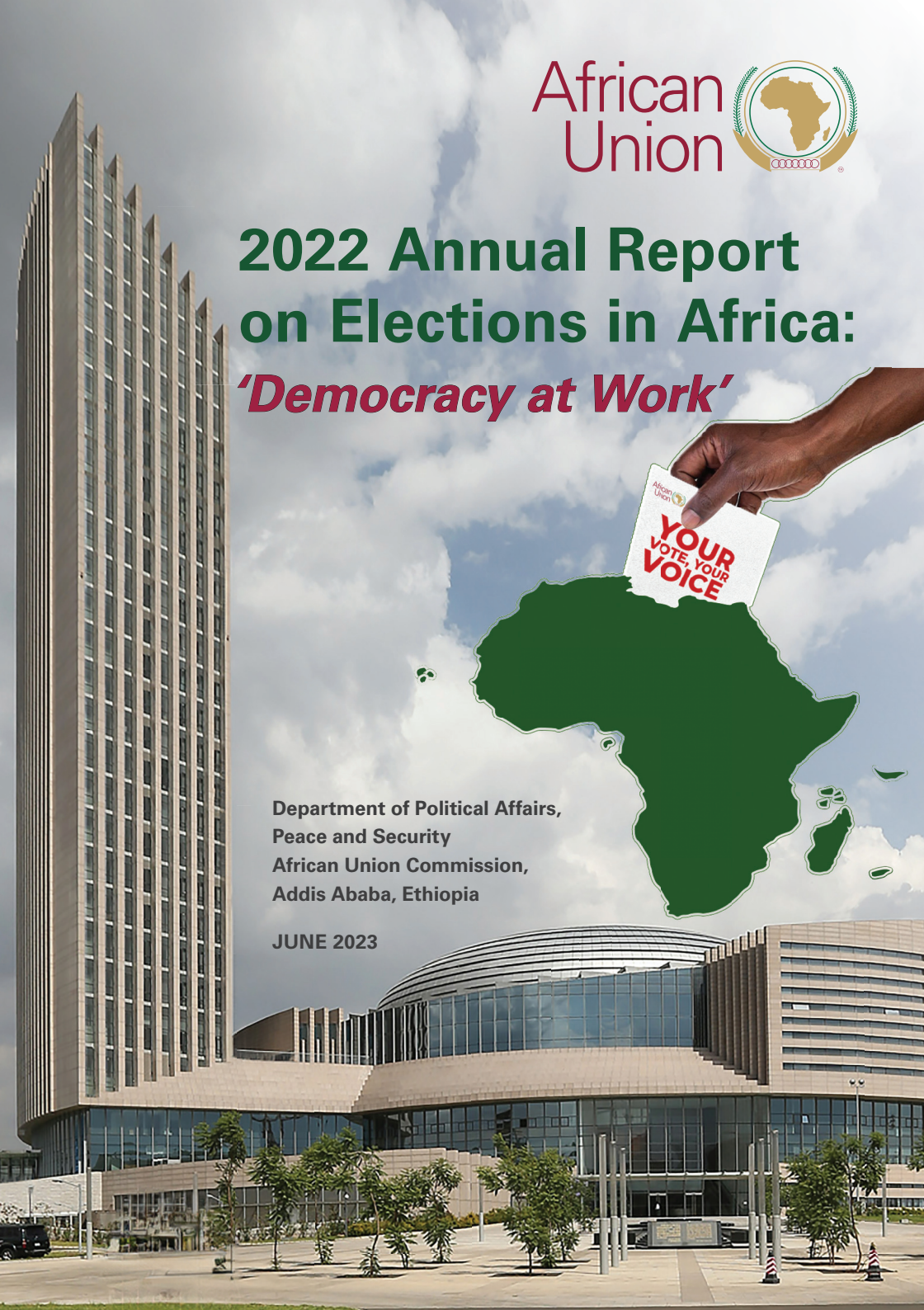


# 2022 Annual Report on Elections in Africa: *'Democracy at Work'*



Department of Political Affairs,  
Peace and Security  
African Union Commission,  
Addis Ababa, Ethiopia

JUNE 2023





# 2022 Annual Report on Elections in Africa: *'Democracy at Work'*



Department of Political Affairs, Peace and Security  
African Union Commission  
Addis Ababa  
Ethiopia

JUNE 2023

African Union Commission  
P.O. Box 3243  
Roosevelt Street (Old Airport Area),  
W21 K19, Addis Ababa, Ethiopia  
Website: <https://au.int>  
Email: [DIC@africa-union.org](mailto:DIC@africa-union.org)

JUNE 2023

This *2022 Annual Report on Elections in Africa: 'Democracy at Work'* primarily covers all member states of the African Union (AU) which have organised elections and have been covered by various AU Election Observation Missions (AUEOM) and Technical Assistance (TA) missions but also Pre-Election Assessment Missions (PAM) and post-election Preventive Diplomacy (PD) missions.

It constitutes an important effort to systematize the national dynamics previously noted in the Preliminary Statements and Final Reports of the AUEOM, and TA carried out by independent African Election Experts during the electoral processes.

In addition, the main added value of this first Annual Report shows more than ever that democracy is at work on the continent. This is because as the elections are more transparent, regular and in accordance with the national legal frameworks and the relevant regional, continental and international standards relating to it, the more it is incidentally and reciprocally consolidated in the member states with variabilities relating to the degree of encapsulation of their socio-political transitions. It reaffirms Africa's rejection of coups, terrorism and unconstitutional changes to better consolidate the rule of law and good public governance in the member states.

Finally, the publication of this 2022 Annual Report was possible thanks to the support of the International Institute for Democracy and Elections Assistance (Intl. IDEA).

Editorial Consultant: Prof. BA Oumar

Design, Layout and Cover Printing by  
eValueContent Technology  
([www.evc-tech.com](http://www.evc-tech.com))



## DISCLAIMER

The information used in this publication, including respective citations, maps and bibliographies, does not imply the expression of any opinion whatsoever from the African Union Commission (AUC) concerning the legal status of any member state or its authorities, candidates, political parties and coalitions contesting, its EMBs or regarding the delimitation of its borders.

The AU makes no judgement against the interests of member states. It only aims to produce this strategic document with the ultimate aim of providing the basis for advances, issues, limits, challenges and perspectives aimed at the consolidation of pluralist democracy, the rule of law through elections that are more in line with the national legal frameworks and the relevant regional, continental and international standards relating to them. This contributes to highlighting the progress made by member states to induce 'democratic peace' in Africa.

# TABLE OF CONTENTS

<b>Acronyms and Abbreviations .....</b>	<b>vi</b>
<b>Acknowledgments.....</b>	<b>xiii</b>
<b>Foreword.....</b>	<b>xiv</b>
<b>Preface .....</b>	<b>xvi</b>
<b>Executive Summary .....</b>	<b>xviii</b>
<b>Introduction.....</b>	<b>1</b>
I.1. An innovative report .....	1
I.2. Dialectics of concepts: "Elections" and "Democracy at Work" ....	2
I.3. Democratization of Africa: Three "waves" of transitions .....	4
I.4. Typology of AU missions and elections observed in member states .....	5
I.5. Methodology .....	14
I.6. Legal framework .....	16
I.7. Rationale and justification .....	17
<b>Part 1: Member States in Election Mode: Context and Socio-political Dynamics .....</b>	<b>19</b>
I. Socio-political context .....	20
II. Candidates, political parties and coalitions contesting .....	34
<b>Part 2: Election Management Bodies (EMBs) and Their Impact on Democratic Governance.....</b>	<b>59</b>
I. Conventional EMBs regulating electoral processes .....	60
II. Relevant jurisdictional institutions .....	65
III. AD HOC EMBs involved in the management of elections .....	68
IV. Synopsis of EMBs: Scope, function and systemic effects in democratic governance .....	73



### **Part 3: Pre-Election Phase in the Member States**

<b>Observed by the AU .....</b>	<b>75</b>
I. Overall findings and country specificities .....	76
II. Voter registration and accreditation of elections.....	76
III. Roles of contesting candidates, political parties and coalitions .....	80
IV. Pre-election disputes: State of play .....	84
V. Media pluralism and political communication.....	88
VI. Financing elections.....	91
VII. Role of the civil society: Citizen civic education and watchdogs for democratic ownership of electoral processes .....	94
VIII. Inclusiveness of electoral processes and target voters: Young people, women, people living with a disability.....	96
IX. Security dimension: A persisting challenge for a peaceful polling .....	97
X. Electoral campaigns: Similarities and differences.....	99
XI. Progress and limitations noted by AUEOM in this phase within the member states.....	102

### **Part 4: Election Day in Member States: Commendable**

<b>Practices and Need for Improvement.....</b>	<b>105</b>
I. Opening of polling stations .....	106
II. Progress of election day in the polling stations observed.....	108
III. Closing of voting operations.....	119
IV. Counting and displaying the results .....	120
V. Summary table of major finding.....	120

### **Part 5: Post-Election Phase..... 125**

I. Post-election disputes.....	126
II. Provisional and final results of the polls.....	129
III. Summary of voting results by member state .....	132
IV. Progress and limitations observed in the management of this sensitive phase of the electoral process .....	166

<b>Part 6: Related Pro-Democratic Activities of the AU PAPS .....</b>	<b>169</b>
I. AU complementary activities for democratic consolidation and unconstitutional changes of governments: Implementation of the Accra and Malabo declarations.....	170
II. Dynamics of international cooperation for the promotion of gender equality and democratic standards.....	174
III. Electoral preventive diplomacy efforts for a peaceful resolution of political crises and conflicts in Africa .....	179
<b>Conclusion and recommendations .....</b>	<b>183</b>
Conclusion/critical lessons .....	183
Recommendations.....	186
<b>Annexes .....</b>	<b>189</b>
<b>Bibliography .....</b>	<b>194</b>

## ACRONYMS AND ABBREVIATIONS

<b>ACDEG</b>	African Charter on Democracy, Elections and Governance
<b>ACHPR</b>	African Charter on Human and Peoples' Rights
<b>AGA</b>	African Governance Architecture
<b>AMISOM</b>	African Union Mission in Somalia
<b>AMRE</b>	Angolan Media Regulatory Entity
<b>ANC</b>	Amani National Congress
<b>APA</b>	Angolan Press Agency
<b>APRC</b>	Alliance for Patriotic Reorientation and Construction
<b>APRM</b>	African Peer Review Mechanism
<b>ARPC</b>	Assembly of the Representatives of the People and the Constitution
<b>APSA</b>	African Peace and Security Architecture
<b>AU</b>	African Union
<b>AUC</b>	African Union Commission
<b>AUEOM</b>	African Union Election Observation Mission
<hr/>	
<b>BBY</b>	Benno Bokk Yakaar
<b>BCSA-EC</b>	Broad Convergence for the Salvation of Angola—Electoral Coalition (CASA-CE)
<hr/>	
<b>CC</b>	Constitutional Council
<b>CC</b>	Constitutional Court
<b>CCK</b>	Chama Cha Kazi
<b>CCS</b>	Commission of the Civil Service
<b>CCU</b>	Chama Cha Uzalendo
<b>CLP</b>	Congolese Labour Party
<b>CMD</b>	Conflict Management Directorate

<b>COMESA</b>	Common Market for Eastern and Southern Africa
<b>CPAPS-AU</b>	Commissioner for Political Affairs, Peace and Security of the African Union
<b>CPK</b>	Communist Party of Kenya
<b>CPLP</b>	Community of Portuguese Language Countries
<b>CSD</b>	Convergence for Social Democracy
<b>CSOs</b>	civil society organizations
<b>CUN</b>	Charter of United Nations
<hr/>	
<b>DAP-K</b>	Democratic Action Party—Kenya
<b>DCP-RG</b>	Democratic Convergence Party—Reflection Group
<b>DDRRR</b>	Disarmament, Demobilization, Repatriation, Resettlement and Reintegration
<b>DEAU</b>	Democracy and Electoral Assistance Unit
<b>DEP</b>	Devolution Empowerment Party
<b>DEU</b>	Democracy and Elections Unit
<b>DGE</b>	Directorate General of Elections
<b>DGEA</b>	Directorate General of Electoral Affairs
<b>DGEA</b>	Directorate General of Election Administration
<b>DP</b>	Democratic Party
<b>D-PAPS/AU</b>	Department of Political Affairs, Peace and Security of the African Union
<b>DPEG (PDGE)</b>	Democratic Party of Equatorial Guinea
<b>DPK</b>	Devolution Party of Kenya
<b>DVCC</b>	Departmental Vote Census Commission
<hr/>	
<b>EAC</b>	East African Community
<b>ECCAS</b>	Economic Community of Central African States
<b>ECES</b>	European Centre for Electoral Support
<b>ECF-SADC</b>	Electoral Commission Forum of Southern African Development Community



<b>ECOWAS</b>	Economic Community of West African States
<b>EFPP</b>	Economic Freedom Party
<b>EISA</b>	Electoral Institute for Sustainable Democracy in Africa
<b>EMBs</b>	election management bodies
<b>ETAM</b>	Electoral Technical Assistance Missions
<b>EU</b>	European Union
<b>EWC</b>	Election Watch Committee
<b>FCDM-LP</b>	Force for Changes Democratic Movement—Liberal Party
<b>GCPD</b>	Governance and Conflict Prevention Directorate
<b>HPA</b>	Humanist Party of Angola
<b>IC</b>	International Community
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>ICESCR</b>	International Covenant on Economic, Social and Cultural Rights
<b>IDA (ADI)</b>	Independent Democratic Action
<b>International IDEA</b>	International Institute for Democracy and Electoral Assistance
<b>IEBC</b>	Independent Electoral and Boundaries Commission
<b>IEC (CEI)</b>	Independent Electoral Commission
<b>IFES</b>	International Foundation for Electoral System
<b>IGAD</b>	Intergovernmental Authority on Development
<b>IHAAC (HAICA)</b>	Independent High Authority for Audiovisual Communication
<b>IHAE (ISIE)</b>	Independent High Authority for Elections
<b>IREB</b>	Independent Regional Electoral Bodies
<b>INEC (CNEI)</b>	Independent National Electoral Commission
<b>JCE</b>	Judiciary Committee on Elections
<b>JP</b>	Jubilee Party

---

<b>KANU</b>	Kenya African National Union
<b>KIEMS</b>	Kenyan Integrated Elections Management Systems
<b>KK</b>	Kenya Kwanza
<b>KPMG</b>	Klynveld Peat Marwick Goerdeler
<b>KRP</b>	Kenya Reform Party
<b>KUP</b>	Kenya Union Party

---

<b>LAS</b>	League of the Arab States
<b>LDC</b>	Liberal Democratic Convention
<b>LP</b>	Liberal Party
<b>LTOs</b>	long term observers

---

<b>MCC</b>	Maendeleo Chap Chap
<b>MEC</b>	Municipal Electoral Commission
<b>MICI</b>	Ministry of Information and Communication Infrastructure
<b>MIC-SP</b>	Movement of Independent Citizens of Sao Tome and Principe—Social Party
<b>MISA</b>	Media Institute of Southern Africa
<b>MLSTP-SDP</b>	Movement for the Liberation of Sao Tome and Principe—Social Democratic Party
<b>MSND</b>	Multi-Stakeholder National Dialogue
<b>MTADLD (MATDDL)</b>	Ministry of Territorial Administration, Decentralization and Local Development

---

<b>NA</b>	National Assembly
<b>NAEC (CENA)</b>	National Autonomous Electoral Commission
<b>NARC</b>	National Audiovisual Regulatory Council
<b>NARC-K</b>	National Alliance Rainbow Coalition—Kenya
<b>NC</b>	National Congress
<b>NCA</b>	National Communication Authority
<b>NCCE</b>	National Council of Civic Education

