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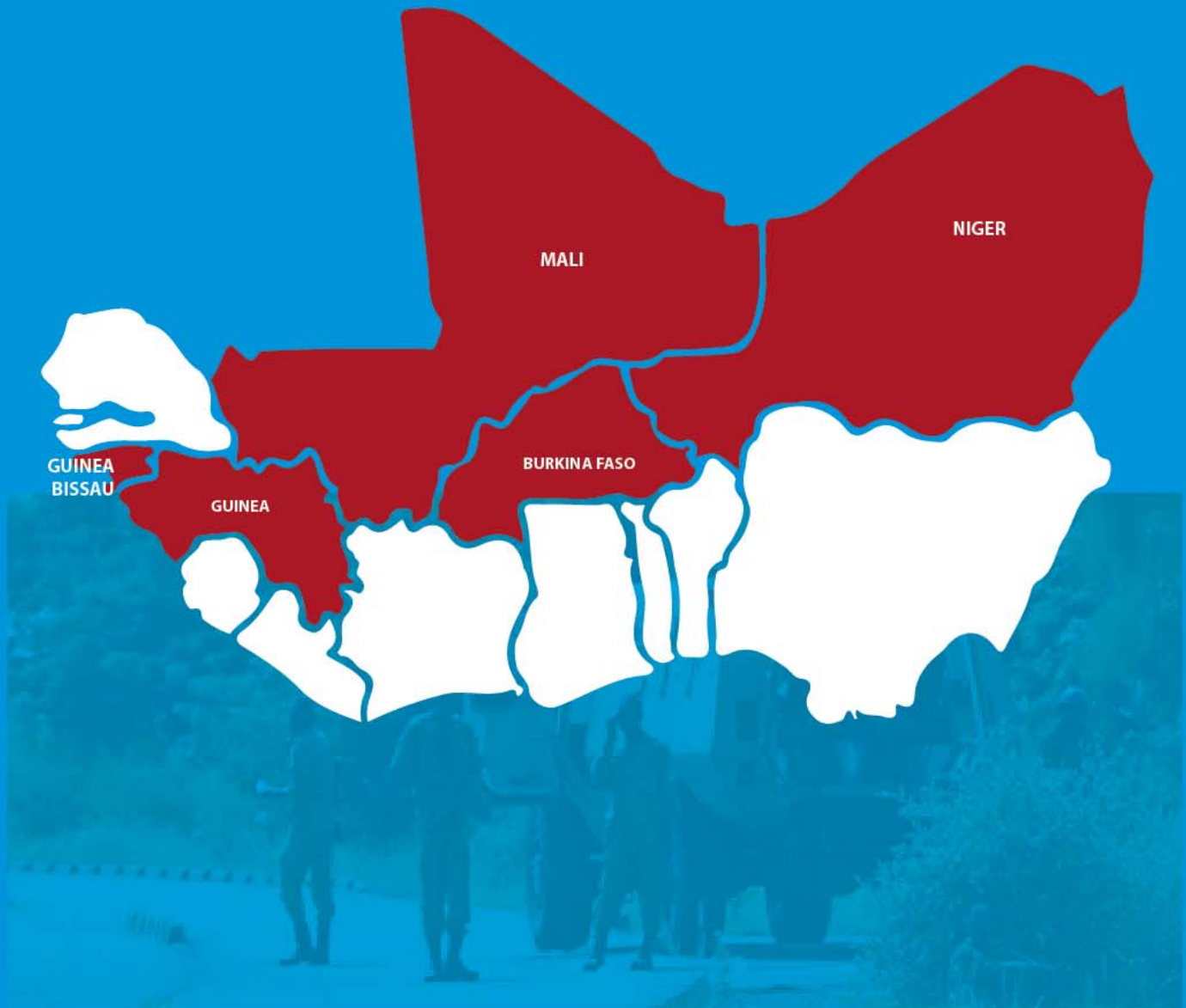
# Thematic REPORT



WEST AFRICA NETWORK FOR PEACEBUILDING  
Building Relationships For Peace

## THE STATE OF DEMOCRATIC GOVERNANCE IN WEST AFRICA:

PITFALLS, IMPLICATIONS AND PATHWAYS TO RECOVERY



# THE STATE OF DEMOCRATIC GOVERNANCE IN WEST AFRICA: PITFALLS, IMPLICATIONS AND PATHWAYS TO RECOVERY

## Introduction

Since the early 1990s, the political ecosystem of West Africa has witnessed sturdy progress in democratic governance. At the beginning of this period, countries in the region had political transitions from authoritarian military and one-party regimes to constitutional multiparty democratic rule. Indeed, the rebirth of democracy in the region was against the background of repressive military regimes and one-party dictatorships, where political opposition and dissenting voices were stymied and individuals or groups who attempted to break this 'cordoned sanitaire' were visited with reprisal attacks. The political renewal thus signalled the end of authoritarian rule and ushered in constitutional multiparty democratic governance across the countries in West Africa. The dividends of democratic governance are reflected in entrenched periodic multiparty elections that have resulted in peaceful power alternations from one party to another in countries including Benin, Cape Verde, Ghana, Nigeria, Senegal, Liberia, Sierra Leone, The Gambia and Niger. Additional to this, presidential term limits, free media, civil liberties and protection of human rights that created opportunities for inclusive participation of citizens were also guaranteed and vouchsafed in most of the national constitutions that were promulgated. Owing to this, the Freedom House has pointed out that over the last quarter of the century, no region in Africa has made more progress in democratic governance than West Africa.<sup>1</sup>

Despite the notable progress made in the quest to consolidate democracy over the years, recent occurrences in the current democratic governance landscape reveal a declining trend. Increasingly, democratic gains are being eroded by several constraints and challenges, especially those that prevent wider participation, inclusivity and consensus building among political stakeholders. There are growing concerns about constitutional amendments of presidential term limits to prolong regimes as well as lack of inclusivity in the electoral processes in some of the countries in the region.<sup>2</sup> Also, disagreements over the compilation of

new voter registers and concerns around the appointment of officials of Election Management Bodies (EMBs) continue to generate tensions among political stakeholders and widen increase trust and confidence deficits in countries.

