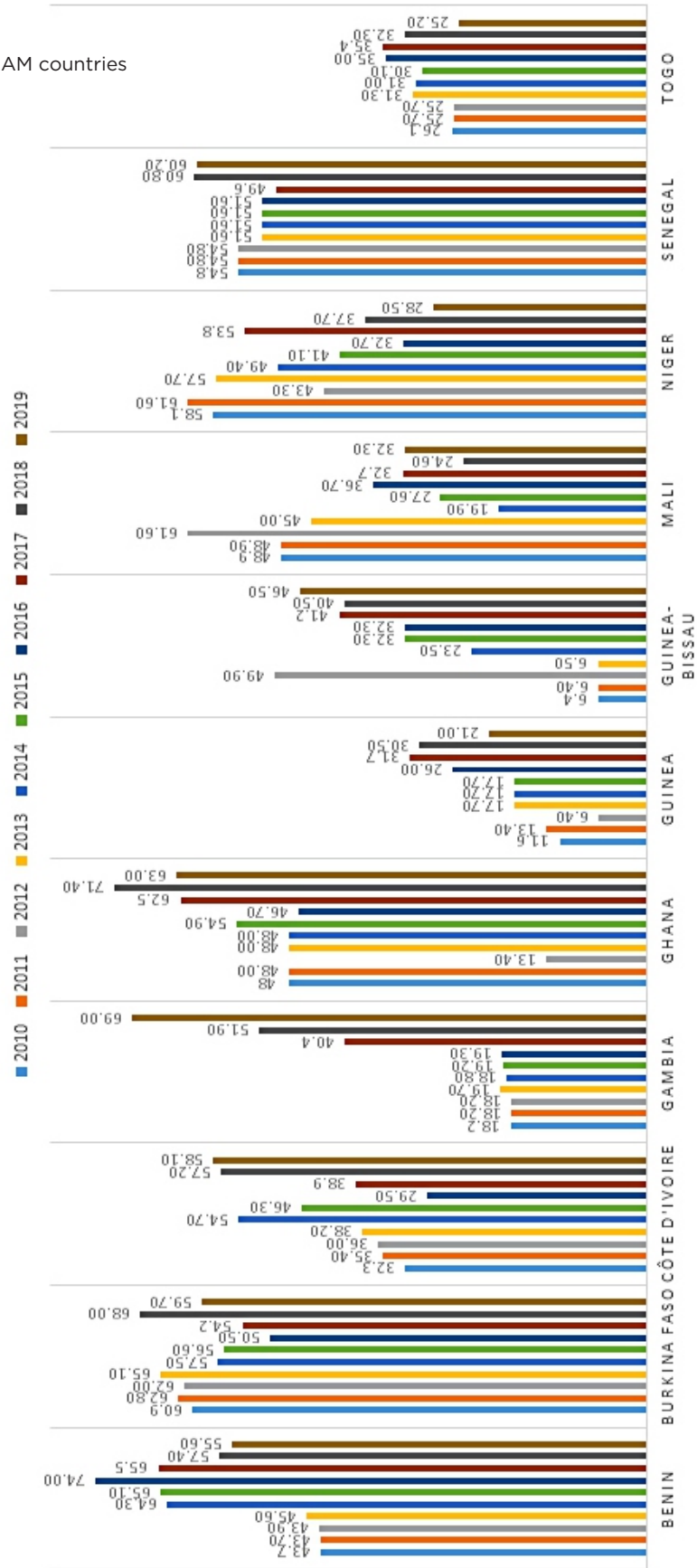X : No
✓ : Yes

Comparative change in perception of EMBs in the eleven countries

Source : Rapport IIAG 2020

Public perception of EMBs in EMAM countries

EMB PERCEPTION EVOLUTION - 2010-2019

2019-2021
ELECTIONS
IN WEST AFRICA:
HOPES AND
CHALLENGES
FOR THE NEXT
ELECTORAL CYCLES