<b>NDI</b>	National Democratic Institute
<b>NDP</b>	National Democratic Party
<b>NDSF (FDSN)</b>	National Defense and Security Forces
<b>NDU</b>	National Democratic Union
<b>NEC</b>	National Electoral Commission
<b>NEF</b>	National Electoral File
<b>NEL</b>	National Electoral Law
<b>NEPAD</b>	New Partnership for Africa's Development
<b>NFLA</b>	National Front for the Liberation of Angola
<b>NIC</b>	national identity card (ID)
<b>NICT</b>	new information and communication technologies
<b>NLF</b>	national legal framework
<b>NLP</b>	National Liberal Party
<b>NOEL</b>	National Observatory of Elections
<b>NPA</b>	National Patriotic Alliance
<b>NPJA</b>	Nationalist Party for Justice in Angola
<b>NPP</b>	National People's Party
<b>NRA</b>	National Radio of Angola
<b>NRA</b>	National Reforms Authority
<b>NUTIA (UNITA)</b>	National Union for the Total Independence of Angola
<b>NVCC</b>	National Vote Census Commission
<hr/>	
<b>OCI</b>	Organisation of the Islamic Conference
<b>ODM</b>	Orange Democratic Movement
<b>OIF</b>	Organisation of La Francophonie
<b>OL</b>	Organic Law
<b>ORPP</b>	Office of the Register of Political Parties
<hr/>	
<b>PA</b>	Popular Action
<b>PAA</b>	Pamoja African Alliance

<b>PAM</b>	Pre-electoral Assessment Mission
<b>PAP</b>	Pan-African Parliament
<b>PAS</b>	Party of All Santomeans
<b>PD</b>	preventive diplomacy
<b>PDA</b>	Progressive Democratic Alliance
<b>PEC</b>	Provincial Electoral Commission
<b>PMLA (MPLA)</b>	Popular Movement for the Liberation of Angola
<b>PPD</b>	Party for Peace and Democracy
<b>PRM</b>	Person with Reduced Mobility
<b>PSC</b>	Peace and Security Council
<b>PTA</b>	Public Television of Angola
<b>PU</b>	Popular Union
<b>PURA</b>	Public Utilities Regulatory Authority
<hr/>	
<b>RECs/RMs</b>	Regional Economic Communities / Regional Mechanisms
<b>RFP</b>	Revolution for Prosperity
<hr/>	
<b>SADC</b>	Southern African Development Community
<b>SCFC (CSLC)</b>	Superior Council of Freedom of Communication
<b>SCM</b>	Supreme Council of the Magistracy
<b>SDCP</b>	Social Democratic Coalition Party
<b>SDGs</b>	sustainable development goals
<b>SDM–GPSTP</b>	Social Democratic Movement—Green Party of Sao Tome and Principe
<b>SDP</b>	Social Democratic Party
<b>SDPC</b>	Social Democratic and Popular Convergence
<b>SDU</b>	Social Democratic Union
<b>SP</b>	Socialist Party
<b>SRP</b>	Social Renewal Party
<b>STOs</b>	short-term observers



---

<b>TA</b>	Technical Assistance
<b>TFPs</b>	technical and financial partners
<b>TWP</b>	Tujibebe Wakenya Party

---

<b>UCGs</b>	Unconstitutional Changes of Government
<b>UDA</b>	United Democratic Alliance
<b>UDCD</b>	Union of Democrats for Citizenship and Development
<b>UDM</b>	United Democratic Movement
<b>UDP</b>	United Democratic Party
<b>UMP</b>	Umoja na Maendeleo Party
<b>UN</b>	United Nations
<b>UNDP</b>	United Nations Development Programme
<b>UNFPA</b>	United Nations Population Fund
<b>UNICEF</b>	United Nations Children's Fund
<b>UNOAU</b>	United Nations Office to the African Union
<b>UNSCR</b>	United Nations Security Council Resolution
<b>UPA</b>	United Progressive Alliance
<b>UPIA</b>	United Party of Independent Alliance

---

<b>WANEP</b>	West Africa Network for Peacebuilding
<b>WDM-K</b>	Wiper Democratic Movement—Kenya

---

<b>YAW</b>	Yewwi Askan Wi
------------	----------------

## ACKNOWLEDGMENTS

The African Union (AU) sincerely compliments all voters who have spared no effort to carry out their civic duties in a constructive, progressive and peaceful manner in the observed member states.

It conveys special thanks to all the governments, candidates, political parties and coalitions contesting as well as the Election Management Bodies (EMBs), Civil Society Organizations (CSOs) and other national and international election observation missions that have interacted with its missions in the member states.

The AU welcomes the pan-African commitment of its heads of mission, who have spared no effort to lead the teams of observers in the member states whose electoral processes were observed in 2022. The AU thanks all the stakeholders for the diligence taken to facilitate the success of its missions.

The AU also expresses profound gratitude to its member states for their constant support and funding of the AUEOM, without which the observation and assistance of the elections in Africa would be difficult to achieve. It adds the commitment to international cooperation in this area embodied by the constant support of the technical and financial partners (TFPs) who have spared no effort to support continental initiatives to consolidate further pluralistic democracy and the rule of law at the continental level.

The publication of this Annual Report would not have been possible without the support of the International Institute for Democracy and Electoral Assistance (International IDEA). We are grateful to it.

## FOREWORD



I am greatly honoured to present this “*2022 Annual Report on Elections in Africa: Democracy at Work*”, an initiative of the AU Commission to document knowledge on commendable practices to strengthen democratic governance at national levels inspired by Agenda 2063—The Africa We Want. Elections in Africa, on the one hand, and democracy, on the other hand, are intimately linked, although mutually non-reducible. Elections are an essential component of the democratic breathing space in contemporary political systems. Democracy refers to the devolution of state political power to citizens and voters via free and fair elections. Therefore, the two notions maintain a causal relationship or even a certain dialectic.

With this in mind, this landmark annual report is an important general reflection that summarizes in a single strategic framework document the main findings, challenges, stakes and perspectives of the AUEOM’ Reports in the various member states which were covered in 2022. Its analytical and systemic structuring is

an important added value that reflects the deep aspirations of our pan-African institution and the heads of state and government of our member states. Above all, it better serves the broad spectrum of African stakeholders yearning for democratic consolidation through, in particular, credible, free, transparent and sincere electoral processes. This report will contribute to inducing democratic peace and the rule of law in Africa.

The African Union remains steadfast to promote, safeguard and advance democracy based on the shared norms and values enshrined in the Constitutive Act and the African Charter on Democracy, Elections and Governance.

**H.E. Moussa Faki MAHAMAT**  
**Chairperson of the African Union Commission (AUC)**



## PREFACE



The African Union Commission (AUC) is at the vanguard of democracy as a goal of pluralist deliberative governance. It expresses its gratitude to the member states who have spared no effort to enable the effective deployment of the African Union Electoral Observation Missions (AUEOM), Electoral Technical Assistance Missions and Preventive Diplomacy (PD) Missions among others, carried out in 2022. These missions are in accordance with the AU's full commitment for peaceful, regular, credible, transparent and inclusive electoral processes in its member states in order to further consolidate democracy and the pluralist rule of law in Africa.

The AUC also welcomes the pan-African commitment of the heads of missions and observers deployed by the chairperson of the commission, H.E. Moussa Faki MAHAMAT, who spared no effort to ensure the success of their mandates.

This first Annual Report on elections in Africa constitutes an essential continental strategic framework document in terms of innovations in the effective conduct of our missions. Indeed, it is the first time that all the member states are assessed in a single reference document which, based on AUEOM findings in particular, covers both issues relating to the governance of electoral processes in individual states as well as

the democratization of the continent as a whole taking into account the specificities of the dynamics of national trajectories as well as logics of multilevel “complex interdependencies.”

Furthermore, as we know, in Africa most conflicts and crises have their roots in poorly managed and contested electoral processes. This poses significant challenges and issues relating to the democratic governance of African states.

The AU has put in place mechanisms and instruments to curb these factors that limit the deepening of democratic governance. The OAU/AU Constitutive Act, African Charter on Democracy, Elections and Governance (ACDEG), Vision 2030, and Agenda 2063, among other continental instruments, contribute to the consecration of AUEOM, Electoral Technical Assistance Missions and even Preventive Diplomacy. The fight for parity through the Maputo Protocol, the Sustainable Development Goals (SDGs) and UN Security Council Resolution 1325 also support democratic governance. All these instruments create standards that contribute to the continent’s stabilization and are necessary to encourage any peaceful, orderly and inclusive democratization.

In this complex process, the AU adopted a “zero tolerance” strategy against unconstitutional changes of government

(UCGs) recently with the adoption of the so-called Accra and Malabo declarations in 2022. Therefore, the AU invites member states to recommit to ensure that democracy is rooted deeply and sustainably in a qualitative way on our continent. This is due to the fact that, on a systemic level, the democratic order is ontologically open and tolerant, competitive and globally discursive, pluralistic but consensual in the first and last instance. Promoting each other’s good practices and considering current issues and challenges form the framework of this dense and innovative report.

I take this opportunity to commend the decisive involvement of the AUC Chairperson, H.E. Moussa Faki MAHAMAT, for having kindly supported this project, as well as all the staff of the Department of Political Affairs, Peace and Security of the African Union (D-PAPS/AU), including Patience Zanelie CHIRADZA, Director of Governance and Conflict Prevention Direction (GCPD), as well as the AU Democracy and Elections Unit (DEU); whose mobilization contributed to the effectiveness of this report.

**H.E Ambassador Bankole ADEOYE,  
Commissioner for Political Affairs,  
Peace and Security of the African  
Union (CPAPS/AU)**

## EXECUTIVE SUMMARY

**A**t the invitation of the African heads of state and government, the chairperson of the AUC, H.E Moussa Faki MAHAMAT, deployed, on the proposal of H.E. Ambassador Bankole ADEOYE, CPAPS/AU, during 2022: eight AU Election Observation Missions (AUEOM)<sup>1</sup>, eight Electoral Technical Assistance Missions<sup>2</sup>, three Pre-Electoral Assessment Missions (PAM)<sup>3</sup> and three Ad hoc High Level and Preventive Diplomacy (PD) missions of the AU with the Regional Economic Communities/Regional Mechanisms (RECs/RMs)<sup>4</sup>. In 2022, these AUEOM led by heads of mission and the technical assistance missions mobilized 768 electoral experts representing the diversity of the African continent.

This *2022 Annual Report on Elections in Africa: 'Democracy at Work'* aims to bring together in a single didactic document all the major empirical findings made in 2022 by all observers and published following the missions in the various AU member states.

On the basis of the analyses carried out by the Short Terms Observers (STOs) and the Long Terms Observers (LTOs) deployed in the states of the Gambia, Somalia, **Congo, Senegal, Angola, Kenya, Sao Tome and Principe, Lesotho, Equatorial Guinea and Tunisia (for AUEOM)**, it was noted that:

- Electoral processes were generally peaceful and orderly in most of the polling stations observed by the missions.
- Gender parity is in progress in Africa, particularly in states such as the Republic of Senegal, which implemented full parity of order and number during the legislative elections of July 31, and **Kenya**, which adopted the quota for women according to the rule of two-thirds.

<sup>1</sup> Gambia, Congo, Senegal, Kenya, Angola, Lesotho, Equatorial Guinea and Tunisia.

<sup>2</sup> Ethiopia, Ghana, Kenya, Lesotho, Morocco, Mozambique, Senegal and Zimbabwe.

<sup>3</sup> Kenya, Lesotho and Guinea Bissau

<sup>4</sup> Kenya, Angola and Lesotho

- In other member states, the representation of women in elections is low, such as in the electoral processes that took place in the republics of The Gambia, **Tunisia** and **Angola**, among others.
- The boycott of the vote by the largest fringe of the opposition caused a substantial drop in turnout in Tunisia, which was one of the lowest.
- The question of sponsorship has been quite controversial in some member states and requires in-depth dialogue and real ownership of these reforms in the name of consensual democracy.
- Overall, the election campaigns were conducted in many member states without major incidents, and the voting was also in line with international standards in almost all polling stations observed. The delays observed at polling stations fluctuated between about few minutes to 2 hours and 15 minutes due to the late arrival of electoral staff and delivery of electoral materials. Also, even if it was generally available and in sufficient quantity, there was a lack of result sheets for representatives or delegates of candidates, parties and coalitions competing.
- Electoral staff demonstrated a good command of the voting procedures during the opening, voting, closing and counting of the ballots. There have been a few instances where there were delays due to confusion about the legal closing time of the vote.
- EMBs play an important role in consolidating good practices in the management of electoral processes. However, sometimes their methods of appointment and some internal positions of some of their members have given the impression that if, in the majority of cases despite criticism, they have worked well, in rare cases they have been criticized from inside and outside.
- The courts and judicial administrations involved in electoral processes also contribute to the transparency of elections and, incidentally, to the consolidation of democratic achievements and the rule of law.



- From this perspective, the recurrence of unconstitutional changes in some African states raises the debate about the difficult consolidation of democracy on the continent. However, the AU has adopted a 'zero tolerance' strategy to address and transcend this complex situation, notably by adopting the Accra and Malabo declarations.
- Other challenges for member states included the impact of the Covid-19 global pandemic on national budgets and the economic and financial 'spill over' effects on many African States inherent in the war in Ukrainian.

In view of the above, the AUC makes the following relevant recommendations.

### ***Public authorities:***

- Transcend the existing socio-political divides between governing and opposition parties to induce more reforms that consolidate democratic consensus.
- Further improve the sponsorship systems in the relevant member states.
- Ensure that the adoption of quotas is a fundamental progressive legal and political reality within electoral systems, particularly for women, youth, people living with disabilities and other marginalized communities.
- Strengthen the capacities of the national defence and security forces to ensure more peaceful elections.

### ***Electoral Management Bodies (EMBs):***

- Strengthen the security of electoral processes through the adoption of numbering systems or stickers and verifiable seals throughout the voting process.
- Improve the parity or quotas of women among their staff.
- Abstain from partisan postures and stand above political contingencies in all circumstances to increase the credibility of electoral processes in Africa.

- Intensify dialogue and consultation with all stakeholders in the electoral process.
- Strengthen the role and place of civil society organizations and their collaboration with those organizations to better promote inclusive, participatory democracy through quality civic education.

### ***Candidates, political parties and coalitions contesting:***

- Promote political dialogue in all circumstances to optimize consensus to bring about inclusive and mutually acceptable reforms.
- Reject hate speech and violence and adopt a code of conduct where appropriate to contribute to a peaceful and predominantly democratic socio-political environment.
- Reinforce peace and stability to restore national security consubstantial with the consolidation of regular, transparent and credible elections.

### ***Civil Society Organizations (CSO):***

- Continue to be involved in electoral civic education at the national level.
- Safeguard its axiological neutrality to ensure its functional and structural credibility.
- Ensure citizen observation of electoral processes in an independent and constructive manner with a view to credible elections and democratic consolidation.

### ***AU, RECs/RMs and the rest of the International Community (I.C):***

- Strengthen cooperation and collaboration to support the national efforts of African states in their constant efforts to consolidate democracy, transparency of elections and national peace, security and stability.



# INTRODUCTION

## 1.1. AN INNOVATIVE REPORT

This *2022 Annual Report on Elections in Africa: 'Democracy at Work'* is an AU framework document and is intended to reflect the outcomes of the election observation, technical assistance to EMBs and preventive diplomacy missions, by sharing lessons and experiences to further strengthen the governance of electoral processes in the member states that have benefited from those missions in 2022. This is to better contribute to multilevel efforts aimed at democratic consolidation and pluralistic rule of law in Africa.

This report is innovative because it is the first time that the AU has committed to produce and publish such a strategic document reflecting its major activities and empirical findings in the respective member states over a full year. Beyond this qualitative, didactic, technical and diplomatic dimension, it is part of the progressive reforms induced by the Commission under the leadership of H.E Moussa Faki MAHAMAT, Chairperson of the AUC, and through the CPAPS/AU, Ambassador Bankole ADEOYE.

Primarily, it will focus in this introductory phase on the typologies of the eight African Union Election Observation Missions (AUEOM) that were deployed in the eight (08) member states observed in 2022, plus the eight TA missions, as well as those of Pre-Election Assessment Missions (PAM) and finally Ad Hoc High-Level Missions sometimes in joint cooperation of the AU with the RECs/RMs.

In addition, this report will emphasize 'elections in Africa' on the one hand, and 'democracy at work' on the other. Above all, this involves discussing these concepts to extract the relevance of their analytical, heuristic, systemic and functional quintessence.