Of particular concern is the resurgence of military coups recorded between 2020 and 2022 that have truncated democratic governance and heightened political uncertainties in Mali, Guinea and Burkina Faso. In addition, the region recorded two unsuccessful coups in Niger and Guinea Bissau within the same period. Other grounds for concern are the increased use of obnoxious laws to curtail dissenting views and human rights violations evident in the arrest of opposition figures, pro-democracy activists, journalists, as well as the killing of peaceful protesters in demonstrations, especially over the last three years. These have contributed to shrinking the political spaces for inclusivity, dissenting views and protecting civil liberties of citizens in several countries in the region.

The foregoing occurrences in the region's democratic governance sphere have led to concerns among national, regional and international actors about the resurgence of authoritarian rule and its consequences on governance stability in West Africa. Considering the prevailing cauldron of security volatility coupled with fragility in states, regression in democratic governance and its consequences on regional stability poses further risks that could potentially exacerbate insecurity in countries. This has prompted stakeholders, especially the Economic Community of West African States (ECOWAS) and Civil Society Organisations (CSOs), to initiate measures including the continued engagements with the Transitional Governments in Mali and Guinea to support processes towards the restoration of constitutional democratic governance. Meanwhile, as ECOWAS has imposed sanctions on Mali and Guinea, Burkina Faso has also been suspended until restoration of constitutional order. Moreover, ECOWAS has commenced processes to review existing

<sup>1</sup> John Temin (2020). "West Africa's Democratic Progress is Slipping away, Even as Region's Significance Grows". Freedom House. March 19 2020. Available at: <https://freedomhouse.org/article/west-africas-democratic-progress-slipping-away-even-regions-significance-grows-0> (Accessed on 9/11/2021).

<sup>2</sup> WANEP West Africa Early Warning Outlook (2018-2021). Available at: [www.wanep.org](http://www.wanep.org) (Accessed 9/11/2021).

frameworks and protocols on governance and democracy in response to the current challenges to democratic governance in the region. CSOs in the region have also commenced advocacy and other forms of engagements with critical stakeholders to explore avenues to address the challenges to democratic governance in West Africa. Admittedly, these efforts are relevant in the quest to enhance the region's democratic stability. However, to effectively address the current challenges, examining the deep-rooted causes to democracy, its implications for governance stability and providing pathways for effective responses are germane.

This thematic report examines the current state of democratic governance in West Africa while highlighting the pitfalls and implications for governance stability. It also proffers evidence-based recommendations to address the current challenges to democratic governance in the region.

### Overview of Current Trends and Dynamics of Democracy and Governance landscape

As highlighted earlier, over the last three decades, West Africa has been a driver of democratic practices. These include establishing periodic multiparty elections that provided opportunities for inclusive participation of citizens and civil society groups in the governance processes, free media and a modicum of rule of law that protect civil liberties and human rights in the various democratic dispensations. Another significant outcome of the democratisation process was the presidential term limit, which effectively abolished the prolongation of regimes that contributed to military intervention and tensions in the governance of the region. The important role of ECOWAS, African Union (AU), UN, other international partners, and CSOs in the democratisation process and the dividends attained over the years cannot be understated. ECOWAS and AU in particular, have played a critical role in the diffusion of democratic norms and values to strengthen governance stability in West African states through the development and activation of regional and continental frameworks such as the *2001 ECOWAS Supplementary Protocol on*

*Democracy and Good Governance*<sup>3</sup> and the *African Charter on Democracy, Elections and Governance*.<sup>4</sup>

Conversely, recent occurrences in the political environment of the region portray a visible signpost of democratic governance aberrations that threaten the modest democratic gains achieved over the years. A notable trend recorded over the last three years is the amendment of constitutional term limits adopted during the democratisation wave to facilitate the peaceful and orderly renewal of political leadership.<sup>5</sup> In Togo, amendment of some articles of the 1992 Constitution, especially Article 59, allowed incumbent President Faure Gnassingbé to reset the clock and run for another two terms till 2030 if re-elected.<sup>6</sup> Similar constitutional amendments in Cote d'Ivoire and Guinea in 2020 paved the way for Presidents Alassane Ouattara and Alpha Condé respectively to prolong their regimes beyond the two-term limits. The constitutional amendment processes in Togo, Cote d'Ivoire and Guinea were not only fraught with controversies and political disagreements, but also weakened constitutionalism in the affected democratic dispensations.

Also, there are concerns by opposition parties about the amendment and the use of the electoral law as a tool by ruling governments to target political opponents and limit the space for their participation in the electoral processes. In Benin, for example, the amendment of electoral laws and the implementation of "*Certificat de Conformité*." introduced in November 2019 by the Government, led to protests by opposition parties. The "*Certificat de Conformité*" enforced a party system reform that contributed to the reduction of political parties from over 200 to 10 State-recognised parties. While this sought to address the proliferation of political parties, opposition parties expressed concerns about the shrinking space for political participation, which continues to undermine the principles of multi-party democracy. In a similar vein, controversy among political stakeholders over the introduction of the Law on "*Parrainage*" in Senegal in 2018, continues to generate tensions in the political landscape.

<sup>3</sup> ECOWAS Supplementary Protocol on Democracy and Good Governance was developed in 2001 as an expression of collective political resolve of ECOWAS member States to take the process of preventing and resolving crises and violent conflicts forward, and to achieve peace and security through the development of democracy and good governance.

<sup>4</sup> African Charter on Democracy, Elections and Governance was adopted on 30 January 2007 as the African Union's main normative instrument to set standards and promote good governance and democracy across the continent. It came into force in February 2012 after ratification by fifteen (15) States.

<sup>5</sup> Christopher Fomunyoh (2020). Facing Democratic Backsliding in Africa and Reversing the Trend. National Democratic Institute. Available at: <https://www.ndi.org/publications/christopher-fomunyoh-facing-democratic-backsliding-africa-reversing-trend> (Accessed on 9/11/2021).

<sup>6</sup> Article 59 of the 1992 Constitution of Togo stipulates that "the President of the Republic shall be elected by a Universal Suffrage in two rounds for a term of five years renewable once. An amendment of this provision may only be made by a referendum".

<sup>7</sup> The Certificate of conformity: It is the fact of the Decision N° EL19-001 of the 1st February 2019 of the Constitutional Court of Benin. It is a mandatory requirement issued by the Constitutional Court for political parties to operate and contest elections in Benin.

