Challenges and Opportunities for Electoral Democracy in Africa

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Chairwoman Bass, Ranking Member Smith, members of the Subcommittee: Thank you for this opportunity to address the important topic of elections in Africa. I want to acknowledge the vital role of this Subcommittee in defending and advancing democracy, and more broadly promoting health and human dignity on the continent of Africa. Representative Bass, I would like to thank you for engaging in international observation of African elections. We met when you co-led National Democratic Institute (NDI's) observation of Kenya's 2017 elections, and I have to note your role in co-leading, along with former Liberian President Ellen Johnson Sirleaf and others, the joint NDI-International Republican Institute (IRI) observation of Zimbabwe's elections in 2018. That delegation helped persuade President Emmerson Mnangagwa to order troops back to their barracks, which undoubtedly saved lives. Representative Smith, your leadership on this Subcommittee has been invaluable, and your office's support for democracy and human rights, including your office's engagements with NDI and IRI, are greatly appreciated.

Since 1985, when the National Democratic Institute (NDI) conducted its first activity in Africa, the Institute has worked in 43 African countries, and on a wide variety of programs to strengthen democratic development, including achieving credible, peaceful elections. The Institute presently has offices in 28 African countries, including those that are of interest to this hearing. NDI has partnered with political parties, parliaments, civil society groups and democratic reformers in government in well over 100 African elections, fielded international observers to more than 50 national elections, and helped citizens develop capacities to monitor and advocate for electoral integrity and reform. The Institute has also invested heavily in facilitating peer networks within Africa and connecting them to similar networks on other continents around the globe.

Electoral Challenges During the COVID-19 Pandemic

Last year was an exceptionally difficult year for elections in Africa. The global COVID-19 pandemic compounded the complexities faced by emerging democracies in resolving the competition for political power through credible, peaceful elections. In countries such as Burundi and Uganda, incumbents used the pandemic to strengthen their grip on power as they conducted elections, using public health measures to restrict competition, undercut opposition efforts to mobilize their supporters, and restrict election observation. In Ethiopia, the government postponed elections on account of the pandemic, a decision that was challenged by and exacerbated tensions with some of the country's political groupings. More established democratically inclined governments in countries such as Malawi and Ghana struggled with balancing public health safeguards against the right to vote. In some cases, governments faced shortages of personal protective equipment, confronted additional needs for civic education on electoral participation in a health crisis, and tried to conduct voting and ballot counting in ways that protected voters and poll workers while still being transparent enough to earn public trust. Citizen election monitors and international election observers also confronted new realities

including restrictions on their ability to witness campaigns and electoral procedures. During the Malawi elections in June 2020, and the Ghana elections in December 2020, citizen observers had to adopt innovative approaches in order to adhere to public health safety requirements and international observers had to develop innovative virtual techniques to compensate for travel restrictions.

Thanks in large part to support from the National Endowment for Democracy, the USAID, and the State Department's Bureau for Democracy, Human Rights and Labor, NDI was able to quickly pivot its support for electoral integrity in Africa to address COVID-19 constraints. In response to numerous requests, NDI redesigned its electoral assistance, providing guidance based on our global experience. Notably, the Institute organized webinars for direct exchanges with local partners and electoral stakeholders, and developed innovations for groups to conduct recruitment, training and strategic communications on electoral integrity monitoring. In consultation with other international organizations that adhere to the *Declaration of Principles for International Election Observation*, NDI rapidly developed techniques for: (a) virtual long-term analysts to focus on key electoral integrity themes in partnership with country offices and partners; (b) virtual pre-election assessments teams to conduct intensive interviews with electoral stakeholders and offer recommendations; and (c) key national electoral stakeholders to hold virtual roundtables with experts and policy influencers in Washington and elsewhere to increase the prospects for recommendations being timely implemented.

All of these activities underscored the interest of the international community in Afrian electoral integrity. These techniques were effective in multiple contexts, including in the lead up to the 2020 Ghanian elections. Madam Chair gave opening remarks for one of those sessions for Ghanaian stakeholders, and NDI remains very appreciative for your time and support. The Institute and its sister organization, IRI, will employ that technique as part of the methodology to jointly assess preparations for the Ethiopian elections later this year.

More than a dozen national elections are scheduled in Africa this year. Four of these -- Djibouti, Ethiopia, Somalia and Uganda -- are in the greater Horn of Africa. I will briefly address the general context for upcoming elections in Ethiopia and Somalia, as well as recently held elections in Uganda.