## I.2. DIALECTICS OF CONCEPTS: "ELECTIONS" AND "DEMOCRACY AT WORK"

Conceptually, an election is the quintessential path to the democratic legitimization of political power by voters, or even the sovereign people. Therefore, it constitutes one of the highlights of modern democracy. It allows for the renewal of the term of elected officials (i.e., the governors), by voters (i.e., the governed), at regular intervals, fixed by a national electoral law (NEL).

Indeed, for electoral processes to be fully democratic they must be firmly rooted in what Max WEBER called the "rational legal legitimacy"<sup>2</sup>. Therefore, they must comply with a state's National Legal Framework (NLF) and relevant international, regional, and continental standards. Karl POPPER refers to this as 'procedural democracy' because of the interdependence of the legal, political and diplomatic fields induced by the multilevel complexities of the 'hierarchy of norms'<sup>5</sup> as a vector of heuristic - systemic meaning.

In addition, democratic elections can lead to the peaceful change of government, one of the facets of the democratic maturity of electoral and political systems. Indeed, democratic legitimacy is incompatible in nature and purpose with the traditional, censitarian or oligarchic devolution of political power.

Moreover, both elections and democracy reject in their guiding principles, the instrumentalization of holistic identities (stereotypes, ethnicities, tribes, clans, regions, races, religions, traditions or beliefs) because they are consubstantial with the contradiction of ideas, projects, and programmes of public governance by policies in contemporary states.

If the election presupposes the efficient objective meeting of political supply and demand in a pluralistic context. In that case, this implies

---

<sup>5</sup> Hans KELSEN, Normativist Positivism.

that it is anchored to 'real democracy'<sup>6</sup>, in other words, 'the power 'of the people, by the people and for the people' (US President Abraham LINCOLN, Gettysburg Address), which here takes on all its systemic relevance. Indeed, it stands out as the major paradigmatic model for the credibility of elections, since it requires electoral processes that are transparent and inclusive enough to be democratically acceptable. This implies that they are increasingly led by independent EMBs that ensure their regularity and guarantee the republican equality of stakeholders. It also prioritizes 'the separation of powers' (Jean-Jacques ROUSSEAU) and 'the Spirit of the Laws' (MONTESQUIEU) and the ongoing efficient search for saving consensus to transcend political divides and consolidate good governance of states.

In essence, democracy is antithetical to coups, unconstitutional changes in democratically elected political regimes or any other illegal form of confiscation of power, including by force, riots, rebellions or even terrorism.

So, on a systemic level, the more the elections are free, transparent, fair and credible in the member states, the more democracy becomes 'at work' by consolidating itself on the continent.

It should be noted that this dialectic induced by the title of this report subtly correlates the notions of 'elections' and 'democracy at work' in Africa. This reflects the AU leadership's commitment to popularizing these two important and related concepts. And, which refers structurally to a dimension of strategic organization of the pluralist functioning of social life in the city through the prism of powers: Executive, Legislative and Judicial.

---

<sup>6</sup> In his fundamental research on democracy, Maurice DUVERGER distinguishes "real" Democracy from "formal" democracy. The former is intended to be effective and embodied, while the latter is fundamentally ideal but disembodied. In Africa, we seek to establish and consolidate "real" democracy. In this sense, the AU is the continental pioneer in that it induces norms and standards, initiatives and missions that contribute to the consolidation of democratic pluralism and the rule of law.

In Africa, most socio-political crises and conflicts are directly or indirectly linked to poorly managed or contested electoral processes outside the legal channels of appeal and which unfortunately sometimes lead to distrust of the public authorities by governments, the opposition, the people or even the army, terrorist or rebel groups.

In this regard, the forced transitions that have led to the unconstitutional demise of democratically elected governments and that are still slow to begin the rapid return to constitutional order are of concern to the AU, the RECs/RMs and the rest of the international community. Especially in this twenty-first century, marked by the emergence of complex global geopolitical dynamics in a post-Covid-19 world under the backdrop of power competition.

---

### **I.3. DEMOCRATIZATION OF AFRICA: THREE “WAVES” OF TRANSITIONS**

In accordance with its mandate, the AU promotes the culture of 'democratic peace'<sup>7</sup> over the long historical period. This paradigm means that democracies do not fight each other. These mutations manifested

---

<sup>7</sup> Michael W. Doyle, *Ways of War and Peace: Realism, Liberalism and Socialism*, 1997, New York, Norton, 557 Pages. Also, this concept refers to the “pax democratica” which means that democratic states (or democracies) do not go to war. So democratization is synonymous with the opening of political systems, tolerance and good living in society notwithstanding the differences of sex, race, religion, profession, region and belief. It also supposes the respect of all, including by the State holding public power, of the rights of the internal and external rules from which it started, of individual and collective human rights in the name of the primordial preservation of the Rule of Law. This is structurally, in its essence and purpose, non-arbitrary and non-totalitarian, therefore not oppressive. The democratic ideal consecrates the primacy of “Human” in all the processes of devolution of political power and it sanctifies the People as the holder of National Sovereignty which it transmits by delegation to its elected representatives through universal suffrage of free, fair, inclusive, credible, transparent and sincere elections. Incidentally, it focuses on the cardinal principle of the separation of powers.

themselves in three great 'waves' of transitions on the continent. The decade 1990–2000, marked first by the national conferences, led to the opening of the political systems and the end of the single parties or state parties. The following decade, 2000–2010, was dominated by the creation of the Democracy and Electoral Assistance Unit (DEAU)<sup>8</sup> within the AU, the adoption of the African Charter of Democracy and Governance (ACDEG) as well as an outgrowth of the AUEOM. It was also punctuated by the beginning of a series of democratic alternations via the expression of universal suffrage. Finally, from the 2010s to the present, Africa has gone through the phase of the Arab Spring while being subject to other challenges and stakes due to "complex interdependencies." But, in the meantime, democracy is consolidating and elections are better managed by national EMBs and well observed by RECs/RMs and the AU as well as some international organizations and internal and external civil society organizations. In this continental resilience effort, the AU relies on the OAU/AU Constitutive Act, Vision 2030, Agenda 2063, Accra and Malabo Declarations, among others.

---

## **I.4. TYPOLOGY OF AU MISSIONS AND ELECTIONS OBSERVED IN MEMBER STATES**

At the invitation of the state governments, the AU deployed several types of election observation and technical assistance missions in sixteen (16) member states. Eight were AUEOM and eight were electoral technical assistance missions (ETAM). To these were added the missions of preventive diplomacy, high level policies and pre-electoral technical assessment, respectively. The experts deployed were drawn from the geographical diversity of the African continent.

---

<sup>8</sup> With the ongoing AU Reforms, Democracy & Electoral Assistance Unit is now called Democracy & Elections Unit (DEU).



The AUEOM consisted of the respective Heads of Mission who lead them, members of the AU-DEU staff, accredited ambassadors, members of the Pan-African Parliament (PAP), panel of elders, EMBs, CSOs, academics and eminent experts from the continent.

### I.4.1. The eight AUEOM deployed in 2022

They are presented below in chronological order:

#### I.4.1.1. First Semester:

1. The **AUEOM in the Republic of The Gambia** for the legislative elections of April 9, 2022 was composed of 24 STOs from 16 African States.<sup>9</sup> It was deployed from 3 April to 14 April 2022. It was headed by H.E. Dr Speciosa Wandira-Kazibwe, former vice-president of the Republic of Uganda.

#### I.4.1.2. Second Semester:

1. The **AUEOM in the Republic of Congo** was deployed during the legislative and local elections of 4 July and 10 July 2022. This mission was led by H.E Kwezi AHOOMEY-ZUNU, former prime minister of the Togolese Republic. It included 25 STOs from 20 member states.<sup>10</sup> The AUEOM stayed from 2 July to 15 July 2022.
2. The **AUEOM in the Republic of Senegal** for the legislative elections of 31 July 2022 was led by H.E Bernard MAKUZA, former prime minister of the Republic of Rwanda. Composed of 10 STOs from 9 African States,<sup>11</sup> it was deployed from 24 July to 3 August 2022.

<sup>9</sup> Benin, Comoros, Congo, Djibouti, DRC, Ethiopia, Ghana, Kenya, Malawi, Mauritania, Nigeria, Rwanda, Somalia, South Sudan, Uganda and Zambia.

<sup>10</sup> Benin, Burundi, Cameroon, Chad, Comoros, CAR, Cote d'Ivoire, DRC, Ethiopia, Gambia, Ghana, Mauritania, Morocco, Niger, Nigeria, Rwanda, Senegal, South Africa, Togo, Tunisia.

<sup>11</sup> Benin, CAR, Cote d'Ivoire, Gabon, Kenya, Morocco, Niger, Rwanda and Togo.

3. The **AUEOM in the Republic of Kenya** for the general elections of 9 August 2022 comprised eight Long-Term Observers (LTO) from 26 July 26 to 20 August 2022 as well as 86 STOs from 4 August to 12 August 2022. They were from 32 African states<sup>12</sup>. The Joint Election Observation Mission of the AU and COMESA was led by H.E Dr Ernest Bai KOROMA, former president of the Republic of Sierra Leone. He was supported by Ambassador Marie-Pierre LLYOD, member of the COMESA Seniors Committee, and H.E Domitien Ndayizeye, former president of the Republic of Burundi and chairman of the AU Panel of Wise. The Mission was enhanced by the presence of Ambassador Bankole ADEOYE, CPAPS/AU. The preventive diplomacy and pre-election assessment dimension of the AU conducted in this member state will be discussed later in this report.
4. The **AUEOM in the Republic of Angola** for the general elections of 24 August 2022 was deployed there from 19 August to 27 August 2022. The AU had designated H.E Hailemariam Desalegn, former prime minister of the Federal Republic of Ethiopia; the mission was reinforced by the positive and effective presence of the CPAPS/AU H.E Ambassador Bankole ADEOYE. It was composed of 49 STOs from 25 member states<sup>13</sup>.
5. The **AUEOM in the Kingdom of Lesotho** for the legislative elections of 7 October 2022 was led by H.E. Dr Speciosa Wandira-Kazibwe, former vice-president of the Republic of Uganda, and had 40 STOs from 22 member states<sup>14</sup>. It stayed in the kingdom from 2 October to 14 October 2022. It was preceded by a pre-election

<sup>12</sup> Angola, Botswana, Burundi, Cameroon, Cape Verde, Comoros, Congo, Djibouti, DRC, Egypt, Eswatini, Ethiopia, Gabon, Gambia, Ghana, Lesotho, Liberia, Libya, Malawi, Morocco, Namibia, Nigeria, Rwanda, Seychelles, Sierra Leone, South Africa, South Sudan, Tanzania, Togo, Uganda, Zambia and Zimbabwe.

<sup>13</sup> Burundi, Cape Verde, CAR, Cameroon, Chad, Comoros, Congo, Cote d'Ivoire, Equatorial Guinea, Ethiopia, Ghana, Guinea Bissau, Kenya, Mauritania, Mozambique, Nigeria, Rwanda, SADR, Sao Tome e Principe, Senegal, Somalia, South Africa, South Sudan, Togo and Zimbabwe.

<sup>14</sup> Algeria, Benin, Chad, Comoros, Congo, DRC, Eritrea, Eswatini, Ethiopia, Gambia, Kenya, Nigeria, Rwanda, SADR, Seychelles, South Africa, South Sudan, Tanzania, Togo, Uganda, Zambia and Zimbabwe.

evaluation and enhanced by a preventive diplomacy dimension. These two aspects will be discussed later in this report.

6. The **AUEOM in the Republic of Equatorial Guinea** during the presidential, legislative, senatorial and municipal elections of 20 November 2022 was placed under the leadership of H.E José Mario VAZ, former president of the Republic of Guinea-Bissau. It was composed of 51 STOs from 35 member states.<sup>15</sup> The mission stayed in the country from 13 November to 27 November 2022.
7. The **AUEOM in the Republic of Tunisia** observing the first round of legislative elections on 17 December 2022 was led by H.E. Dr Ibrahim Assane MAYAKI, former prime minister of the Republic of Niger and former CEO of the New Partnership for Africa's Development (NEPAD). It had 49 STOs from 27 African states<sup>16</sup> who stayed in the country from 10 December to 22 December 2022.

#### **1.4.2. Biannual breakdown by gender of AUEOM deployed in the observed member States**

In 2022, the AU had deployed 324 electoral observers through its AUEOM in the eight member states observed above, including 24 experts (13 men [54.16%] and 11 women [45.84%]) in the first semester; against 300 (162 men [54%] and 138 women [46%]) in the second semester. That is an annual representation according to gender of 175 men (54.01%) and 149 women (45.99%).

However, 25 STOs (7.81%) were members of the AUEOM core teams including 12 men and 13 women. There were also 43 youths (14.33%)

<sup>15</sup> Algeria, Benin, Botswana, Burkina Faso, Burundi, Cameroon, CAR, Chad, Comoros, Cote d'Ivoire, DRC, Ethiopia, Gabon, Ghana, Guinea, Guinea Bissau, Kenya, Mauritius, Madagascar, Malawi, Mali, Mauritania, Mozambique, Niger, Nigeria, Rwanda, Sao Tome e Principe, Senegal, Sierra Leone, South Africa, Sudan, Togo, Tunisia, Zambia and Zimbabwe.

<sup>16</sup> Algeria, Burkina Faso, Cameroon, Cape Verde, CAR, Comoros, Congo, Cote d'Ivoire, DRC, Egypt, Ethiopia, Gabon, Guinea Bissau, Kenya, Mauritania, Mauritius, Morocco, Niger, Nigeria, Rwanda, SADR, Senegal, South Africa, South Sudan, Tanzania, Togo and Zimbabwe.

comprised of 13 males (30.24%) and 30 females (69.76%). These statistics are illustrated in Graphs 1–3.

**Graph 1: Histogram of the distribution by gender in the AUEOM during the two semesters of the year 2022**



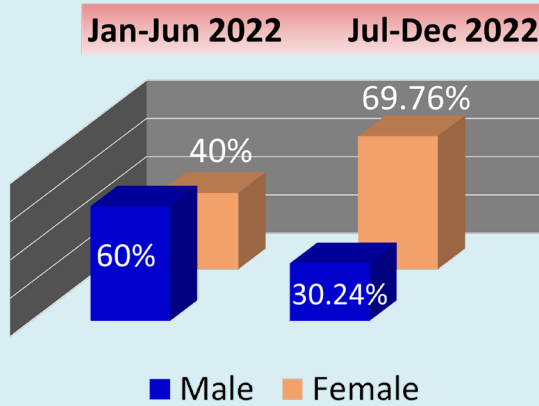
Source: AU-DEU.

Graph 1 indicates that gender has been taken into account in the composition and deployment of AUEOM. In the first semester, 66.66 percent of observers were men and 33.34 percent were women, but in semester two, 54 percent of observers were men and 46 percent were women. This illustrates a significant increase in women between the two semesters of 12.64 percent. The AU aims to consolidate the promotion of gender parity in these missions.

Graph 2 shows the gender of young observers which was 60 percent male and 40 percent female in the first semester and 30.24 percent male and 69.76 percent female in the second semester. Between the two periods, the standard deviation increased from 20 percent for young men to 39.52 percent for young women.<sup>17</sup>

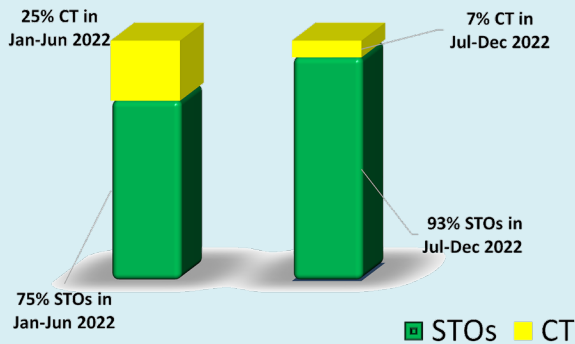
<sup>17</sup> This quantitative shift in female youth representation in AUEOM reflects the AU's commitment to better promote and further stimulate the effectiveness of African women's leadership in election observation of electoral processes on the continent.

**Graph 2:** Histogram comparing the biannual representativeness of youth observers (male & female) in the AUEOM



Source: AU-DEU.