Given this trend, protests and demonstrations by opposition parties and civil society groups against these amendments generated some level of violence in the recently organised elections in the region. In Cote d'Ivoire for instance, according to Human Right Watch, about 55 people were killed and 282 injured between October 31 and November 10, 2020, due to rival political clashes and excessive use of force by state security against opposition protesters following the disputed electoral outcome.<sup>8</sup> Similarly, in Guinea, about 30 fatalities were recorded in the post-election violent protests alone in the national referendum held on March 22, 2020<sup>9</sup>. Additional 30 people were killed in security agents' crackdown on opposition protests against the referendum to amend the constitution to allow the third tenure for President Alpha Condé in the pre-election period.<sup>10</sup> In Togo, the pre and post-election protests organised by the opposition and civil society against the constitutional and electoral reforms, as well as the outcome of the elections, resulted in fatalities, injuries and destruction of properties.<sup>11</sup> WANEP NEWS further recorded arrests of about 21 key opposition figures, supporters and members of the media while several others fled to neighbouring Ghana and Benin.<sup>12</sup>

Another cause for concern in the current governance space of the region is the resurgence of military coups that have stalled democratic governance in Mali and Guinea and Burkina Faso. In Mali, widespread public resentments against President Ibrahim Boubacar Keita and his responses to escalating violence, pervasive corruption, extreme poverty, protracted conflict and disputed parliamentary elections organised, triggered massive protest by the opposition coalition June 5 Movement - Rally of Patriotic Forces (M5-RFP), youth groups and CSOs calling for the resignation of the President.<sup>13</sup> Against this background, the Malian military, led by Colonel Assimi Goïta staged a coup to topple President Keita's Government on



*Col. Assimi Goïta at a ceremony in the capital Bamako, Mali, September 25, 2020.  
Photo Credit: AP*

August 18, 2020.<sup>14</sup> On September 22, 2020, the regime named Bah N'Daw as Interim President and Goïta as Interim Vice-President of the Transitional Government in contradistinction to the demands by ECOWAS and the AU.<sup>15</sup> However, on May 24, 2021, Col. Assimi Goïta again seized power from the transitional President Bah N'daw and Prime Minister, Moctar Ouane and was sworn in as President of the Transitional Government. The coups have pushed Mali into the orbit of military rule, building on a long historical legacy of unconstitutional changes of governments in its post-colonial political history.<sup>16</sup> Also, in Guinea, increased use of authoritarian measures including manipulation of the national Constitution to secure a third term, arrest of key opposition leaders, limiting press freedoms, banning protests and stacking the judiciary and National Electoral Commission as well as allegations of corruption and socio-economic challenges facing populations, led to a military coup that overthrew President Condé's government on September 5, 2021.<sup>17</sup>

<sup>8</sup> Human Rights Watch. Available at: <https://www.hrw.org/news/2020/12/02/cote-divoire-post-election-violence-repression#> (Accessed on 5/11/2021).

<sup>9</sup> BBC News. Available at: <https://www.bbc.com/news/world-africa-54657359> (Accessed. On 04/02/2021).

<sup>10</sup> Amnesty International. Available at: <https://www.amnesty.org/en/latest/news/2020/10/guinee-au-moins-personnes-tues-en-toute-impunite-dans-des-manifestations/> (Accessed on 5/11/2021).

<sup>11</sup> WANEP (2021). West Africa Early Warning Outlook. WARN. Available at: [www.wanep.org](http://www.wanep.org) (Accessed on 5/11/2021).

<sup>12</sup> Ibid.

<sup>13</sup> Ilana Zelmanovitz Axelrod and Kwesi Aning (2020). Mali, Democracy and ECOWAS's Sanction Regime. KAIPTC Policy Brief 9. October 2020.

<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

<sup>16</sup> Ilana Zelmanovitz Axelrod and Kwesi Aning (2020). Mali, Democracy and ECOWAS Sanction Regime. KAIPTC Policy Brief 9 October 2020.

<sup>17</sup> Op. cit WANEP (2021). West Africa Early Warning Outlook.

In a similar vein, military coup in Burkina Faso led to the overthrow of President Roch Marc Kabore on January 24, 2022. The coup was triggered by concerns around weak state capacity to stem the deepening security crisis induced by terrorist and armed groups, discontent within the military over allegations of neglect and socio-economic challenges facing populations.

Aside from the successful military coups highlighted above, Niger and Guinea Bissau witnessed putsches in March 2021 and February 2022, respectively. The coup attempt in Niger occurred a night before the inauguration of the president-elect Mohammed Bazoum after election victory disputed by the main opposition leader, Mahamane Ousmane. In Guinea Bissau, the military foiled attempt to overthrow the government of President Umaru Sissoco Embalo. The attempted coup led to 11 fatalities and several injuries.<sup>18</sup> The attempted coup was against the background of rising unemployment among the youth, low education, corruption, drug trade and abuse, leading to frustrations among the populations.



**Burkina Faso Military Junta Leader Lieutenant-Colonel Paul-Henri Sandoago Damiba**  
Photo Credit: Google Images

Niger and Guinea Bissau have been plagued by military forays, resulting in decades of political instability. Therefore, the recent political transitions provide opportunities to strengthen institutions to respond effectively to the political and socio-economic concerns and consolidate the democratic gains attained.

While in Mali, the ECOWAS and AU mediation efforts led to the development of a roadmap towards elections to be held in February 2022 to facilitate the transition to democratic rule, ECOWAS mediation effort to engage the military coup leaders in Guinea has been a stalemate without any concrete measures towards the transition to restore civilian rule. Instructively, the Malian Transitional Government has informed ECOWAS that it will not be able to hold the proposed presidential and legislative elections in February 2022 as envisaged.<sup>19</sup>



**Guinea Military Leader, Col. Mamady Doumbouya**  
Photo Credit: AP

The attempt to delay the process towards democratic transition in Mali coupled with non-engagement posture of the Guinean coup leaders are seen as attempts by the military to entrench themselves in power. More importantly, the coups in Mali and Guinea could have contagion effects on other countries in the region given the prevalence of similar vulnerabilities in the political contexts.