The Recent Presidential Election in Uganda

The recent presidential election in Uganda was unfortunately marked by significant limitations on the activities of international organizations, media and national civil society groups. A few intergovernmental organizations, including the African Union (AU), the East African Community (EAC), and the Intergovernmental Authority on Development (IGAD) in East Africa

fielded teams to observe the elections. The EAC mission offered suggestions to improve future elections, while noting that their activities were hampered by an internet shutdown. The internet shutdown lasted for several days and throttled freedom of expression and information flow. It was deeply concerning. The European Union declined to send observers, noting that its prior recommendations had not been acted upon, and the U.S. Embassy decided not to deploy observers given restrictions on the numbers of accreditations alloted embassy staff. Citizen election observers did not receive enough accreditation credentials to enable them to comprehensively monitor polls across the country. Regrettably, on election day, 27 citizen observers were arrested on accusations of "illegal ballot tallying," but were later released without charges. The level of violence against the main opposition candidate Robert Kyagulanyi, popularly known as Bobi Wine, and his supporters in the pre-election and immediate post-election periods was unprecedented. Multiple UN special rapporteurs on human rights jointly issued statements of grave concern about government use of violence and an election clamp down. Citing lack of trust in the judiciary, Bobi Wine, has since withdrawn a petition challenging the election result. Concerns persist, however, on the safety of opposition and human rights activists and continued attacks on journalists.

Upcoming Elections in Ethiopia

An analysis of the electoral environment in Ethiopia requires that we not lose sight of the country's broader political context. In particular, peace and security challenges have plagued the transition process, more seriously since the beginning of the COVID-19 pandemic and, later, the July 2020 assasination of a popular Oromo musician, Hachalu Hundessa. On June 5th this year, Ethiopia will hold national parliamentary elections that were initially postponed due to the pandemic and the subsequent promulgation of a state of emergency (SOE) by the House of Peoples Representatives. The postponement of the elections deepened polarization among political parties in the country. As a result, the Tigray People's Liberation Front (TPLF) organized regional elections in September 2020, arguably in breach of the National Election Board of Ethiopia (NEBE's) constitutional mandate, contributing to divisions that escalated to the current crisis. To date, a number of political parties, including the Oromo Federalist Congress (OFC) and the Oromo Liberation Front (OLF), continue to threaten to boycott the polls, citing the imprisonment of their leaders -- a fallout that can be traced back to Hachalu's assasination and the social unrest that followed in July.

The Ethiopian elections will be held in a context that falls short of the high expectations that welcomed the leadership of Prime Minister Abiy and his initial reform agenda; however, they will be an important step in avoiding further regression in the country. The imperative of peace and security creates pressure on Ethiopians to ensure the election proceeds. Ethiopians and friends of Ethiopia will have to work intensively to avoid the negative electoral trends witnessed

elsewhere on the continent. In this regard, affirming support for fundamental human rights and liberties, guaranteeing media freedoms, broadening civic space, adhering to a human rights-based approach in securing the elections and instituting measures to ensure transparency, inclusion and accountability will be critically important. Freedom of communications is needed, including preventing opportunities for sowing disinformation.

Ethiopia faces particular challenges with regards to its broader security context and the high number of internally displaced persons within the country and refugees from neighboring countries. The NEBE has noted that national elections will not take place in Tigray until a later date due to the ongoing conflict and instability in the region. The prevailing security challenges, humanitarian needs and [reports of human rights violations](#) in Tigray would need to be resolved through sustained engagement by the international community with Ethiopian authorities and partners. Encouraging dialogue, consensus building and trust-building among Ethiopian political leaders, exemplified by recent discussions between Prime Minister Abiy and some opposition political parties, are important. The plans announced last week to allow humanitarian organizations and independent media access into Tigray, are also critical to provide a full, independent and accurate picture of the humanitarian and human rights conditions in the region. The international community should continue to encourage full implementation of those plans throughout all of the Tigray region, without geographical restrictions. Similar attention should be paid to the international dimensions of these challenges, to address the roles of Eritrean troops, as [demanded by the US state department](#), and border tensions between Ethiopia and Sudan.

Ahead of June 5th, the NEBE will face significant tasks, including: recruitment and training of approximately 150,000 poll workers for election day operations; completing candidate registration; organizing voter registration; and completing logistics for the distribution of election materials. While some stakeholders are fearful that the June 5th election date may not hold, the NEBE continues to work assiduously to implement outstanding tasks. Similarly, civil society groups are committed to playing an important role in the process through voter education and citizen election observation. The Ethiopian Human Rights Commission (EHRC) is equally poised to continue its important work in monitoring and reporting on human rights during elections. These institutions, and others not mentioned, deserve the support of Ethiopian citizens, authorities, political parties and international partners to ensure a credible process.

With support from USAID, the State Department and the National Endowment for Democracy, NDI, IRI and the International Foundation for Electoral Systems (IFES) are working alongside the United Nations Development Program (UNDP), the European Centre for Electoral Support (ECES) and other international partners to support the election process in Ethiopia. As mentioned earlier, NDI and IRI will conduct virtual international pre-election assessment activities while continuing to assess possibilities of fielding in-person teams on election day. The

two institutes are also coordinating with other international partners, including the AU, the European Union (EU), the Carter Center, and the Electoral Institute for Sustainable Democracy in Africa (EISA).