**Graph 3:** Histogram of the biannual representation of STOs<sup>18</sup> and core teams (CT)<sup>19</sup> in 2022



Source: AU-DEU.

The first semester was composed of 75 percent STOs and 25 percent CTs compared to 93 percent STOs and 7 percent CTs in the second semester.

<sup>18</sup> STOs = Short Term Observers.

<sup>19</sup> CT= Core Team.

### I.4.3. Ad hoc missions of the AU and RECs/RMs and preventive diplomacy to member states

These types of ad hoc missions were mainly High-Level Missions and Pre-Electoral Assessment Missions (PAMs) as well as Preventive Diplomacy in the Republic of Kenya and the Kingdom of Lesotho. Sometimes, the AU intervenes in other African States in this direction.

The two pre-electoral and preventive diplomacy missions to the Republic of Kenya of the AU with RECs/RMs were the **Joint High Level Consultative Pre-Electoral Assessment Mission AU-CEA<sup>20</sup>-COMESA<sup>21</sup>**, from 15 May to 21 May 2022 and the **Tripartite Technical Electoral Assessment Mission AU-CEA-COMESA-IGAD<sup>22</sup>**, from 25 June to 25 July 2022. The **Special Political Pre-Election Assessment Mission in the Kingdom of Lesotho**, from 23 June to 1 July 2022 was a prelude to the deployment of its AUEOM. It allowed interaction with the electoral process's actors to better appreciate the real state of preparation of the elections as well as the national socio-political situation. The Joint Mission also had a Preventive Diplomacy (PD) dimension due to the involvement of Honourable Lady Justice Effie Owuor (Rtd), Member of the AU Panel of Wise. In addition to these important missions, the AU PAM<sup>23</sup> was deployed in the Republic of Guinea-Bissau, from 11 December to 19 December 2022.<sup>24</sup> The mission was deployed to assess the national socio-political situation and meet with internal and external stakeholders in relation to the electoral process, in particular following the dissolution of the National Assembly (NA) by the President of the Republic H.E Umaru Sissoco Embaló. The political parties were divided into two distinct antagonistic blocs (MADEM G15<sup>25</sup>, APU PDGB<sup>26</sup> and PND<sup>27</sup> for the camp of the presidential movement and PAIGC<sup>28</sup>,

<sup>20</sup> CEA: Community of East Africa.

<sup>21</sup> COMESA: Common Market for Eastern and Southern Africa.

<sup>22</sup> IGAD: Intergovernmental Authority on Development.

<sup>23</sup> EPAM= Electoral Pre-Assessment Mission.

<sup>24</sup> See PSC Report, Ref.: PSC/RPT.1132 (2023), p.17.

<sup>25</sup> MADEM G-15: Movement for Democratic Alternation Group of 15.

<sup>26</sup> APU-PDGB: Assembly of the United People – Democratic Party of Guinea-Bissau.

<sup>27</sup> PND: New Democracy Party.

<sup>28</sup> PAIGC: African Party for the Independence of Guinea and Cape Verde.

PRS<sup>29</sup> and UPM<sup>30</sup> for the opposition). Among other things, these two blocs of parties disagreed on the replacement or maintenance of the Executive Secretariat of the National Electoral Commission (NEC) after the expiration since April of the legal mandate of its members and also the appointment of its president to the post of new President of the Supreme Court of Justice plus that of another of its members to the regional authorities. In addition, the dissolution of the N.A followed the failed assassination attempt of the President of the Republic. The legislative elections that were originally scheduled to be held on 18 December 2022 were finally postponed to 4 June 2023. The full reports of the above activities have been submitted to the AU leadership.

The different deployment plans of the observers of the AUEOM in each member state observed in 2022 are reflected in maps in the Appendix of this report.

#### **I.4.4. The eight AU electoral technical assistance missions (ETAM) to member states**

These were primarily aimed at further strengthening the capacities of EMBs and African Electoral Experts. By the end of 2022, the AU had deployed four in the first semester and another four in the second, distributed as follows.

##### **I.4.4.1. First Semester:**

1. Development of the **Draft AU Electoral Assistance Guide in the Republic of Senegal**, from 29 March to 31 March 2022. Thirty-eight electoral experts took part, including 23 men and 15 women.
2. Support for revitalising the **Association of African Electoral Authorities in the Republic of Ghana** from 12 May to 13 May 2022. This activity mobilized 15 participants, including 11 men and 4 women.
3. **Capacity Building for Youth Participation in Political and Electoral Processes by the African Governance Architecture**

<sup>29</sup> PRS: Party of Social Renewal.

<sup>30</sup> UPM: União para a Mundaça.

**(AGA) in the Republic of Zimbabwe** from 6 June to 10 June 2022.

There were 89 participants, including 44 men and 45 women.

4. **Specialized training of STOs in the Kingdom of Morocco** from 13 June to 17 June 2022. Twenty-nine participants benefited from the training (14 men and 15 women).

In total, these missions in the first semester involved 171 electoral experts, including 92 men and 79 women.

#### **I.4.4.2. Second Semester:**

1. **Electoral assistance to the Independent Electoral and Boundaries Commission<sup>31</sup> in the Republic of Kenya** during the general elections of 9 August 2022 in Kenya. The mission had deployed six electoral experts including five men and one woman.
2. **Electoral assistance to the Independent Electoral Commission of the Kingdom of Lesotho**, from 19 to 26 September 2022. This activity saw the participation of 154 electoral experts including 101 men and 53 women.
3. **7th Continental EMBs Forum organized in the Republic of Mozambique** from 14 November to 15 November 2022. The meeting was attended by 84 experts, including 65 men and 19 women.
4. **Joint AU-UNOAU (United Nations Office to the AU)<sup>32</sup> Hybrid Workshop on Women's Participation in Electoral Processes in Africa**, held at the headquarters of the Continental Institution on 13 and 14 October 2022. It brought together 29 experts (9 men and 20 women from EMBs of member states to organize elections for the rest of 2022 and in 2023 (plus Kenya and Senegal))<sup>33</sup>, as well as the staffs of the two institutions, two resource persons and representatives of other international TFPs.

<sup>31</sup> IEBC: Independent Electoral and Boundaries Commission.

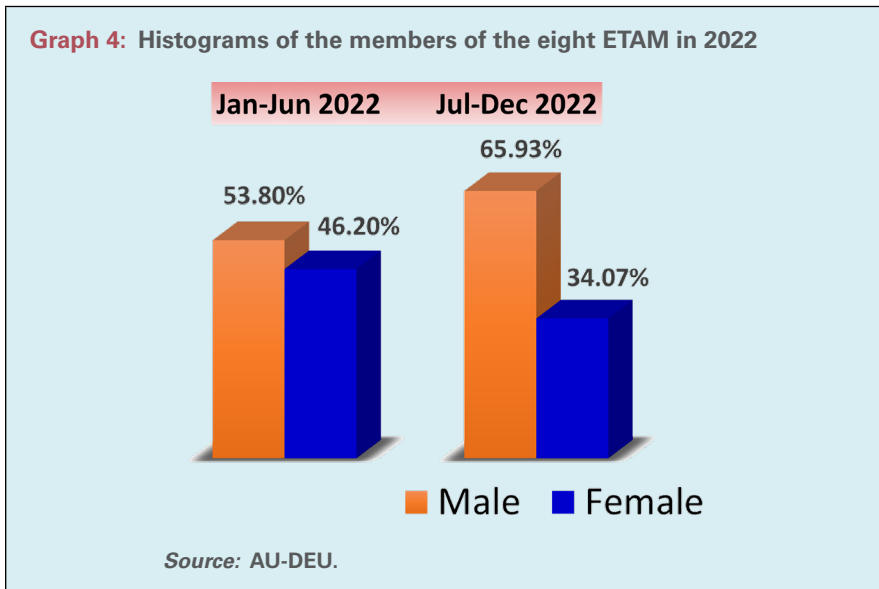
<sup>32</sup> UNOAU: United Nations Office to the African Union.

<sup>33</sup> Invited to share their good experiences in gender parity in electoral processes.



During the second semester, the AU Electoral Technical Assistance Missions mobilized 273 electoral experts including 180 men and 93 women.

Thus, for 2022, the net accumulation of electoral experts who benefited from the TA was 444, including 272 men and 172 women. Graph 4 allows the reflection of the composition of gender representation in ETAM and the positive developments in this direction induced by the AU in their composition in favour of parity.



The AU deployed 16 AUEOM and TA in the member states covered in 2022. The following map of the continent reflects the coverage by State synthetically.

## I.5. METHODOLOGY

Methodologically, this annual report is based on empirical, impartial, objective, legal and political, scientific and technical, financial and social, diplomatic and security observations reflected in the final reports of the AUEOM deployed in the member states observed in 2022. It also refers to

**Graph 5: Map of member states where AUEOM and TA were deployed in 2022**



**Note:** All the 16 activities in 2022 involved a grand total of 768 electoral experts, 324 for AUEOM and 444 for ETAM.

**Source:** AU-DEU.

the credible information noted by: the various ETAM, the Accra and Malabo Declarations of 2022, the Peace and Security Council (PSC) communiqués as well as the related AU leadership speeches that have been delivered in various international meetings about elections. It also draws on ad hoc reports from the Continental Institution's Joint High-Level and Preventive Diplomacy Missions with RECs/RMs as well as their interactions with EMBs, stakeholders, CSOs, other accredited international and national Election Observation Missions and Technical and Financial Partners (TFPs) met in the member states. It will also highlight the AU CPAPS's initiatives on the Panel of Experts on Elections and Democracy in Africa and the

documentary film “African Union Election Observers—Conscientious in Deepening and Preserving Democracy”<sup>34</sup>.

In addition, Strategic Watch was used, particularly due to the non-deployment of AUEOM in the Republics of Somalia and Sao Tome & Principe, respectively, given the logistical challenges in those countries. However, the AU did deploy a TA to the Republic of Somalia. This made it possible to follow the progress of electoral processes and socio-political dynamics in these member states and their integration in this report. It will also address synthetically: the actors, the challenges and complex multilevel issues; the dynamics of transitions and electoral processes; the dynamic of power relations in political systems; the pre-electoral, electoral, and post-electoral situations; the ballots and related disputes; the socio-political environment; and the progress and areas for improvement noted. It aims to be dynamic and innovative in form and substance. This is not a classic AUEOM or TA report. It is the first D-PAPS/AU *Annual Report on Elections in Africa: “Democracy at Work”*.

---

## I.6. LEGAL FRAMEWORK

The report is legally based on the relevant provisions of continental, regional and international instruments and mechanisms, on the one hand, but also, on the national legal framework of the member states concerned, on the other hand. These include: the OAU/AU Constitutive Act, the OAU/AU Declaration of Principles on the Democratic Governance of Elections in Africa of 2002, the African Charter on Democracy, Elections and Governance (ACDEG) of 2007, the African Charter on Human and Peoples’ Rights (ACHPR)<sup>35</sup> of 1981, Vision 2030, Aspiration 3 of Agenda 2063, the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women (Maputo Protocol) of 2003, the Declaration on Anti-Constitutional Changes of Government in Africa of 2022 (so-called Accra Declaration), and the Declaration on Terrorism and Anti-Constitutional Changes of Government of 2022 (Malabo Declaration). In addition, the Charter of the United Nations

---

<sup>34</sup> Document Table of ETAM of the AU in 2022, DEU/AU, P.4.

<sup>35</sup> ACHPR: African Charter on Human and People Rights.

(CUN), the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Universal Declaration of Human Rights (UDHR), United Nations Security Council Resolution 1325 (UNSCR), and the Sustainable Development Goals (SDGs); which are also part of the general principles of the Law of the States Parties in the name of the "hierarchy of norms"<sup>36</sup>, the national legal framework<sup>37</sup> of the member states covered in 2022 and also serve as a framework structuring the actions of the aforementioned missions.

---

## I.7. RATIONALE AND JUSTIFICATION

The rationale of the *Annual Report on Elections in Africa: 'Democracy at Work'* is fundamentally based on the pro-democracy progressive that will be correlated with the innovative reform vision of the AU leadership under the aegis of CPAPS/AU, H.E Ambassador Bankole ADEOYE, who launched this concept as a mobilizing slogan for the socio-political transformation of Africa. He was supported in this idea by the AUC Chairperson, H.E Moussa Faki MAHAMAT as well as the Director of GCPD Patience Zanelie CHIRADZA and all the AU staff involved in the process of drafting this report.

Overall, this report is also an added value compared to the two Biannual Reports on AUEOM, TA and other related AU activities brought to the attention of the PSC. It will allow the AU to record, in a single framework document, the main trends in the evolution of the electoral processes observed in situ by its electoral experts in the member states. This is to reflect the progress observed and the systemic, cyclical and structural limiting factors, accompanied by relevant recommendations to *ultimately* lead to a better democratic consolidation of the continent as a systemic paradigm of good governance.

---

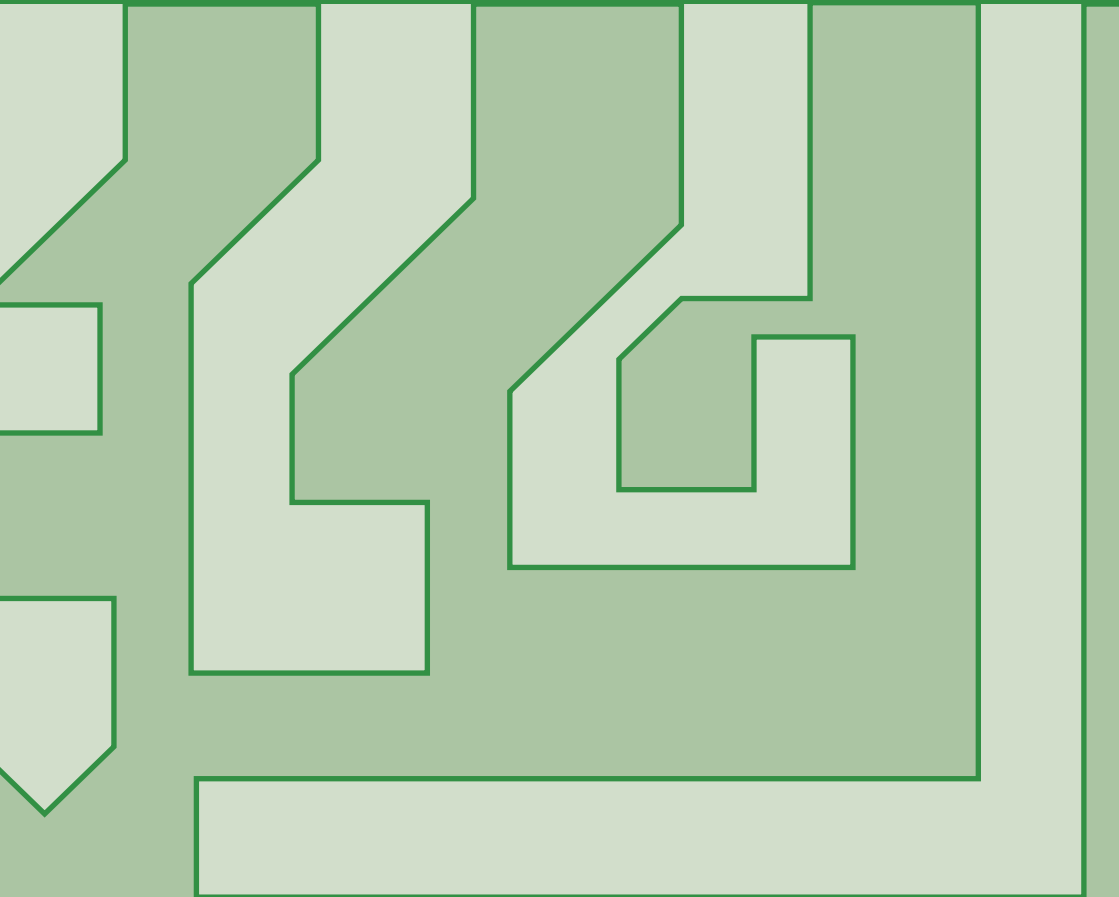
<sup>36</sup> Concept of the intersection of the internal and external legal fields in the national *corpus juris* (positive law) of states parties to International Law for which in case of contradiction between a lower rule and another which is superior to it, the second prevails. Hans KELSEN.