Furthermore, there are stakeholders' concerns about the nature and quality of elections organised in the region in recent times. Periodic elections are the key driver of West Africa's democratic gains. Elections create platforms for inclusive participation of citizens to exercise their franchise through the universal adult suffrage principle enshrined in the national Constitutions of States as a viable means of ensuring the orderly process of leadership succession and change and an instrument of political authority and legitimation.<sup>20</sup>

<sup>18</sup> WANEP NEWS. Quick Update. Available at: [www.wanep.org](http://www.wanep.org) (Accessed 3/02/2022).

<sup>19</sup> Christian Akorlie (2021). "West African bloc imposed sanctions on Mali over stalled votes". Reuters. Available at: <https://www.reuters.com/article/us-westafrica-security-mali-guinea-idUSKBN2HS0BQ> (Accessed on 8/11/2021).

<sup>20</sup> Said Adejumbi (2000). "Elections in Africa: A Fading Shadow of Democracy?" *International Political Science Review*, Jan., 2000, Vol. 21, No. 1 (Jan., 2000), pp. 59-73. Available at: [https://www.jstor.org/stable/1601429?seq=1#metadata\\_info\\_tab\\_contents](https://www.jstor.org/stable/1601429?seq=1#metadata_info_tab_contents) (Accessed on 9/11/2021).

This notwithstanding, some of the recent elections in West African States have been fraught with challenges including an unbalanced playing field, abuse of incumbency, tensions and violence, irregularities, lack of consensus, exclusion of opposition parties' participation in the electoral processes and in appointments of electoral officials to the Election Management Bodies (EMBs). Consequently, the electoral processes of the 2020 elections organised in the region were replete with a lack of confidence and trust by opposition parties, which resulted in protests and demonstrations that generated pre and post-election tensions and violence in the countries concerned. There were groundswell opposition parties boycott, rejection and protests against the 2019 and 2020 election results in Togo, Cote d'Ivoire, Ghana, Guinea, Burkina Faso, Niger and Senegal on grounds of allegations of irregularities, lack of inclusivity, transparency and accountability in the electoral processes. The current trend in elections in West Africa reflects a reversal to the old order of despotic political rulership under the guise of civil governance.<sup>21</sup> Elections in their current state in most States appear to be a fading shadow of democracy, undermining the modest democratic gains achieved over the last three decades.<sup>22</sup>

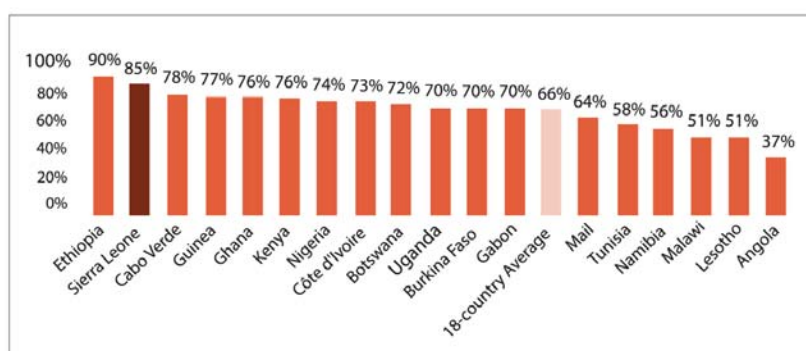
Another area of concern revolves around the seeming states' weaponisation of legislation to suppress freedom of expression. Freedom of expression is guaranteed, as evident in the decriminalisation of libel and defamation under

In effect, *Afrobarometer*, Africa's foremost surveyor of national public opinion on democracy, conducted 45,000 face-to-face interviews in 34 countries and found that nearly seven out of ten Africans prefer democracy to all other forms of government, but at the same time, more than half were dissatisfied with the quality of their democracy.<sup>27</sup> This suggests that there is a democratic deficit where demand exceeds supply, and therefore unmet democratic demands may lead to social unrest or a return of authoritarianism.<sup>28</sup> This scenario is reflected in the recent military coups in Mali and Guinea and creeping democratic authoritarianism in West African political landscape.

the press codes in many countries in West Africa.<sup>23</sup> However, recent trend depicts the creeping culture of repression, physical attacks and arbitrary arrests and detentions of political opponents and critics of regimes.<sup>24</sup> In particular, concerns around fake news and publication of false information with the advent of social media that have amplified citizens' voices, have led to promulgation of various false information laws, with vague provisions often exploited by some governments to harass critical media houses, journalist publishing online and other social media bloggers.<sup>25</sup> Similar use of obnoxious laws to curtail dissenting views and human rights violations evident in the arrest of pro-democracy activists and killing of peaceful protesters in demonstrations are also grounds for concern.

The onset of COVID-19 and associated measures to curtail the spread among populations also contributed to the use of emergency laws to curtail civil liberties. While the measures contributed to mitigating the spread of the pandemic, in some countries, authorities used the pandemic as a pretext to deploy heavy-handed security responses and emergency powers to curtail political dissent, criminalise basic freedoms, silence independent reporting and limit the activities of non-governmental organisations.<sup>26</sup> The COVID-19 dynamic has further contributed to shrinking the political spaces for inclusivity, dissenting views and protection of civil liberties of citizens in some countries in the subregion.

**Figure 1:** Percentage showing support for democracy in 18 countries in Africa



**Credit:** Afrobarometer Survey conducted 2019 / 2020

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> Media Foundation West Africa (2021). How states in Francophone countries are weaponizing legislations to suppress freedom of expression online. Available at: <https://www.mfwa.org/how-states-in-francophone-west-africa-are-weaponizing-legislation-to-suppress-freedom-of-expression-online/> (Accessed 9/11/2021).

<sup>24</sup> Ibid.

<sup>25</sup> Ibid.

<sup>26</sup> Riva Levison (2021). From Afghanistan to the Sahel – Is Washington Listening? The Hill. Available at: <https://thehill.com/opinion/international/573392-from-afghanistan-to-the-sahel-is-washington-listening?rl=1> (Accessed on 9/11/2021).