Election Postponement in Somalia

Somalia faces a political impasse over its elections as disagreements over the conduct of the polls could have potential ramifications for peace and stability in the country and the broader Horn of Africa. Over the past several years, the Federal Government of Somalia (FGS), the Federal Member States (FMS) and the opposition have engaged in multiple rounds of negotiations to determine a framework for inclusive presidential and parliamentary elections. On September 17, 2020, all the parties agreed to an indirect (delegate model) electoral system, the formation of electoral committees to manage elections at federal and regional levels, and the roles of the two levels of government in appointing officials to the electoral committee. Unfortunately, that agreement has since collapsed and that raises significant security challenges as illustrated by the events of February 19, 2021.

In today's Somalia, there persists a very sensitive dispute on the delineation of roles between federal and regional governments. For example, the federal government deployment of the Somali National Army (SNA) to the town of Gedo -- in Jubaland region -- has led to a contest between the federal government and the Jubaland regional government regarding control of voting locations in the region. The regional government insists that voting locations should not be in areas under the control of federal government forces. The Puntland regional government position on this issue aligns with that of the Jubaland regional government. Concerns over the selection of voting delegates and election officials, and fears of potential bias, have also contributed to the impasse. The disagreements have also drawn in opposition presidential candidates. As a result, elections initially planned for February have now been delayed. This, in turn, has led some political actors to question the legitimacy of the current federal government. While negotiations to break the impasse are ongoing, security risks in Somalia have heightened. Somalia also remains vulnerable to the threat of terrorism, with the violent extremist group *Al Shabaab* still active in parts of the country. The presence of multiple security forces and militia with divided loyalties to either the FGS or the regional governments also increases risk of violent confrontations.

The international community has played an important role in preparations for elections in Somalia, but these efforts, along with those of Somali citizens, are now stymied by the current impasse. Consistent diplomatic engagement by Somalia's international partners will be necessary to unlock the impasse and to guarantee any resulting agreements. Reports that the federal government, the member states and the opposition will meet in Mogadishu on March 5, 2021 are

encouraging and affirms the need for Somalis to lead and forge consensus on the way forward. If an agreement is reached, the immediate electoral priorities will include formulating protocols to manage the election, establishing and training electoral committees, recruiting staff to manage the indirect election process at all levels and increasing citizen awareness on the process. Having invested heavily in efforts to stabilize Somalia, the international community should envisage taking on a more robust role as a trusted guarantor of agreements reached between the parties.

In the long-term, there is a pressing need to build Somalia's democratic institutions, including an independent judiciary, strengthening the constitutionally mandated election commission, building the capacity of civil society to engage in the country's democratic process, and supporting efforts to broaden the franchise to all citizens. In this regard, I see a strong role for the international community, particularly the AU with support from the United Nations, with possible dividends in securing regional stability, bolstering counterterrorism efforts and contributing to Somalia's economic development.

Conclusion and Recommendations

In addition to the countries discussed above, I would also like to make a special appeal that we collectively pay attention to national elections planned for later this year in **Zambia.** Although presidential elections in Zambia have been closely contested in the past, the COVID-19 effect and deeply polarized country context require critical technical assistance and expertise to mitigate prospects for violence and democratic regression, and to ensure a credible and peaceful poll.

Despite the challenges and concerns I have shared, there are also many positive examples from Africa that affirm the important role of elections in facilitating peaceful competition for political power, strengthening democracy and advancing human dignity for all. The recent peaceful electoral alternations of political leadership in Malawi and Seychelles, the presidential election in Ghana, and the ongoing process to obtain a peaceful transfer of power from one democratically elected president to another in Niger -- for the first time in that country's history -- all provide a beacon of hope to democrats on the continent. The examples of strong and independent judiciaries in Malawi and Kenya, a resilient and increasingly better networked civil society, a more educated and politically engaged youth population, and most importantly, the abiding faith that Africans continue to have in democracy, as affirmed by a 2019 Afrobarometer survey, all point to possibilities of democratic progress in Africa. As I conclude, allow me to offer some thoughts on possible areas of continued cooperation and support for democratic elections in Africa.