<sup>37</sup> These include: - relevant Constitutions, Laws and regulations relating to electoral processes and International Electoral Observation and Technical Assistance Missions.



part one

# Member States in Election Mode: Context and Socio-political Dynamics



The year 2022 was marked by several elections in AU member states. Indeed, even if they were all 'in election mode', their socio-political contexts and dynamics induce certain complexities. These are mainly due to changes in the positions of actors, electoral systems, political regimes, and typologies of transitions that impact their general socio-political environment.

---

## I. SOCIO-POLITICAL CONTEXT

In the socio-political contexts of each member state discussed below, we will highlight the major national trends observed by the various missions but also by the Strategic Watch, which made it possible to follow those elections not covered *in situ* by the deployment of an AU mission. This will make it possible to highlight their specificities and convergences organized by the chronology of the elections and missions.

### I.1. Republic of The Gambia

The legislative elections of 9 April 2022 were organized to elect the 53 deputies to the National Assembly (N.A.) for a term of five years, knowing that the remaining five seats are appointed by the President of the Republic in accordance with the provisions of the Constitution. This is the second legislative election held in this member state after that of April 2017 following the fall from presidential power of

President JAMMEH, who was defeated at the end of the presidential election of December 2016. The overall context of the 2022 legislative elections was generally peaceful. It was in the wake of changes in the balance of political forces. Indeed, the Alliance for Patriotic Reorientation and Construction (APRC), the party of former President JAMMEH, and which had the status of 'dominant party' before the fall of his regime, had completely lost its electoral and political supremacy. The APRC was first succeeded in this leadership position by the United Democratic Party (UDP) of Ousainou DARBOE, and whose President H.E Adama BARROW was one of the active members. However, their antagonisms eventually separated them. President BARROW created at the end of 2019 the National People's Party (NPP), which dominates the Gambian political field along with its allies, but without alone having an absolute majority. Despite some turmoil, particularly in the West Coast region of the country, the general climate remained calm despite the electoral excitement of the candidates, parties and coalitions competing in the 2022 legislative elections.

## **I.2. Federal Republic of Somalia**

Somalia goes through certain crises because of the fragility of its federal state due to terrorist threats and socio-economic, political and strategic challenges. But despite everything, the presidential election was finally organized on 15 May 2022 after several postponements. It was scheduled to take place normally on 10 October 2021.

The willingness of the outgoing president to remain in power beyond the legal duration of his term of office caused great tension, which led him to abandon that decision. Beyond the confrontations and politico-armed contestations of antagonistic groups and sometimes terrorist entities, the federal state was intermittently shaken by secessionist movements coming from Federated States such as Somaliland, which claimed its independence in 1991 and the Pount (Puntland), which claims greater autonomy since at least 1992.



Even if the international community does not recognize them as sovereign states, these federated states pose a real challenge to the Federal Republic of Somalia. Faced with the diffuse nature of the threat and the level of intensity of the armed clashes, the AU decided to deploy its Regional Peacekeeping Mission, the African Union Mission in Somalia (AMISOM), in the country with the diplomatic support of the UN Security Council. Despite massive efforts to secure and stabilize the Somali state, the situation remains volatile in some places. In 2017, H.E. Mohamed Abdullahi Mohamed joined the Supreme Judiciary for a term of four years. At the latest, before the end of his presidential term, he was required to organize the presidential and legislative elections by no later than 7 February 2021. However, due to the obstruction of the Federated States of Puntland and Jubaland, this was not possible. Negotiations were initiated, in particular, in Dhusamareb on 5 February 2021 but did not lead to a consensus to end the crisis.

On 15 February 2021, the outgoing president launched a Call for Dialogue to try to curb this crisis. But his opponents rejected him by insisting that it is no longer legal and, in the aftermath, they insisted on establishing a 'National Transitional Council' responsible for organizing the elections. Faced with these antagonisms, he decided, on 14 April 2021, to extend his mandate pending the holding of direct elections. Revolt ensued and he eventually gave in to the pressures. Following this, the Prime Minister fixed 10 May 2021 as the date to launch the start of the National Dialogue in order to break this deadlock. Most of the stakeholders took part and, at the end, the consensus decision to set other dates was taken. The proposals of 15 March 2022, and 31 March 2022 for these elections were put forward without being met. It was finally on 15 May 2022 that the presidential election was organized.

The case of Somalia indicates that peace and security are inextricably linked to the holding of elections at regular intervals. The absence of peace and stability is an aggravating factor in inducing democratic consolidation, the rule of law and good governance. Electoral processes cannot succeed without an orderly, open and peaceful socio-political environment.

### I.3. Republic of the Congo

Decree No. 445/MATDDL-CAB of 22 June 2022-10-04 had convened the Electoral Body in the Republic of the Congo to elect the 151 Deputies of the fifteenth legislature and local councillors. The two rounds of the elections were held in a generally peaceful atmosphere and the security situation had stabilized throughout the national territory. Indeed, in 2022 the Department of the Pool was pacified, and the legislative and local elections were held properly, unlike the elections of 2017. In addition, the number of voters registered on the National Electoral File (NEF) increased from 2,591,727 registered during the 2021 presidential election to 2,877,081 registered in the legislative and local elections of 2022, an increase of 285,354 voters registered.

The nature of these parliamentary and local elections has led to more local democracy, which has encouraged the proliferation of independent candidates and lists of parties and coalitions. Nevertheless, despite the political effervescence, the actors in the contest have striven not to resort to hate speech and violence in the political arena. However, a candidate of the ruling party, the Congolese Labour Party (CLP), had transgressed this general consensus by using tribalism rhetoric during a political demonstration. The political class and civil society actors unanimously condemned his words. Then his party stripped him of his candidacy. This categorical rejection of the instrumentalization of identities in the political field constitutes a salutary act that prioritizes national peace, security and unity.

Socio-economically, the salaries of teachers and professors of the Superior have been paid and the remaining amounts of their salaries have been absorbed, unlike in 2017. Indeed, the Congolese state benefited in 2022 from the rise in world hydrocarbon prices and their impacts on the national budget. The overall geo-economics situation was more favourable. This bolstered the CLP's electoral performance as the dominant party of the political chessboard. Finally, the re-election in 2021 of its President Candidate H.E Denis Sassou NGUESSO, is favourable to his camp.

The statistics submitted to the AU Mission in July 2022, showed that during the first round of legislative elections there were 81 candidates for deputation distributed as follows: 36 in the Department of Brazzaville; 14 in the Pool; 11 in Pointe Noire; nine in BOUENZA; five respectively in NIARI and LIKOUALA; four in SANGHA; two respectively in the BOWL and WEST BOWL; one in LEKOUMOU and finally, none in KIOULOU. This reflects a certain disparity in terms of the female representation of candidates, especially if we start from the most urbanized areas with a strong electoral demographic polarization towards the least populated areas with fewer seats to fill. Hence, the need to close this gap in terms of the gender deficit in accordance with the relevant provisions of Vision 2030 and Agenda 2063 of the African Union but also of the UNSCR 1325. Nevertheless, despite the aforementioned statistical data, the AUEOM had noted that there were no disaggregated data refined from the NEF regarding women and youths. This tendency of their under-representation was also observed during the second round of voting.

#### **I.4. Republic of Senegal**

Following the convocation of the Electoral Body, voters had to elect the 165 Deputies to the National Assembly for a five-year term in the 31 July 2022 legislative elections. The national socio-political environment was marked by the introduction of consolidating reforms relating, in particular, to the full parity of the number and order (male/female) on the electoral lists (zebra lists). This has led to political divisions between competing parties and coalitions. In addition, the breakthrough of the opposition following the local elections also impacted the changes taking place on the national chessboard. However, the demonstrations of March 2021 established a feeling of mistrust between the camp of the presidential movement and that of the opposition. In this dynamic, the ruling coalition Benno Bokk Yakaar (BBY), which had dominated the national political chessboard, was confronted with the electoral breakthrough of the two major opposition coalitions: Yewwi Askan Wi (YAW) and Wallu Senegal. In addition, the issue of sponsorship has also been one of the divisive factors in the electoral

process. Nevertheless, economic performance and social resilience in state governance under President Macky SALL allowed BBY to contain as much pressure as possible from the Inter Coalition YAW / Wallu Senegal, among others. This also contributed to BBY maintaining a majority, although not an absolute one.

Finally, the involvement of religious and civil society organizations led to the restoration of political dialogue, the preservation of balances and the democratic model, as well as the sustainability of the stability of the state. Senegalese democracy thus continues to adapt constantly in the face of uncertainties and political changes.

## **I.5. Republic of Angola**

Independent since 1975 and having experienced several years of civil war, the Republic of Angola has finally, resolutely, taken the path of national reconciliation. For example, it prioritized the abandonment of armed violence as a means of gaining power in order to create mechanisms for the Disarmament, Demobilization, Repatriation, Resettlement and Reintegration (DDRRR) of rebel groups. In the aftermath, the election is enshrined as the most successful legal and legitimate model for conquering political power. Thus, by 1992, the Republic of Angola had established in its political system the multiparty system as a systemic paradigm vector of democratization and lasting peace in order to perpetuate national reconciliation and the pluralistic rule of law. In 2010, the state amended the constitution to further modernize the political field. Significant efforts have been made. The Popular Movement for the Liberation of Angola (PMLA) and the National Union for the Total Independence of Angola (NUTIA) renounced armed struggle to inexorably invest in the programmatic, democratic, pluralistic debate on their alternative visions of the governance of Angolan society, its present and its future. This led to NUTIA's participation in the 2017 elections. Although dominated by the PMLA, NUTIA<sup>38</sup> has continued to evolve to become

---

<sup>38</sup> The PMLA and NUTIA were in coalition with other Angolan parties.

the second national political force under the leadership of its leader and presidential candidate, Adalberto Costa Junior. In the last general election of 24 August 2022, the outgoing President H.E Jaõa LOURENÇO had run for his second and final presidential term in line with the limitation of two terms in the 2010 Constitution.

In preparation for the elections, the socio-economic and health environment (Covid-19) at the national level was dominated by the repercussions of the global economic situation, fundamentally linked to the hydrocarbon price crisis, on the national economy and the impact of Covid-19. Indeed, between 2000 and 2021, national revenues related to the sale of hydrocarbons had dropped drastically from \$68.9 billion to \$20 billion. In addition, the presidential election was contested by the incumbent president João Lourenço–PMLA and seven opposition candidates: Adalberto Costa Junior–NUTIA; Benedito Daniel–SRP<sup>39</sup>; Nimi a Simbi–NFLA<sup>40</sup>; Florbela Malaquias–HPA<sup>41</sup>; Manuel Fernandes–CASA–CE<sup>42</sup>; Quintino Moreira–NPA<sup>43</sup>; and, finally, Eduardo Jonatão Samuel Chingunji–NPJA.<sup>44</sup> Finally, the legislative elections were to make it possible to elect the 220 Deputies to the National Assembly.

## I.6. Republic of Kenya

The general elections of 9 August 2022 are the third wave of political transitions in the Republic of Kenya since the introduction of the multiparty system in 1991. They are part of a tense climate between the actors. The socio-political crisis of 2007 had deregulatory implications. Indeed, on

<sup>39</sup> SRP: Social Renewal Party (PRS: Partido de Renovação Social).

<sup>40</sup> NFLA: National Front for the Liberation of Angola (FNLA: Frente Nacional de Libertação de Angola).

<sup>41</sup> HPA: Humanist Party of Angola (PHA: Partido Humanista de Angola).

<sup>42</sup> CASA-CE: Convergência Ampla de Salvação de Angola – Coligação Eleitoral (Broad Convergence for the Salvation of Angola – Electoral Coalition).

<sup>43</sup> NPA: National Patriotic Alliance (APN: Aliança Patriótica Nacional).

<sup>44</sup> P-NJANGO: Partido Nacionalista para a Justiça em Angola / NPJA: Nationalist Party for Justice in Angola.

the sidelines of the electoral contests, ethnic-political divides had invested the political field threatening the fundamentals of national cohesion. Indeed, cycles of interethnic and trans-partisan violence had caused the death of more than 1,000 people, the displacement of more than 30,000 people and much damage. In the face of this conflict, the international community was involved, including the AU, the RECs/RMs and the United Nations (UN). This has helped restore dialogue and peace in the country. In 2010, consolidating and consensual democratic constitutional reforms introduced a new public governance through the creation of 47 new electoral districts (counties), the adoption of Temporary Special Measures for the emancipation of women as well as those more transversal<sup>45</sup> aimed at the consolidation of democracy and the rule of law. In 2022, the general context of the elections was quite different from that of 2017. First of all, because the outgoing President H.E Uhuru KENYATTA was not eligible in accordance with the constitutional provisions that limit the number of presidential terms to two. Secondly, because he had supported the historical opponent H.E Raila ODINGA, former prime minister of the Republic of Kenya and his political coalition Azimio La Umoja One Kenya Coalition.

Meanwhile, the candidate, Vice-President of the Republic of Kenya, H.E. Dr. William RUTO had decided to maintain his candidacy and to run for the vote of his fellow citizens at the head of his coalition called Kenya Kwanza Alliance Coalition. Finally, these last general elections were also marked by a qualitative jump on the implementation of parity according to the two-thirds quota rule. This is a democratic step forward in this area.

## **I.7. Republic of Sao Tome and Principe**

The legislative elections were held on 25 September 2022 to elect the 55 deputies of the National Assembly for a term of four years. They

---

<sup>45</sup> The limitation of mandate, the voting of prisoners and displaced persons fall under political law, electoral law, humanitarian law and social law. Hence the notion of transversal.

were coupled with municipal and regional elections. The socio-political environment was marked by democratic alternations of various coalitions. The fragmentation of the electorate between various political parties and competing coalitions weakens more stable majority dynamics. The era of relative electoral majorities takes on all its relevance. Indeed, the October 2018 election, which had led to a change of government for lack of having obtained an absolute majority of votes, attests to this. Indeed, the party of the then Prime Minister, leader of the Independent Democratic Action (IDA)<sup>46</sup>, was downgraded by its immediately following from the Movement for the Liberation of Sao Tome and Principe-Social Democratic Party (MLSTP-SDP).<sup>47</sup> The 2021 presidential elections, although won by the IDA, had renewed this cohabitation between the newly elected President and the Prime Minister. The 2022 legislative elections took place in this socio-political context, but they ultimately led to the return to power of the IDA.

## **I.8. Kingdom of Lesotho**

The legislative elections of the Kingdom of Lesotho were held on 7 October 2022 to elect the 120 deputies of the National Assembly. They are the seventh which have been organized since 1975, date of its accession to independence. This AU member state has experienced fluctuating dynamic socio-political historical trajectories. Indeed, after various political antagonisms, finally, the stakeholders had participated in the Multi-Stakeholder National Dialogue (MSND) under the aegis of the National Reforms Authority (NRA). This contributed to the adoption of the 1993 Constitution.

However, the persistence of tensions in the political space has ended up creating other structural and functional difficulties to establish a more serene, inclusive and efficient framework for consultation. Most of the

---

<sup>46</sup> ADI: Acção Democrática Independente.

<sup>47</sup> MLSTP-PSD: Movimento de Libertação de São Tomé e Príncipe – Partido Social Democrata.

actors were suspicious of the institutions of regulation of the elections but also of themselves.

This could lead, as in 2017, to adopt a motion of censure against the Government. Hence, the disintegration of the governmental and parliamentary coalition, which helped to organize the snap elections.

In addition, Southern African Development Community (SADC) intervened with national actors to encourage the continuation of the dialogue to reform the electoral and socio-political system to induce security, stability, peace and sustainable development. Notwithstanding this, blockages have been noted due to internal struggles. The 'Omnibus Bill' to amend the Constitution and the Electoral Law had been invalidated by the Constitutional Court. It was in this wake that the last parliamentary elections were held. The government is bearing the brunt of the effects of the international crisis. In addition, new parties have emerged in the political landscape. This is the case of the rise in power of businessman Sam MATEKANE, who created, in March 2022, his political party called Revolution For Prosperity (RFP).