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

Freedom House's *Freedom in the World Report* points out that of the 12 countries with the most significant decline in democracy year-on-year, five were in West Africa.<sup>29</sup>

### Pitfalls and Implications for democratic governance and stability

Democratic governance stability is critical to peace and security in West Africa. Therefore, there is the need to enhance a stable democratic political landscape with strong institutions that determine the ability of the State to address issues of human security and strengthen relationships between the State and the citizenry. However, democratic governance in West Africa is facing challenges that continue to erode the gains attained over the years and further undermine consolidation efforts. Some of the pitfalls and implications are discussed below:

#### Persistence of Winner-take-all / Zero-sum politics

The winner-take-all political model practised in many countries in the region continues to define the strategies and actions of political parties in elections. Those who win collect and control almost all political and financial assets, making the stakes so high that some parties and groups are ready to resort to anything including violence to keep or access power. The winner-take-all system allows a high concentration of power in the hands of a Central Government led by an executive President. In some countries, constitutional provisions grant the President the prerogative to appoint Heads of the Legislature and Judiciary Arms of Government. Critics of this model indicate it is a threat to checks and balances expected in governance as the opportunity cost of the executive powers lies in the weakened constitutional provisions of the relevant oversight functions of these structures. This constitutes a conflict of interest as the legislature and judiciary could be compromised to exercise their oversight functions to put the powers of the President in check. In addition, the Presidency has the power to appoint Ministers, Boards of state-owned enterprises and other functionaries to serve in various levels of governance structures. It is alleged that these officials in turn reward party supporters and political cronies with state resources and contracts. For this reason, accountability is weak, as public figures report to political appointees

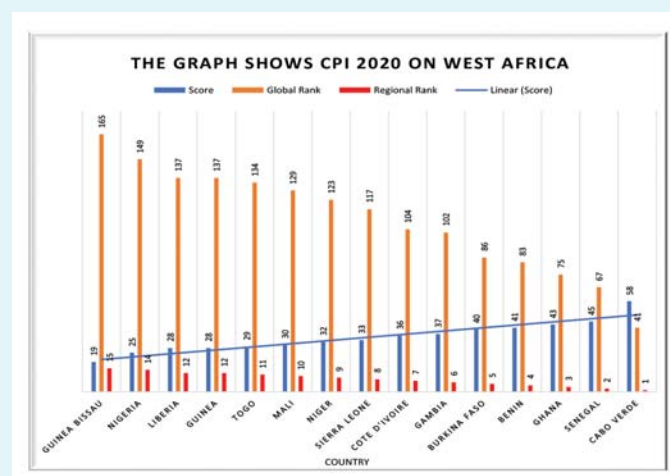
in the executive branch. The winner-take-all practice in political competition has been responsible for the elimination of opposition as well as any political competition after elections.<sup>30</sup> As a result, electoral competition escalates into trends of violence as has been witnessed in the past elections in the region.

#### Seeming Deterioration of State-Citizens Relations

Another critical concern is the deterioration of state-citizens relations. Despite efforts by governments to improve the provision of socio-economic services to citizens, there are challenges of inadequacies in social service delivery including water, electricity, housing, roads, healthcare, education, transparent and accountable governance among others. Inadequate social services and unemployment are fuelling rural-urban migration, urban crimes and dense urban population leading to overburdening of already weak infrastructure. Seeming distrust and a waning social contract have possible implications for political stability and undermine relationships between the state and citizenry.

#### Weak Enforcement of the Rule of Law

Respect for the Rule of Law is a cardinal principle of democratic governance and ensuring state serenity. Where there is weak enforcement of the rule of



Source: Transparency International CPI 2020 Visualised by WANEP NEWS

law, there is bound to be lawlessness, physical and environmental insecurity. The effectiveness of the rule of law enhances justice, resolves conflicts, ensures fairness and impartial treatment, furthers

<sup>29</sup> John Temin (2020). "West Africa's Democratic Progress is Slipping away, Even as Region's Significance Grows". Freedom House. March 19 2020. Available at: <https://freedomhouse.org/article/west-africas-democratic-progress-slipping-away-even-regions-significance-grows-0> (Accessed on 9/11/2021).

<sup>30</sup> National Research Council 1992. Democratization in Africa: African Views, African Voices. Washington, DC: The National Academies Press. <https://doi.org/10.17226/2041>.

the respect for fundamental human rights and promotes social relations as well as actable social values. Ideally, the rule of law should meet societal demands and expectations and help curb the arbitrary exercise of power by privileged groups. Enforcing these tenets, to a large extent, has been quietly ignored and most often people take the law into their hands. These have characterised countries in the region, thereby creating tensions and divisions in communities.

### Militarisation of Politics

Another key challenge is the recurrent interference of the military in politics which has led to unconstitutional change of Government through coup d'états in parts of the region. The recent military dissolution of power in Mali, Guinea and Burkina Faso, have ushered in a wave of uncertainty in the political landscape of the region. While some political elites purportedly manipulate the military for political gains, analysts are of the view that the resurgence of coups in the region can be attributed to a combination of factors including inordinate access to force, corrupt civil-military relations, disgruntled personnel, and poor army pension schemes in some countries. This has ramifications for social cohesion and a contagion effect on regional peace and security.

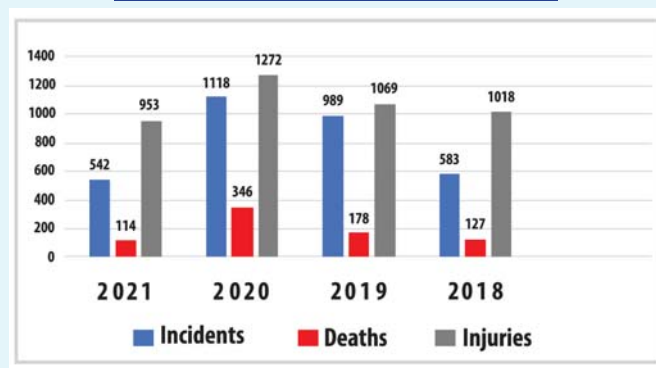
### Corruption and socio-economic challenges

Despite the growth of democracy and the creation of numerous anti-corruption legislations and institutions, corruption continues to undermine democratic governance processes across the region. Most West African states have been ranked as highly corrupt among 180 countries assessed by the Transparency International's Corruption Perception Index (CPI) for 2020.<sup>31</sup> Statistics generated by the CPI indicated that Guinea Bissau and Nigeria are the first and second most corrupt countries out of 15 countries in West Africa, laying claims to perceived political corruption, nepotism, favouritism and bribery as responsible for the setback in its fight against corruption.<sup>32</sup> The 2018 Global Corruption Barometer found that more than one in four people on the continent paid bribes for public services.<sup>33</sup> Also, various studies show that

the pervasive corruption is due to the nature of politics, weak institutions, and lack of political will for the implementation of political parties campaign finance regulations.