I: To African countries in the region:

As we engage with partners across Africa, and especially in the countries set to hold national elections this year, a number of recommendations come to mind, based on the above-listed cases. The success of upcoming elections in the region will depend on how well governments, electoral stakeholders and citizens work collaboratively to avoid the negative trends that were witnessed in Uganda and other recent elections in the region. Notably:

a) **Balance public health measures with guarantees for credible elections.** Authorities will need to balance public health measures related to the COVID-19 pandemic with the constitutional duty to guarantee the rights of all political actors, civil society and media to participate equally and freely in the election process.

b) **Ensure a level playing field for incumbent and opposition candidates.** Governments and election bodies must guard against measures that skew the campaign context and unfairly disadvantage the political opposition. These include the use of state resources and institutions to support partisan electoral activities.

c) **Broaden civic and political space to ensure effective civic engagement.** As civic and political space have shrunk during the first wave of the pandemic, governments and regulatory bodies must take concrete steps to reverse the trend and guarantee the effective contribution of citizen groups to electoral integrity efforts.

d) **Implement human rights-based approaches to electoral security.** Governments need to calibrate their efforts to address conflict and insecurity in ways that uphold human rights and the safety of all citizens, regardless of their political affiliation.

e) **Promote the rule of law and accountability for electoral violations**. Political actors and government officials must agree to conduct electoral activities within the rule of law and promote fundamental freedoms, liberties and human rights. Authorities need to facilitate impartial oversight from the judiciary and relevant regulatory bodies so they can hold all electoral transgressors accountable, regardless of party affiliation, and discourage illiberal behavior that stokes violence and instability.

f) **Ensure that the information environment remains open, while supporting legitimate efforts to combat disinformation and misinformation**. Governments should avoid a total information blackout via the shutting down of the internet and mobile telephony as that infringes upon press freedoms and the ability of citizens to receive accurate and timely information on the elections, which further creates fertile grounds for disinformation and propaganda.

II: To international partners, including the U.S. Congress:

a) **Support efforts to build Africa's democratic institutions, including election management bodies and independent dispute resolution mechanisms**. Without

sufficient resources and requisite capacity, Africa's democratic institutions will not be able to effectively deliver on their mandates or advance democratic progress. The support of the international community to help create strong, independent and democratic institutions that countervail authoritarian opportunism will help improve the quality of African elections and the continent's democracy.

b) **Continue investments in the active participation of African civil society and citizen election observers, particularly youth and women, in elections and the political process**. Active citizen participation in elections -- including through monitoring and advocacy for electoral integrity and genuine inclusion -- provides an important opportunity to harness broad citizen support for democracy and elections on the continent. Civil society groups have played an important role in promoting inclusive and informed participation, and electoral integrity across the continent. These roles have become more important and visible in the context of limitations imposed by COVID-19 restrictions. Bolstering support to these groups, and harnessing the youth demographic bulge -- an asset for the continent -- will build capacities that, beyond elections, are transferable to other aspects of advocacy and democratic governance.

c) **Continue support for international election observation activities.** The work of international election observers remains very important to spotlight negative electoral trends and amplify voices of citizen election observers. This is particularly critical in contexts where citizen election observers and groups face limitations on their activities, harassment and threats to their safety. Madam Chair, as you know from your participation in the NDI election observation missions in Kenya and in Zimbabwe, the presence of international observers and the recommendations they make -- before, during and after the election process -- play a critical role in contributing to open and transparent processes.

d) **Formulate clear and timely policies to guide support and engagement with political leaders and entities in countries undergoing political transition.** As the new administration rolls out its "America is Back" outreach to Africa and other parts of the world, it should lay out as early and as clearly as possible its strategies and priorities for engaging transitional challenges and opportunities on the continent; with benchmarks and incentives for good performers including among civil society and pro-democracy communities.

e) **Strengthen global networks and partnerships with African democrats to defend liberal democratic values, institutions and processes.** As external illiberal actors -- led by China and Russia -- expand their influence across the continent by promoting alternative authoritarian governance models, concerted efforts are required to strengthen international partnerships and networks with African democrats to promote democratic values and institutions. Alongside these efforts, boosting trade and economic relations to

help address Africa's legitimate developmental needs will help mitigate the void exploited by foreign illiberal actors.

f) **Publicly demonstrate international solidarity with African democrats.** Given the context of democratic backsliding that has occurred across the continent and other parts of the globe in the past few years, a demonstration of international solidarity will go a long way to affirm support for democratic values, principles and practises. The geostrategic value of countries in the Horn of Africa predisposes them to external actors and influences, including China, Russia and some Middle Eastern regimes, who aggressively seek to undermine democratic norms and values. Responding to these influences and how they manifest in the context of elections will be critical to countering democratic decline and growing authoritarianism across the continent. Statements of support, Congressional resolutions and legislation by the U.S. Congress do have an impact across Africa. Your attention to the developments in each of these countries is critically important.

Madam Chair, once more, let me thank you, Ranking Member Smith, and all the members of this distinguished Subcommittee for the important work you are doing to advance democracy and human dignity for all, the consistent support for our work at NDI, and for the invitation to share my testimony with you today. As always, NDI stands ready to provide you with insights and on the ground reports to assist you in your work. Thank you.