According to the Independent Electoral Commission (IEC), between 2017 and 2022, the number of legally constituted political parties in Lesotho increased from 35 to 65. That is an increase of 87 per cent. However, only 52 of them decided to compete in the legislative elections of 7 October 2022. This shift in the political landscape suggests a reprofiling of political supply and demand at the national level.

## **I.9. Republic of Equatorial Guinea**

The general elections (presidential, legislative, senatorial and municipal) of 20 November 2022 emanate from a dynamic Republican consensus between the majority and the opposition. They agreed on the need to: merge the elections; set the electoral timetable; clean up the NEF; and, finally, determine the modalities of public financing of candidates and elections. According to the government, political dialogue and the impact of exogenous crises are the main factors explaining the merging of elections.



### ***1.9.1. Political dialogue: culturing consensual democracy***

The presidential election, which was held five months later in 2023, was anticipated to be merged with the other elections thanks to the aforementioned Inter-party Dialogue. The legal prohibition to make the date of the election of the President of the Republic coincide with that of another election in accordance with the provisions of Article 53 of Law No.7/2015 of 28 May 2015 on Presidential Elections has been lifted since Parliament adopted, on 5 September 2022, a Bill that authorizes it.

### ***1.9.2. Exogenous causes justifying the merging of the polls***

The Government justified the merging of the elections to the AUEOM by insisting on the direct repercussions of the macroeconomic and health impact of the global hydrocarbon crisis and Covid-19, as well as its desire to rationalize resources, expenses and public funds.

### ***1.9.3. Brief history and number of seats to be filled***

Equatorial Guinean is organizing its sixth presidential election and tenth legislative and municipal since its independence in 1968. These legislatures serve to elect the 100 deputies of the Lower House (People's Assembly), and the Senatorial and the 55 senators of the Upper House (Senate).

### ***1.9.4. The outgoing President and the PDGE (DPEG)<sup>48</sup> hold the sole election coalition***

The presidential election was marked by the candidacy of the outgoing President H.E Teodoro Obiang NGUEMA MBASOGO, founder and historical leader of the PDGE, which aimed to obtain a sixth term in the supreme judiciary. His candidacy was supported by a broad presidential coalition of 14 of the 17 parties of the country.

---

<sup>48</sup> PDGE: Partido Democrático de Guinea Ecuatorial (Democratic Party of Equatorial Guinea).

### ***1.9.5. The two opposition candidates in the presidential election***

The two opposing candidates were: Andrès ESONO ONDO of the CPDS<sup>49</sup> and Buenaventura Monsuy ASUMU, candidate of the PCSD<sup>50</sup>.

The general climate that prevailed was peaceful and without recourse to hate speech. This indicates a certain political maturity of the actors.

## **1.10. Republic of Tunisia**

Pioneer of the Arab Spring, the Republic of Tunisia faced some challenges in the electoral system and the political regime. A state of emergency is maintained, and reforms induced by a Presidential Decree reinforce the mistrust of the political class, leading to the boycott of opposition actors.

### ***1.10.1. Polarization of the political system: Maintenance of the state of emergency and dissolution of the ARPC<sup>51</sup>***

The accession to power of the President of the Republic H.E Kais Saïed, on 23 October 2019, followed the frequent recourse to governance by decrees of the electoral and political systems. With this in mind, not only did he allocate full powers to himself under Article 80 of the Constitution, but immediately after that, he suspended the ARPC on 25 July 2021 and he published his Presidential Decree No.80 relating thereto on 29 July 2021 in the Official Journal of the Republic of Tunisia (JORT). The ARPC wanted to overhaul the political system and lift the state of emergency maintained in the country. By Presidential Decree No.117 of 22 September 2021 on

<sup>49</sup> CPDS: Convergencia para la Democracia Social (Convergence for Social Democracy).

<sup>50</sup> PCSD: Partido de la Coalición Social Demócrata (Social Democratic Coalition Party).

<sup>51</sup> ARPC: Assembly of the Representatives of the People and the Constitution (National Assembly of the Republic of Tunisia).

exceptional measures,<sup>52</sup> the President of the Republic suspended several provisions of the Articles of the Constitution and further strengthened his decision-making powers. Subsequently, by combining the induced effects of the aforementioned presidential decrees, he decreed the complete dissolution of Parliament based on the requirements of Article 72 of the Constitution to publish his Decree No.2002-309 of 20 March 2022. The two sections that make up this Order provide that the ARPC 'is dissolved' and that it is 'immediately enforceable'. According to the President of the Republic, this was done to preserve the people, the state and its institutions. The attempts of the parliamentary opposition to put an end to the state of emergency and their dissolution in organizing an online deliberation on these issues were condemned by the President of the Republic.

### ***1.10.2. Introduction of individual candidates into the political competition***

In this momentum of rupture and legal and political challenges, the President of the Republic published in September 2022 the Presidential Decree No.55 of 15 September 2022, thus proceeding to the delimitation of the 161 electoral districts for the legislative elections. In this context, the citizen voter can no longer choose a blocked list, unlike in the 2014 election. They can only choose disaffiliated individual candidates. In this wake, the political parties are put out of play, being torn between the boycotts of the electoral processes on the one hand, or their participation in the elections, but legally losing affiliation with their candidates due to the new provisions in the Republic of Tunisia. To oppose these new measures of selection of candidates, major parties regrouped in fronts of resistance against the measures of the Government.

---

<sup>52</sup> 'Tunisia: Publication in Jort of the presidential decree on the dissolution of the ARP' | Webmanagercenter available on: <https://www.webmanagercenter.com/2022/03/31/483405/tunisie-publication-au-jort-du-decret-presidentiel-sur-la-dissolution-de-larp/>

### ***1.10.3. Opposition resistance fronts against presidential decrees individualizing elective mandates***

They were composed of the most representative political parties of the Tunisian opposition including: Ennahda, Heart of Tunisia, Coalition for Dignity, Movement Party (Al-Irada), Al-Amal Party, Republican Party, Workers Party, Democratic Modernist Pole, Democratic Current, Ettakatol Party, Free Destourian Party and Afek Tounes. Then, the other bloc was composed of the Coalition of Opposition Resistance Parties called the National Salvation Front. This Coalition had also decried this situation, which it considered not in conformance with democratic principles and the rule of law.

### ***1.10.4. Controversies over reforms repealing horizontal and vertical parity***

The other bone of contention among the reforms induced by the controversial presidential decrees was the repeal of the measures on horizontal and vertical parity, which constituted a democratic advance in the promotion of gender in politics in Tunisia. This time, the AUEOM noted a certain step back on this gender issue because only 12 per cent<sup>53</sup> of women were candidates in the last legislative elections. Following the first round of the elections, a second round has been planned in early 2023. However, pending the distribution of the seven seats reserved for the diaspora not yet filled, at the end of the two rounds of voting, the available data on the representation of women are still provisional. According to the ISIE, at the end of the second round, which concerned 262 candidates running for 131 seats in Parliament, there were 34 women (12.98%) and 228 men (87.02%). This confirms the decline in parity at the national level for this category of candidates in the political spectrum with regard to the objectives of quotas of 30 per cent on average desired by the AU in the member states in the run-up to 2030.

<sup>53</sup> Final Report of the AUEOM for the Legislative Elections in the Republic of Tunisia, 17 December 2022, (First Round), January 2022, P.9.

---

## **II. CANDIDATES, POLITICAL PARTIES AND COALITIONS CONTESTING**

The candidates, political parties and coalitions contesting in elections are undergoing profound legal, political, financial, social and structural changes in the member states observed by the AU Missions. The Annual Report on the elections here concerns transversal axes of electoral governance while raising the important challenges and stakes in view of the socio-political transformations linked to the complex interactions between candidates, political parties and coalitions in the running and their repercussions on the postures, electoral or even political systems of states.

### **II.1. Candidatures of candidates, political parties and coalitions contesting, the nuances according to the States observed, between continuity and rupture**

#### ***II.1.1. Republic of The Gambia***

##### **II.1.1.1. Legal framework for candidacies**

During the legislative elections of 9 April 2022, the contested candidates were mainly governed by the provisions of Article 60 of the Constitution. Their deposits took place from 5 to 13 March 2022. The provisions state that the applicant should first agree with the independent electoral commission to collect their nomination forms. They also made an appointment to come and submit their complete files.

##### **II.1.1.2. Processing & rejection of lists of candidates and electoral tensions**

After receiving and processing lists of candidates, political parties, coalitions and independent candidates, the IEC invalidated eight and validated 246. Most of the rejections concerned lists of candidates of the opposition party UDI. The filing and validation procedures were interrupted in three instances, notably in Busumbala, particularly the West Coast Region. Activists and supporters of the IDU violently demonstrated against these decisions to

reject the candidacies of their leaders. Security forces responded and videos were produced and disseminated on New Information and Communication Technologies (NICT). On the whole, the electoral process was peaceful in almost the whole of the national territory.

### **II.1.1.3. Low representativeness of women and people with disabilities**

Of the 246 candidates authorized in the election, only 19 were women (7.72 %) and just a single male candidate was a person living with a disability. Having noted this low representation of women candidates and persons with disabilities at the national level, the AUEOM indicated that it would be more judicious for all stakeholders, in particular the Government, parties and coalitions as well as the Gambian population, to do everything possible "to enhance it"<sup>54</sup>.

## ***II.1.2. Federal Republic of Somalia***

Crossed by a political and security crisis, the federal state has finally found compromises for holding legislative and presidential elections as indicated previously.

### **II.1.2.1. Somali parliamentary elections: The Federal Parliament**

#### ***II.1.2.1.1. The Upper House***

According to the requirements of Article 72 of the Constitution, the Upper House of the Federal Parliament of the Republic of Somalia has 54 members. With a term of four years and indirectly elected by the members of the 18 regional assemblies, the current Transitional Upper House covers 2022–2026. It was created in 2012 at the same time as the People's Chamber.

<sup>54</sup> Final Report of the AUEOM for the Legislatures in the Republic of The Gambia of 9 April 2022, P.10.

### *II.1.2.1.2. The People's Chamber*

Its 275 members are elected by indirect and secret universal suffrage for a term of four years by the 14,025 delegates from the different regions of the state. Their election process took place from 1 November 2021 to 31 March 2022. Each deputy is elected by an Electoral College of 51 persons appointed by 135 elders. Of the 275 deputies, 69 are chosen in Baidoa. The other cities nominate the other members.

### *II.1.2.1.3. Parity and quota for women, young people and members of civil society*

The quota for women deputies in the People's Chamber is set at 30 per cent. Of the 51 delegates, 16 are women, 10 are young people and the remaining 25 come from civil society. This is a step forward in the representation of women in national elected bodies as well as young people and civil society in the name of inclusive participatory democracy. The AU welcomes this progress in Somalia.

### *II.1.2.1.4. The Electoral College at the heart of the election of the President of the Republic*

The Electoral College, which was to elect the President of the Republic by indirect and secret suffrage, is composed of 329 members, including 275 members of the House of the People and 54 members of the Upper House.

### *II.1.2.1.5. Candidates competing in the presidential election: No women candidates*

Finally, the following main candidates participated in the Somali presidential election: Abdikarim Hussein (former President of Galmudug) from 2015 to 2017; Abdinur Sheikh Mohamed (Former Minister of National Education, Higher Education and Culture (2010–2011); Abdirahman Abdishakur Warsame (Former Minister of National Planning and International Cooperation (2009–2010); Ajmed Duale Gelle (Former President of Galmudug (2017–2020); Dahir Mohamoud Gelle (Former Ambassador of Somalia to the Kingdom of Saudi Arabia from 2015 to 2018); Fowsiyo Yusuf Haji Adan (Former Deputy Prime Minister and Minister of Foreign Affairs of the Republic of Somalia between

2012 and 2014); Hassan Ali Khayre, former prime minister of Somalia from 2017 to 2020); Hassan Sheikh Mohamoud Former President of Somalia between 2012 and 2017; Mohamed Abdullahi Mohamed President of the Republic of Somalia from 2017 to 2022); Saïd Abdullahi Dani, President of Puntland (from 2019 to present); and finally Sharif Sheikh Ahmed (Former President of Somalia from 2012 to 2009). There were no women candidates in the presidential election.

### ***II.1.3. Republic of the Congo***

#### **II.1.3.1. Conditions for the admissibility of candidacies**

The submission of applications for candidacies extended from 11 May to midnight of 31 May 2022 according to the relevant requirements of Article I of the aforementioned Order.<sup>55</sup> These are governed by the Constitution, Electoral Law No. 9-2001 of 10 December 2001 on the Electoral Law amended and supplemented by Laws No. 5-2007 of 25 May 2007, No.9-2012 of 23 May 2012, No.40-2014 of 1 September 2014, No.1-2016 of 23 January 2016, No.19-2017 of 12 May 2017 and No. 50-2020 of 21 September 2020, but also Decree No. 2022-245 of 6 May 2022 convening the electoral body for the local elections and the first round of legislative elections; ballots on 4 July and 10 July 2022 and Decree No. 1896/MATDDL<sup>56</sup>-CAB<sup>57</sup> set the period for submitting candidacy files and the related procedures.

#### **II.1.3.2. Deposit: The difference between party and coalition candidates and independent candidates**

Article 2 of Decree No. 1896/MATDDL-CAB referred to above sets the non-refundable deposit at 1,500,000 CFA francs (about 2,500 USD), is required<sup>58</sup> for candidates of political parties and coalitions and 500,000 CFA francs (832 USD) for independents. The receipt of deposits received from the

<sup>55</sup> See Article 1 of the aforementioned Order, p. 2.

<sup>56</sup> MATDDL: Ministère de l'Administration Territoriale, de la Décentralisation et du Développement Local = MTADLD: Ministry of Territorial Administration, Decentralization and Local Development.

<sup>57</sup> CAB: Cabinet or Office.

<sup>58</sup> See Article 2 of the aforementioned Order, p. 2.



Treasury must be part of the constituent documents of the application file; under penalty of inadmissibility. This is in accordance with the requirements of the new Article 67 of the Electoral Law. The application files are then submitted to the Directorate General of Electoral Affairs (DGAE) under Article 5 of the Decree.

### II.1.3.3. Table of competing Parties and Coalitions

No	Political parties
1	Congolese Party of Labour
2	Pan-African Union for Social Democracy
3	Action and Renewal Movement
4	Rally for Democracy and Social Progress
5	Dynamic Republic for Development
6	Congolese Movement for Democracy and Integral Development
7	Club 2002 - Party for the Unity of the Republic
8	Movement for Democracy and Peace
9	Citizens' Rally
10	Republican and Liberal Party
11	The chain
12	National Movement for the Liberation of Congo

No	Political parties
13	Party for Concord and Political Action
14	Union for the Republic
15	Party for the Action of the Republic
16	The Congo on the Move
17	Permanent Action for the Congo
18	Union of the Living Forces of the Nation
19	United Congo Movement
20	Movement for Democracy and Change
21	Party for Community Development
22	Union for Democracy and the Republic
23	Congolese Democratic Forces Party
24	Republican Party for the Development of Congo

No	Political parties
25	The Modernists of Congo Ecology The Greens
26	Republican Movement
27	Union for the Restoration of Congo
23	Rally for Democracy and Development
29	Union for the Reconstruction and Development of Congo
30	Congress of African Democrats
26	Union of Humanist Democrats- YUKI
26	Party for Unity, Freedom and Progress
33	Pan-African Party for Democracy
34	Patriotic Union for Democracy and Progress
35	Social Movement for Democracy and Peace
36	Congolese Ecologist and Ethics Party
37	Movement for Congolese Interests and Salvation (MIS)

No	Political parties
38	Union of Liberals and Democrats
39	Club Perspectives and Realities
40	Congress for Democracy and the Republic
41	African Congress for Progress
42	Patriotic Union for National Renewal
43	Dynamics for Democratic Development and Social Progress
44	National Council of Republicans
45	Action for Renewal Committee
46	United Centrists for Democracy and Sustainable Development
47	Movement for Unity, Solidarity, and Work
48	ALLIANCE
49	Union for a Popular Movement
50	Renaissance
51	Movement for Sustainable Development

This list of parties was submitted to the AUEOM by the DGEA of the MTADLD. It does not reflect independent candidacies.

### **II.1.3.4. National data on the total number of applications, lists and candidates and substitutes**

During the legislative elections of 4 July and 10 July 2022, there were: 1,627 Lists and 1,176 candidates and substitutes<sup>59</sup>.