Furthermore, the general socio-economic situation in the region is a cause for concern. Countries in the region remain among the world's poorest nations, ranking among the least developed countries out of 188 countries in the Human Development Index (2020).<sup>34</sup>

**Protests/Demonstrations in West Africa – January 2018 – September 2021**



**Data and visualisation: WANEP NEWS**

Poverty is also widespread with more than 24 per cent of the region's 400 million population subsisting on less than US\$1.90 a day. Unemployment and illiteracy levels remain high, particularly among youth, while maternal and infant mortality rates are among the highest in the world.<sup>35</sup> The consequences of widespread corruption and unemployment are evident in the poor delivery of social services, high levels of poverty and other challenges. Corruption and high unemployment rate also threaten stability and undermine institutions and the rule of law, making it difficult for citizens to benefit from the dividends of democracy. Between January 2018 and September 2021, WANEP National Early Warning System (NEWS) recorded 3,178 governance-related protests and demonstrations, leading to 756 fatalities and 4,276 injuries.<sup>36</sup> The protests and demonstrations recorded were triggered by socio-economic challenges facing populations, and discontent with electoral processes and outcomes.

### Technology, social and digital media

Undoubtedly, the advent of technology, social and digital media continue to play a critical role in the political environment of West Africa.

<sup>31</sup> Transparency International's Corruption Perception Index (CPI), 2020. <https://www.transparency.org/en/cpi/2020/index/nzl#> (Accessed 28/10/2021).

<sup>32</sup> Ibid.

<sup>33</sup> Afrobarometer Report (2019). <https://afrobarometer.org/press/one-four-people-africa-have-pay-bribes-access-services-corruption-barometer-shows> (Accessed 28/10/2021).

<sup>34</sup> See UNDP HDI 2020. <http://hdr.undp.org/en/content/latest-human-development-index-ranking> (Accessed 28/10/2021).

<sup>35</sup> Afrobarometer Policy Paper No. 62 (March 2020). Lived Poverty on the rise. [https://afrobarometer.org/sites/default/files/publications/Policy%20papers/ab\\_r7\\_pap13\\_lived\\_poverty\\_on\\_the\\_rise\\_in\\_africa\\_1.pdf](https://afrobarometer.org/sites/default/files/publications/Policy%20papers/ab_r7_pap13_lived_poverty_on_the_rise_in_africa_1.pdf) (Accessed 28/10/2021).

<sup>36</sup> WANEP NEWS. Available at [www.wanep.org](http://www.wanep.org) (Accessed on 14/11/2021).





*The #EndSARS Protest in Nigeria in October 2020  
Credit: Getty Images*

It has contributed to opening the political space for citizens participation in the governance processes of countries. A notable trend is that the social and digital media spaces have become veritable grounds for youth who are dissatisfied with governance fault lines including unemployment, lack of space for inclusivity in governance, poor infrastructure, limited access to education and healthcare among others. To this end, several youth across the region mobilise themselves for change through various hashtag movements. Instances of this are reflected in the #EndSARS in Nigeria, #FixTheCountry in Ghana, #ThreeYearsJotna in The Gambia and #FreeSenegal in Senegal. While this is contributing to the promotion of civil activism, freedom of expression and amplification of dissenting voices in the governance of countries, the new media space is also generating violent communications, attacks against political opponents, religious and ethnic bigotry that continue to induce tensions and violence in the affected countries. In addition to this, attacks against social media bloggers and critics of regimes by authorities in some States are a cause for concern, as such acts are deemed counterproductive to democratic governance.

### **Emergence of global powers and lack of strong global democracy leadership**

The contemporary changing dynamics of West African economic development, security and geostrategic resources have attracted not only Western global powers including US, France and UK, but also China, Russia and Turkey and Gulf States such as Iran and Saudi Arabia. These States appear to be pursuing their national interests in the region. Notwithstanding this, unlike Western States whose economic aid and assistance are in some contexts predicated on enforcement of democratic norms, China and Russia's relations with the region has been silent on infractions in the civil space. In fact, the political systems of China and Russia are the very antithesis of liberal democratic systems

and norms in West African countries. However, enamoured by China's policy of non-interference in the governance of other States, economic aid and assistance from Beijing have been able to neutralize the dominance of the West in the region. Specifically, the rise of China, and its economic aid and assistance, continue to serve as an alternative to that of the West, which to some extent is hinged on demands of accountability, transparency and respect for human rights. Admittedly, China's economic support has contributed to improving infrastructure and relative economic gains in some countries. Conversely, their indifference to governance and democratic norms in countries is aiding the arbitrariness of regimes and erosion of democratic norms and values in the governance of States. This is further compounded by the lack of strong democratic leadership at the forefront of global diffusion of democratic norms coupled with the lack of international consensus in the application of sanction regimes against unconstitutional changes in Governments, and violations of human rights and civil liberties. These gaps are partly attributable to the anti-democratic tendencies and seeming global democratic decline, with no exception to West Africa.

### **Challenges with ECOWAS and enforcement of democratic norms**

The Supplementary Protocol was adopted by ECOWAS to put in place elaborate normative frameworks and mechanisms to strengthen the regional peace and security architecture due to the successive outbreak of conflicts in the region. It establishes a clear link between the objective of conflict prevention and resolution and the will to positively influence political developments in the region.<sup>37</sup> The Protocol is a remarkable step and veritable tool by ECOWAS to consolidate peace, security and stability in a region that has witnessed more than a decade long violent civil war. Experts agree that the protocol provides principles and guidelines for the promotion of democracy and peace including modalities for its implementation, thus stipulating ECOWAS role and contribution to the organization of credible and transparent elections. However, as laudable as the provisions contained in the Protocol may seem, it has undoubtedly suffered diverse challenges especially relating to its implementation. A key challenge as observed by a scholar is the citizens' inadequate knowledge of the provisions of the protocol and the possibility of seeking redress through the ECOWAS Court of Justice for the violation of human rights which constitutes serious impediments to its implementation.<sup>38</sup>

<sup>37</sup> Cheick Oumar Diarra, "ECOWAS Protocol relating to the Mechanism on Conflict Prevention", Paper delivered at a Consultative Meeting organized on Human Security Mechanism for EAC and GIL", Nairobi, 24-28 February 2002.

<sup>38</sup> ECOWAS Protocol on Democracy and Good Governance in Sierra Leone, Sahel and West Africa Club; Mar 20, 2006.

In addition, there is a perception by citizens that ECOWAS is not doing enough to popularise the contents of the Protocol. Decisions reached at ECOWAS meetings are not effectively communicated by national delegates to relevant stakeholders and the citizenry for implementation at the national level. Owing to this communication gap, the lack of ownership of the ECOWAS instruments by the citizens hinders the domestication and implementation of the Protocol. Also, whereas ECOWAS via the Supplementary Protocol remains resolute in its belief in constitutional ascension and retention of political power, transitional governance in the region has become one of the most formidable challenges facing reconstruction and stabilisation in post-conflict states. Although Member States comply with the provision of the Supplementary Protocol which stipulates that “No substantial modification shall be made to the electoral laws in the last six (6) months before the elections, except with the consent of a majority of Political actors”,<sup>39</sup> some Presidents have capitalised on this and made glaring attempts to tamper with their constitutions in a bid to elongate their tenure in office.

Another challenge to the implementation of the Supplementary Protocol is the lack of political will by Member States to abide by its provisions, with particular emphasis on perceived threats to national sovereignty. The non-ratification and domestication of the Supplementary Protocol by a few Member States have also hindered its implementation. The determination of ECOWAS to ensure implementation is evident in the suspension of Member States and barring of Heads of Governments who came to power through unconstitutional means from attending ECOWAS meetings as in the cases of Mali, Guinea and Burkina Faso. The lack of political will by some Member States to implement ECOWAS protocols and adhere to democratic norms undermines governance stability and human security in the region.

Moreover, the application of sanctions by ECOWAS against non-compliance to provisions enshrined in the Protocol on Democracy and Good Governance is undermined by geostrategic interests of Member-States and other external actors. Although ECOWAS has suspended and imposed economic and diplomatic sanctions against Mali, Guinea and Burkina Faso, the dynamics of economic interdependence especially among neighbouring countries have potential to encumber the impact of such sanctions on the regimes. Also, international actors’ political, economic and security interests

in the affected countries provide alternatives that could hinder the efficacy of the sanctions. More importantly, while ECOWAS sanctions against the countries concerned are politically and normatively justifiable, the approach is likely to cause severe hardships and disruptions to economies already faced with multifaceted security challenges and COVID-19 pandemic.<sup>40</sup> This has potential to further aggravate human security fragility in the affected countries. These dynamics do not only affect the impact of sanctions on the regimes, but are also likely to be counterproductive.

### Pathways to Recovery

Given the aforementioned pitfalls and to ensure implementation and compliance, ECOWAS should institute monitoring mechanisms to maintain strict adherence to its policy of ‘Zero Tolerance’ towards unconstitutional change of government backed by strong determination to ensure credible and peaceful elections in the region. Since the adoption of the Supplementary Protocol, ECOWAS has intervened in several political crises and facilitated the emergence of constitutional rule in some Member States. This was demonstrated in opposition to the military coup d’état in Guinea Bissau (2003), succession in conformity with the Constitution of Togo following the death of President Gnassingbe Eyadema in 2005 and condemnation of the coup and concerted efforts to restore constitutional authority in Guinea Bissau and Mali (2012). Lessons learnt from these engagements could come in handy in the current response to restore constitutional order in Guinea and Mali.

Related to the above, the Supplementary Protocol provides a great platform for the management of transitional governance in West Africa. However, the gaps and challenges identified with particular reference to elongation of tenures and rejection of electoral results by candidates, signal the urgent need to review the Protocol. Considering this, the Authority of Heads of State and Government has requested the ECOWAS Commission to initiate the process of reviewing the Protocol to strengthen democracy, peace and stability in the region.<sup>41</sup> While ECOWAS should lead its review thereof, it is imperative for CSOs and relevant stakeholders at national and regional levels to provide requisite technical support in addressing the emerging trends through the sensitization and popularisation of the Protocol for effective implementation and adherence by relevant stakeholders.

<sup>38</sup> ECOWAS Protocol on Democracy and Good Governance in Sierra Leone, Sahel and West Africa Club; Mar 20, 2006.

<sup>39</sup> Supplementary Protocol on Democracy and Good Governance, 2001, Section II, (Article 2:1)

<sup>40</sup> Aubyn Festus (2022). ECOWAS Sanctions Against Mali Are Necessary, But May Be Counterproductive. IPI, Global Observatory. Available at: <https://theglobalobservatory.org/2022/02/ecowas-sanctions-against-mali-necessary-but-may-be-counter-productive/> (Accessed on 3/2/2022).

<sup>41</sup> Extraordinary Session of the Authority of Heads of State and Government, Accra, Ghana, 16 September 2021. Communiqué. <https://www.ecowas.int/communiqué-extraordinary-session-of-the-ecowas-authority-of-heads-of-state-and-government/> (Accessed 10/10/2021).

In addition, there has been increasing public support for democracy, especially among young people across countries in the region. Afrobarometer research (2021) in which 1,200 respondents were interviewed across 18 countries in Africa on the state of democracy and governance systems, revealed high support for democracy and rejection of authoritarian alternatives. In Sierra Leone, Ghana and Nigeria, for instance, seven in 10 respondents (85%, 76% and 74%, respectively) prefer democracy to another form of Government, but satisfaction with the way democracy works drops in the countries targeted.<sup>42</sup> This suggests that democracy based on the Rule of Law fosters good governance. Given this, most countries in the region require political reforms for the survival of democracy and social and economic development. Democratic governance is not static but dynamic and therefore, reform processes constantly need to be adapted to the people's concerns. West African leaders should make efforts to formulate long-term visions that allow space for open elections, political change, and reforms, which allows inclusive participation of all stakeholders. This is, among other things, an overall condition for improving democratic governance.