### **II.1.4. Republic of Senegal**

In the Final Report of the AUEOM in the Republic of Senegal for the legislative elections of 31 July 2022, the mission noted the particularities and innovations in Senegalese legislation related to the citizen sponsorship of candidates and gender balance. While the latter, which imposes sanctions, is to be welcomed, its application as much as that of sponsorship divides the political class and is the subject of challenges<sup>60</sup>.

#### **II.1.4.1. General conditions for candidacies**

Article L.57 of the Electoral Code stipulates that candidates from political parties, coalitions and independents are entitled to stand as candidates. It provides that: "Any Senegalese voter may apply and be elected, subject to age conditions, and the cases of incapacity and ineligibility provided by law. (...). An independent candidate is one who has never campaigned in a political party or who has ceased all militant activity for at least one (1) year. (...)"<sup>61</sup>. In addition, Article L.149 of the Electoral Code specifies that: "Any legally constituted political party, any coalition of legally constituted political parties, may submit lists. Any entity comprising independent persons may submit lists of candidates at the national level, subject to compliance with Article 4 of the Constitution. (...)"<sup>62</sup>. In addition, Order No. 013389 of 30 May 2022 of the Minister of the Interior on the admissibility of the lists

<sup>59</sup> Final Report of the AUEOM for the Parliamentary Elections in the Republic of Congo, p.26.

<sup>60</sup> Final Report of the AUEOM for the legislative elections of 31 July 2022 in the Republic of Senegal, P.11.

<sup>61</sup> Electoral Code, Article L.57, pp. 19-20.

<sup>62</sup> Electoral Code, Article L.149, P.48.

of candidates for the legislative elections of 31 July 2022 supplements the provisions of the Electoral Code. The right to stand is granted to citizens, independent candidates, political parties and coalitions. These provisions are a prerequisite to highlight the root causes of the polarization of the political field on the issues of challenges and issues on the sponsorship of lists and full parity sources of rejection of lists of candidates, parties and political coalitions in competition. Beyond the power and the opposition, the EMBs, in particular, the Autonomous National Electoral Commission (CENA), the Directorate General of Elections (DGE) and the Constitutional Council (CC), as well as the other stakeholders involved, were at the heart of this phase of the electoral process.

## **II.1.4.2. Admissibility of lists of candidates in the face of sponsorship and the application of full parity in the legislative process**

### ***II.1.4.2.1. Legal framework on sponsorship and full parity***

#### II.1.4.2.1.1. The legal provisions governing sponsorship

Sponsorship was introduced in the Senegalese Electoral Code for the first time nine months before the holding of the 2019 presidential election. Article L.57 of the Electoral Code states: "Any candidacy for a presidential election and legislative elections, presented by a legally constituted political party, by a coalition of legally constituted political parties or an entity bringing together independent persons is subject to sponsorship by a list of voters"<sup>63</sup>. Paragraph 3 of Article L.149<sup>64</sup> of the Electoral Code sets the required number of signatures of electors registered in the General File to be a minimum of 0.5 per cent and a maximum of 0.8 per cent and that some of these electors must imperatively come from seven regions at a rate of at least one thousand per region. However, there is still a specificity granted to coalitions and independent candidates because they must deposit their sponsorship signatures at least the day before the filing date provided for

<sup>63</sup> Electoral Code, Article L.57, P. 20.

<sup>64</sup> Paragraph 3 Article L.149, P.48.

this purpose with the minister in charge of elections and be at the top of the declared candidates. The filing of signatures is correlated with the notification of the name of the coalition or entity of independent candidates in accordance with the requirements of Paragraph 8 of Article L.149<sup>65</sup> of the Electoral Code. The minister in charge of elections fixes by Order, 88<sup>66</sup> days before the election date, the practical modalities of controlling the lists of sponsorships to the elections under Article L.57 Paragraph 13 of the Electoral Code. He also establishes a commission in charge of reception.<sup>67</sup> Agents have a maximum of 85 days and a minimum of 83 days to submit their applications. In addition, the Reception Commission begins the study for the legal admissibility of candidacy files 75 days before the polling day. The representatives of the candidates on the lists may lawfully consult the other lists. The Commission in charge of reception draws up two minutes, one of which is addressed to the CENA, which draws up the lists that accompany the candidacy files in accordance with the requirements of Article L.177 Paragraph 1 of the Electoral Code.

#### II.1.4.2.1.2. Sanctions against fraud, multiple sponsorships, and the possibility of replacing sponsorships in case of notification to this effect by the competent authority

The Elections Act states that: 'In an election, an elector may sponsor only one candidate or list of candidates and only once...'<sup>68</sup> The Code prohibits multiple sponsorships. If two lists are sponsored by the same elector, the name is retained only on the list filed first; but invalidated on the next. A legal mechanism is provided to replace invalid sponsorships because the Article provides that: "However, if as a result of this invalidation, a list does not reach the minimum required of voters registered in the Register and or the minimum required per region and municipality, notification is made to the representative concerned. The latter may proceed to regularization by replacement up to the number of sponsorships invalidated for this

<sup>65</sup> Electoral Code, Article L.149, Paragraph 8, P.48-49.

<sup>66</sup> Electoral Code, Article L.176, Paragraph 1, P.57.

<sup>67</sup> Idem.

<sup>68</sup> Article L.57, P.20.

fact within forty-eight (48) hours. If the sponsorship of an elector is on several lists, the penalties provided for in Article L.91 of the Electoral Code apply to the offending sponsor. (...)”<sup>69</sup>. The Elections Act also provides for sanctions against those who commit sponsorship fraud when they submit their candidacies. It requires the nominee to appoint a National Coordinator, who appoints regional delegates and collectors, as well as their alternates, to carry this out. In view of these legal requirements, the application is well supervised by the Senegalese legislator and guarantees the credibility of the sponsorship for transparent, credible, legitimate and democratic elections.

#### II.1.4.2.1.3. Rejection of lists of candidates not in accordance with the electoral law on sponsorship

The question of the inadmissibility of the lists of candidates, political parties and coalitions that had not obtained the sponsorships required by the Electoral Law to participate in the legislative elections had attracted the attention of the political class and observers of the AUEOM. Indeed, as was the case during the local elections, this time, lists of candidates were rejected because they violated the aforementioned provisions on sponsorship. In Senegal, after the submission of the lists of candidates to the DGE on 8 May 2022, a phase of monitoring their compliance with the legal requirements was followed. The DGE, after verifying the authenticity of the lists and sponsorships, had invalidated, among others, those of the following coalitions: Gueum Sa Bopp de Bougane Guèye DANY (CEO<sup>70</sup> of the private TV SEN TV); And Nawlé Ligeey de Serigne MBOUP, (Mayor of Kaolack); Jammi Gokh Yi de Fadel BARRO (Member of the Y en a Marre Movement); and Défar Sa Gokh de Adama FAYE (Brother-in-law of the Head of State).

However, the leader of the GRAND COALITION GUEUM SA BOPP, decided to refer the matter to the Constitutional Council to challenge the Decision of the Minister of the Interior by mail dated 25 May 2022 deposited at the

<sup>69</sup> Electoral Code, Article L.57, P. 20.

<sup>70</sup> CEO: Chief Executive Officer.

registry of the Council registered under reference 11/E/22. In support of his request, the GRAND COALITION GUEUM SA BOPP leader had requested the annulment of the impugned decision because of the unconstitutionality and unconventionality of the decisions rejecting his candidacy. In addition, in a second letter addressed to the Constitutional Council, dated 27 May 2022, referenced in the Registry of the Council under number 13/E/22, he considered that there was a manifest error made by the Council to validate his list of candidates. The Constitutional Council, after deliberating, dismissed it in its Decision No. 19-E-2022 CASES NO. 11-E-22 and 13-E-22, Session of 3 June 2022 on the grounds that the appeals sought to invalidate its decisions. The Council declared them inadmissible under the provisions of Article 92 (4) of the Constitution, which stipulates that its decisions 'are not subject to any remedy'.<sup>71</sup> Nevertheless, even if legally it was rejected, however, politically it strove to support the qualified opposition coalitions<sup>72</sup>.

#### II.1.4.2.1.4. Controversies over the qualitative legal and political contribution of sponsorship and its democratic impact in Senegal

Two positions clash on the question of the application and systemic fallout of sponsorship during elections: that of its followers who present it as an undeniable democratic advance versus that of its opponents who reject it because they describe it as a "filter" and, therefore, a subtle means of power to eliminate opponents. The supporters of the first position, whose initiator is the President of the Republic, were supported by his camp. They reject all criticism from the opposition. They argue that sponsorship contributes to further modernizing the electoral system; avoiding the voter fatigue syndrome that leads to voter disaffection at the polls; further

<sup>71</sup> Constitution of the Republic of Senegal, Article 92 Paragraph 6, p. 14.

<sup>72</sup> In 2019, his list in the presidential election was also invalidated for the same reasons.

rationalizing the overall cost of public financing of elections; and making Senegal's democratic standing one of the world's largest consolidated democracies. On the other hand, the opposition believes that it would be better to discuss it in advance and, if possible, failing to repeal it, to find alternative solutions to avoid eliminating potential candidates at this stage in the elections. Finally, they argue that in 2019, out of the 27 potential candidates declared, four were able to oppose the H.E President candidate, Macky SALL, during the presidential election. So, according to them, sponsorship would have made it possible to repost the 'small candidates'. Senegal has more than 300 legally constituted political parties. In the last legislative elections of 2022, 47 lists took part. This reflects a certain democratic vitality, indicating that actors are beginning to have better control over sponsorship.

#### II.1.4.2.1.5. The application of the law on full parity 'zebra lists':<sup>73</sup>

##### Implications for candidates, parties and coalitions

Senegal is one of the pioneer states in Africa and the world for consolidating gender reforms. Since 2010, it has adopted an Electoral Act that enshrines full parity. This is especially under the magisterium of the current President of the Republic, H.E Macky SALL, that parity of order and number was instituted on the legal, political and systemic levels as a vector for the consolidation of republican equality between men and women in the political field. Its application by political actors during the legislative elections revealed shortcomings on their part on this issue when drawing up and submitting lists for both the presidential coalition and the opposition. Law No. 2021-35 on the Electoral Code was adopted by the National Assembly at its meeting on 12 July 2021, amended by Law No.2022-15 on 3 May 2022. The Constitutional Council, ruling on the text, issued its Decision No.3/C/2021 on 22 July 2021. Subsequently, the President of the Republic promulgated it in the Official Gazette. In addition, Article L.149 Paragraph 6 of

<sup>73</sup> Final Report of the AUEOM in the Republic of Senegal, Op. Op. cit., p. 11.



the Electoral Code provides that gender parity applies to all lists. The lists of candidates, both incumbent and alternate, must be alternately composed of persons of both sexes. "When the number of members is odd, parity applies to the next lower even number. In the case where only one deputy is to be elected in the department, the titular and the alternate must be of different gender"<sup>74</sup>. The aforementioned Article, in Paragraph 7 prescribes the terms of candidacy of coalitions and independent candidates. To validly submit their lists of candidates, independent coalitions and candidates must notify their names, or possibly the title of the coalition or entity of independent persons, to the Minister in charge of elections at the latest the day before the date of submission in order to be registered. Therefore, some specificities on the modalities of nomination papers between candidates, political parties, coalitions and independent candidates regarding certain aspects of the electoral law revealed shortcomings on this issue.

## ***II.1.5. Republic of Angola***

### **II.1.5.1. Legal framework for applications**

#### ***II.1.5.1.1. Conditions for the submission of applications***

For the legislative elections of 24 August 2022, the Presidential Decree convening the Electoral Body was issued on 6 June 2022. Articles 37 and 40 of the Organic Law governing General Elections provide that the candidacies of candidates, political parties and coalitions in the presidential and legislative elections must be submitted within 20 days following the proclamation of the date of the elections. The other general conditions for the identification of candidates, parties and coalitions concern the determination of their affiliation, the submission of the deposit, age, residence, eligibility and incompatibility in accordance with the Electoral Law. Only candidates who have their civil and political rights and who wish to do so may apply.

---

<sup>74</sup> Electoral Code, Article L.149, Paragraph 6, P.48.

### *II.1.5.1.2. Remedies relating to applications*

In case of rejection of candidacies by the Constitutional Court, legal remedies are provided by the electoral law. Candidates, political parties and coalitions competing have a maximum period of 48 hours after the official publication of the electoral lists of candidates by the Constitutional Court. In case of referral, the Constitutional Court also has 48 hours to deal with appeals in Plenary Session. Then, the Court renders its final decision, which bears the seal of *res judicata* because it can no longer be the subject of any other form of judicial remedy.

### *II.1.5.1.3. Competing parties and coalitions*

The Constitutional Court validated 12 lists, including seven of the political parties and five of the coalitions competing in the legislative elections. This indicates that political parties coexist with coalitions in the Republic of Angola.

## **II.1.6. Republic of Kenya**

### **II.1.6.1. The main candidates, coalitions and political parties competing**

#### *II.1.6.1.1. The Kenya Kwanza Coalition (KK) of Vice-President William RUTO*

The outgoing president was unable to stand for re-election due to the constitutional limitation of presidential terms to two. The Vice-Chairman, H.E. William RUTO, was a candidate to succeed him on behalf of the Kenya Kwanza Coalition (K.K.).<sup>75</sup> Founded in January 2022, the KK coalition was initially composed of the following three parties: the United Democratic Alliance (UDA), the Amani National Congress (ANC) of Musalia Mudavadi and the Forum for the Restoration of Democracy (FORD-Kenya) of Moise

<sup>75</sup> Meaning: Kenya First.

Wetangula. On 8 April 2022, nine other political parties joined the KK coalition: Economic Freedom Party (EFP) led by Issack Hassan; The Service Party (TSP)<sup>76</sup> of leader Mwangi Kiunjuri; Umoja na Maendeleo Party (UMP) of Martin Wambora; Tujibebe Wakenya Party (TWP) of William Kabogo; Chama Cha Kazi (CCK) of Moïse Kuria; Communist Party of Kenya (CPK) of Mwandawiro Mghanga; Devolution Party of Kenya (DPK) of Gunga Mwinga; Peasant Party (PP) of Irungu Nyakera; and the Democratic Party (DP) of Justin Muturi. On 18 August 2022, members of the United Democratic Movement (UDM) declared their intention to join the coalition. The statutes of the coalition enshrine the structural independence of its constituent parties. They keep their structures without dissolving into the coalition but they harmonize their positions to support the Vice-President candidate for the presidential election and put themselves together in lists common to the other elections of the general elections of the National Assembly, Senate and Governors.

### *II.1.6.1.2. The Coalition Azimio la Umoja of the opponent Raila ODINGA*

Raila ODINGA led the Azimio la Umoja Coalition<sup>77</sup>. He is once again the candidate of the Orange Democratic Movement (ODM). The coalition was founded on 12 March 2022. It mainly united the ODM with the party of the President of the Republic Kenyatta (the Jubilee Party). In total, there were 23 political parties comprising this coalition: Jubilee Party (JP); ODM; Wiper Democratic Movement–Kenya (WDM-K); Kenya African National Union (KANU); National Alliance Rainbow Coalition—Kenya (NARC-K); Muungano Party (MP); Maendeleo Chap Chap Party (MCC); Democratic Action Party–Kenya (DAP-K); Devolution Empowerment Party (DEP); United Party of Independent Alliance (UPIA); United Democratic Movement (UDM); United Progressive Alliance (UPA); Pamoja African Alliance (PAA); Kenya Union Party (KUP); United Democratic Party (UDP); Movement for Democracy and Growth (MDG); Kenya Reform Party (KRP); Chama Cha Uzalendo

<sup>76</sup> TSP: The Service Party.

<sup>77</sup> Meaning: United Kenyan Coalition Party.

(CCU); Party for Peace and Democracy (PPD); National Liberal Party (NLP); People's Party; and People's Forum. The National Rainbow Coalition also supported this coalition. In this context, ODINGA was a candidate for the Presidency of the Republic and Martha KARUA for the Vice-Presidency. On the other hand, H.E Uhuru KENYATTA is the Honorary President.