Also, inclusive and active participation of women and youth in democratic and governance processes is imperative and increases public support for democracy. The median age of West Africa is 18 years old, with 66 per cent of the population of more than 400million being under the age of 25.<sup>43</sup> The burgeoning youth population is both an opportunity and a challenge for the region. On the productive side, the population provides an opportunity for the region to address its sustainable development challenges while on the flip side, lack of opportunities such as education, employment and health security, among others, could expose the region to severe consequences. Therefore, the region needs to harness the energy, creativity and innovation of its youthful population for governance and economic transformation.

Another factor likely to play a role in the recovery process is the willingness of the international community to support and strengthen democratic institutions in the region. As West Africa continues to grapple with governance deficits, the need to strengthen democratic institutions to effectively respond to the needs of citizens remains paramount for sustainable peace and development in the region.

## Recommendations

The following recommendations have been formulated in view of addressing the challenges identified to enhance democratic governance, peace and security in the region:

### ECOWAS/AU and International Partners

- The protocol should be reviewed to include two terms limit for the Presidency with a clause to prohibit the extension of terms. Reference should be made to the shared values as defined by African Union (AU) in limiting the number of presidential tenures.
- It is imperative for ECOWAS to strengthen partnership with AU and UN to engage the military regimes in Mali, Guinea and Burkina Faso aimed at facilitating sustained dialogue and technical support to transition to democratic governance.
- ECOWAS should collaborate and support existing national and regional civil society coalitions on the popularization of the supplementary protocol.
- ECOWAS should review its Election Observation Missions to include long-term election observations (beyond the current arrangement of 30 days or less to the elections) to ensure coverage of the entire electoral process. National election observer missions should also be strengthened. Election observation missions should also include election observation in municipal / local elections and not only presidential and parliamentary elections as is the current practice.
- ECOWAS should explore options to address emerging trends of non-acceptance of electoral results by candidates, as this constitutes a major threat to transitional processes in the post-election phase.
- Issues of subsidiarity and complementarity should be revisited to ensure coordination, cooperation, and effective use of resources. AU should consult and act through Regional Economic Communities (ECOWAS) to avoid duplication of efforts and the creation of tensions.
- The effectiveness of early warning process should be reinforced in the Protocol.

<sup>42</sup> Afrobarometer Survey (2021). <https://afrobarometer.org/countries/sierra-leone-0> (Accessed 12/07/2021).

<sup>43</sup> Worldometer (2021). West African Population. <https://www.worldometers.info/world-population/western-africa-population/> (Accessed 12/11/2021)

### **Governments, EMBs, Political Parties**

- There is the need for inclusive participation of relevant stakeholders of the electoral process including ruling and opposition parties and CSOs in the appointment of the officials of Election Management Bodies (EMBs) and inline with the ECOWAS Protocol on Democracy and Good Governance.
- The Government, development partners and CSOs should strengthen collaboration to provide capacity building to enhance the operations of EMBs and security agencies to ensure effective election management and democratic policing to generate trust and confidence among political parties and citizens of States.
- Collaborations with CSOs should be strengthened for sensitization and institutional capacity building of relevant government agencies engaged in the operationalisation of the Protocol in member states.
- National platforms should be created to improve citizens' awareness and understanding of electoral laws and regional protocols that relate to elections.

### **CSOs, the media, youths, women groups, religious organisations**

- CSOs should advocate for periodic and/or continuous electoral and constitutional reforms to ensure the alignment of national laws with the principles of the Supplementary Protocol
- CSOs should collaborate with the academia to incorporate the provisions of the protocols in the curricula of their respective institutions. Social media and cultural platforms (music, drama, and theatre) should equally be used to popularise the Protocol.
- CSOs should engage with relevant Parliamentary Sub-committees and organise workshops to facilitate the ratification and operationalisation of the Supplementary Protocol.
- CSOs and the media should organise national and regional coalitions/alliances to engage on issues pertaining to the Supplementary Protocol.

### **Conclusion**

Indeed, West Africa has made significant progress in democratic governance over the last three decades more than any other African region. This is evident in the growing culture of periodic multiparty elections that have contributed to power alternations from one party to another in most countries in the region.

Other democratic governance ingredients achieved over the period include, promulgation of laws to protect civil liberties, free media space and human rights in most dispensations. Notwithstanding these gains, recent trends in the political landscape of the region reveal erosion of the democratic dividends achieved over the years. Such instances include military forays in politics that have truncated democratic governance in Mali, Guinea and Burkina Faso, with potential contagion effect on other dispensations in the region.

Aside from this, some States have promulgated laws to curtail press freedom and civil liberties, while electoral processes in countries are replete with tensions and violence as a result of lack of inclusive participation of opposition parties and consensus building, as well as electoral irregularities. There are also concerns of removal of presidential term limits and state repression of dissenting voices evident in unlawful arrests of political opponents and critics of regimes, heavy-handedness of protesters and violations of civil liberties among others. These instances provide a mirror reflection of declining democratic governance, sullyng the gains made over the years. Of particular concern is the resurgence of authoritarianism and its potential impact on governance stability given the already prevailing security volatility in the region.

Despite the challenges, West Africa has an array of actors and response mechanisms including the ECOWAS 2001 Supplementary Protocol on Democracy and Good Governance and the AU Charter on Elections, Democracy and Good Governance to engage States to address the current challenges to democratic governance in the region. Additional to this are CSOs advocacy and other development partners' mechanisms and support that could be harnessed by stakeholders to strengthen democratic governance in countries. Thus, as the region seeks to navigate the current threats to democratic governance, what is critically required is the need for stakeholders to increase engagements to review and strengthen existing frameworks, tools on governance and enforce implementation, while engaging States to provide the necessary support to strengthen existing democratic institutions and laws to effectively respond to the threats bedeviling democracy in the region.

This report is a special thematic report of the WANEP Warning and Response (WARN) program with specific analysis and interpretation focusing on democracy and governance in West Africa. The figures in this Report are collated based on data from the WANEP National Early Warning System which is an integral component of WARN. It also makes use of data from the ECOWAS Early Warning and Response Network (ECOWARN) system. It provides analytical report for the review period,

The report interprets data in countries of the region where governance fault lines continue to affect human security and stability. Therefore, for the sake of analysis, it considers only the absolute value of incidence instead of the values compare to population size of the affected countries.

# Thematic REPORT

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