### *II.1.6.1.3. The two other parties competing*

The Kenyan presidential election was also contested by two other candidates from the contending parties: George Wajackoyah from the Roots Party of Kenya (RPK) and David Waihiga Mwaure from the Agano Party.

### *II.1.6.1.4. Only one candidate rejected in the face-to-face election*

Walter Mongare Nyambane was rejected as a presidential candidate for lack of a recognized university diploma. This is the only one that was returned for the presidential election.

### *II.1.6.1.5. Findings on the presidential election*

Since the advent of multiparty politics in the Republic of Kenya in 1992, this presidential election had the lowest number of candidates running. Secondly, no woman was a candidate for the office of President of the Republic. However, there was one for the vice-president. This indicates the need to encourage more women to get involved to compete for all positions. The lists of the above-mentioned coalitions and parties played a decisive role in the general elections. Their candidates for the various elections to the Assembly, the Senate and the Governors received attention. However, on the issue of parity, the two-thirds quota rule had been applied to further stimulate women's representation in elected bodies. This implied the existence of more women candidates for these elections. This progress was also welcomed by the AUEOM.

Moreover, since 1963, this is the first time that the national political landscape presents this atypical configuration where the Kikuyu and Kalendjin who

dominated the political space are confronted with the rise of a Luo Ethnic Candidate, in this case that of Vice-President William RUTO. The political alliance between KENYATTA from the Kikuyu ethnic group and ODINGA from the Kelendjin ethnic group was not enough to perpetuate this. This indicates the beginning of a recomposition of alliances and relationships of political forces in this member state.

## ***II.1.7. Republic of Sao Tome and Principe***

### **II.1.7.1. List of parties and coalitions competing**

The Constitution and Law No. 06/2021 on the Electoral Code establish the electoral capacity and the fundamental principles of the elections as well as the modalities of candidacies for the presidential and legislative elections. Law No. 11/2021 regulates the creation and functioning of political parties and coalitions. During the legislative elections of 25 September 2022, the following parties were in contention: Independent Democratic Action (IDA) led by Patrice TROVOADA<sup>78</sup>; leader of the Basta Movement and former prime minister, H.E Salvador RAMOS, who was supported by the Democratic Convergence Party–Reflection Group (DPC-RG); Movement for the Liberation of Sao Tome and Principe—Social Democratic Party (MLSTP-SDP) of the Prime Minister, H.E Jorge Born JESUS<sup>79</sup>; Movement of Independent Citizens of São Tomé and Príncipe—Socialist Party (MIC-SP); Force for Change Democratic Movement-Liberal Party (FCDM-LP); Union of Democrats for Citizenship and Development (UDCD); Independent Citizens for Development of São Tomé and Príncipe (formed by dissidents of the ADI)<sup>80</sup>; Social Democratic Movement—Green Party of São Tomé and Príncipe (SDM–GPSTP) and the Party of All Santomeans (PTS).

<sup>78</sup> He was the 15th Prime Minister of this Member State from 14 February 2008 to 22 June 2008; then from 12 December 2010 to 12 December 2012 and finally from 25 November 2014 to 3 December 2018.

<sup>79</sup> He was the 17th Prime Minister of the Republic of Sao-Tome & Principe: from 3 December 2018 to 10 November 2022.

<sup>80</sup> IDA is ADI in Portuguese: Acção Democrática Independente.

## **II.1.8. Kingdom of Lesotho**

### **II.1.8.1. The financial activist commitment to the party or coalition and non-discrimination a prerequisite to being a candidate in elections**

Beyond the general conditions required in this regard, it should be noted that a system of validating candidates, political parties and coalitions is rooted in a desire for progress and innovation. Primarily, this issue is governed by the relevant provisions of Section 24 of Chapter 2 of the 2011 National Assembly Act. It requires political parties to register legally in accordance with the requirements of the "Societies Act" of 1966 and have several 500 voter activists who are up to date with their dues and do not discriminate based on race, colour, gender, language, religion, nationality, social origin or property. Under Article 25 Paragraph 1 C (vi), parties and coalitions must hand over their bank account statements to the IEC under penalty of rejection of their lists of candidates. Thus, in case of non-compliance with these provisions, the IEC decides and declares the inadmissibility of the lists. In addition to this, the legal obligation is to certify the candidacies of militant and non-activist candidates per Articles 41 to 44 of the aforementioned law. The posting of the lists of candidates and the related means of appeal for five days to introduce them to the IEC and two days to the latter to render its decision.

### **II.1.8.2. National data on applications and representativeness of candidates (women/men)**

For these legislative elections of 7 October 2022, there were in total: 2,516 candidates including 1,684 men and 876 women (34.81%) from 52 political parties and three coalitions legally constituted as well as 26 independent candidates. In addition, it appeared that only four political parties (7.69%) had put forward candidates in all 88 constituencies of the country.

## ***II.1.9. Republic of Equatorial Guinea***

### **II.1.9.1. Terms and conditions**

The Constitution lays down the conditions for standing as a candidate and the Electoral Law. Indeed, to be a presidential candidate, it is necessary to meet the substantive<sup>81</sup> and formal conditions provided for this purpose to be at least 40 years old for the presidential election and 23 years old for the other elections.

### **II.1.9.2. Publication of nomination lists**

On 14 October 2022, the National Electoral Commission (NEC) published the lists of candidates running in the various elections.

### **II.1.9.3. The PDGE coalition with 14 out of 17 legally constituted Political Parties**

Apart from the PDGE, this coalition included of the following parties: Popular Action (PA), Progressive Democratic Alliance (PDA), Liberal Democratic Convention (LDC), National Congress (NC), Social Democratic and Popular Convergence (SDPC), National Democratic Party (NDP), Liberal Party (LP), Socialist Party (SP), Social Democratic Party (SDP), National Democratic Union (NDU), Social Democratic Union (SDU) and the Popular Union (PU). Only the PDGE, the ruling parti of H.E. Teodoro Obiang Nguema MBASOGO and its broad coalition, put forward candidates throughout the national territory and in all electoral districts.

### **II.1.9.4. The two opposition parties: the challenge of covering all constituencies with candidates**

The Social Democratic Coalition Party (PCSD) of the candidate Buenaventura Monsuy ASUMU, which was nevertheless an ally of the PDGE, withdrew from the initial coalition with the Presidential Party to seek universal

---

<sup>81</sup> Article 21 of the UDHR, included in the letter of the Electoral Law as a general principle of law.

suffrage for its fellow citizens, particularly for the presidential, legislative and municipal elections. In addition, the Convergence for the Social Democracy Party (CPDS) of candidate Andrés Essono Ondo, constitutes the second opposition party in the running. Indeed, both competing opposition parties mentioned above could not present their candidates in all the constituencies.

## ***II.1.10. Republic of Tunisia***

### **II.1.10.1. Tunisian legislative elections: Candidates declared to participate**

#### ***II.1.10.1.1. Conditions and Dates of Submission of Applications***

The registration of candidates is governed by Article 19 New of the Electoral Law concerning the election of deputies to the ARP. The legal age of candidates is 23 years. Candidates must provide a clean criminal record without being subject to any form of deprivation of liberty and reside in the electoral district where they compete<sup>82</sup>. The submission of applications was open from 17 to 24 October 2022. After receipt, the ISIE studied them on 31 October 2022 before publishing on its premises those that were validated on 1 November 2022. However, the final list of successful candidates was published on 21 November 2022. Beyond information on age, sex, profession, residence, etc., this time there were some important innovations. Nominations are distinguished from affiliated parties that cannot fund or pay their bail. Candidates can then use their logos but when submitting the nomination files, they were formally prohibited from mentioning the names of their affiliated parties and coalitions. This had the direct effect of putting a large part of the opposition to boycott the election. However, other political parties and coalitions have expressed their

<sup>82</sup> Also, candidates make their declaration of candidacy dated and signed mentioning their surname, first name, date and place of birth, etc. They must also prove to be up to date with their tax payments by issuing a certificate that proves it as well as a municipal discharge, a summary of the campaign programme, a nominative list of 400 sponsorships of registered voters in the electoral districts with their legalized signatures.



willingness to participate by giving preconditions or criticizing the process before giving it up. Independent candidates also participated.

### *II.1.10.1.2. Candidates declared to participate in legislative elections*

Despite the boycott of the parliamentary elections, it was noted that other parties, coalitions, and independent candidates participated in elections. These include the following parties:

- Tunisia Forward declared its participation in the elections despite the reservations it had expressed on certain aspects of the Electoral Law that could impact the results of the elections. They called for the creation of an electoral front bringing together all progressive forces that support the 25 July process. However, the Secretary General, Abid BIKRI, was not a candidate.
- The Tunisian National Party, led by Faouzi ELLOUMI, announced its participation and encouraged its activists to do so by guaranteeing them the unfailing support of their political party.
- The Harak of July 25 but these leaders argued that if the President of the Republic did not consider their concerns, they would boycott the electoral process. Eventually, they participated with 141 candidates including 15 women. However, the members of its Political Bureau boycotted the vote by rejecting the sponsorship criteria.
- The Party of the Third Republic of Olfa HAMDJ decided to participate.
- Ahmed CHEFTAR, member of the Referendum Explanatory Campaign, also ran in the electoral district of Zarzis.
- Fatma MSEDJI, former Member of Parliament for Nidaa Tounes, declared her candidacy in the constituency of Sfax Sud.
- Meriem LAGHMANI, former Deputy of the Party At the Heart of Tunisia, took part in the Region of Kef.
- The Political Initiative 'For The People To Triumph' brought together 25 independent personalities who supported the electoral process,

which was created on 9 October 2022. Brahim BOUDERBALA, the former president of the Bar Association had declared his participation in the legislative elections.

- Mounir Ben SALHA (lawyer) also announced his candidacy, as well as the actor and director Atel Ben Hassine, who filed his candidacy on 26 October 2022 in the electoral district of Chebba.
- The Zouhair MAGHZAOUI People's Movement announced on 28 October 2022 that its party went to present candidates in 120 electoral districts at the national level, including deputies of the outgoing legislature.

### *II.1.10.1.3. Parties that have effectively participated in the Legislature*

The following parties also contested the election:

- People's Movement; Voice of the Republic; United Party of Democratic Patriots; and finally, the independents.

### *II.1.10.1.4. The question of sponsorships: Impacts on the candidacies of parties and coalitions in the running*

As mentioned earlier, sponsorship is one of the conditions for the admissibility of applications. However, this issue has been controversial with the mention of 'illegal sponsorships'. In this context, this was mentioned by the President of the Republic, who in a public statement on 8 October 2022 compared sponsorship in some cases to: 'merchandise that is sold and bought'. He considered revising this provision, but ISIE finished by ensuring that the rules on the subject could not be revised amid the electoral process and that they should be kept as they were for the time being. If a revision were to be made, it would be preferable to be made after the electoral process, taking into account the principle of the non-retroactivity of laws over time. However, on 10 October 2022, his spokesperson declared that the President of the Republic was preparing a new Amendment to the Electoral Law.

## **II.2. Subtle interactions between candidates, political parties and coalitions**

Observed elections indicate that electoral processes are increasingly marked by subtle complex interactions that redistribute the relationship between candidates, political parties and electoral coalitions.

### ***II.2.1. Integral multiparty system implies plural candidacies***

Integral multiparty politics is one of the fundamental causes of the proliferation of candidates observed in Africa in the observed member states. Indeed, the liberalization of political space correlates with that of the media landscape and plays a significant role. In addition, the lack of consensus within parties and coalitions often contributes to the challenge of their leadership, which often leads to the creation of new political parties. The ambitions of each and the logic of partisan competition also contribute to this to a certain extent. Added to this is the current proliferation of social networks. The enthusiasm of the political field is accompanied by the rise of independent candidates. All this explains in part the creation of electoral coalitions to proceed with the strategy of the 'Catch all party' in the hope to win the elections with a comfortable majority, either to retain power or to try to conquer it and impose democratic alternation.

### ***II.2.2. Africa in the era of electoral coalitions: An empirical reality***

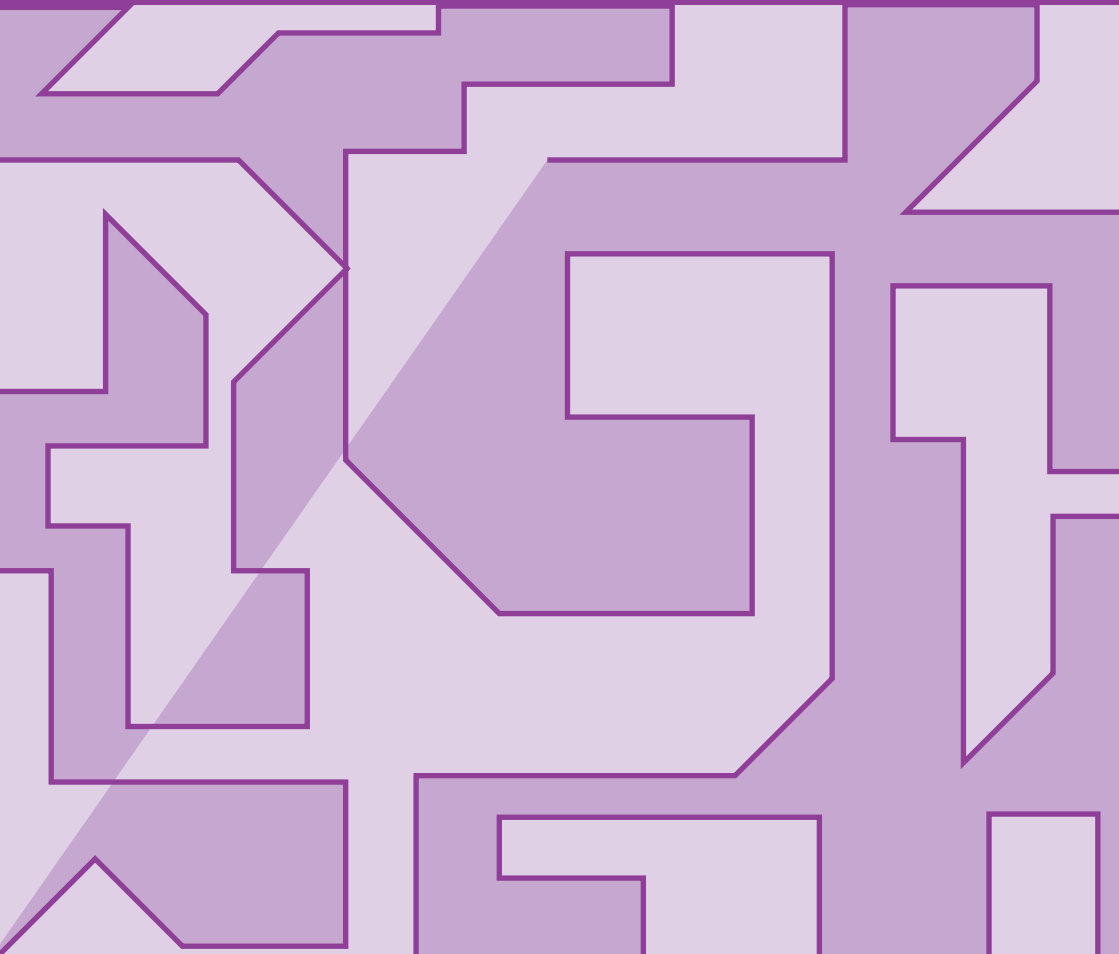
The phenomenon of coalitions is an empirical reality in African States observed by the various AUEOM deployed in 2022 as reflected in the Final Mission Reports. Being aware of the social and political transformations and the accelerated changes in the power relations, the candidates and political parties come together according to ranges of convergence to create coalitions they want to perform—these present new issues and challenges for parties and candidates.

The phenomenon of coalitions is an empirical reality in African states observed by the various AUEOM deployed in 2022, as reflected in their final reports. However, other difficulties related to political coalitions arise in practice, especially before, during and after the elections that call on the actors to do a quasi-permanent readjustment of political alliances and partisan strategies. ICTs and the interests of candidates and parties/coalitions also contribute.



**part two**

# **Election Management Bodies (EMBs) and Their Impact on Democratic Governance**



**E**MBs are plural in their nature, role and function in the regulation and management of electoral processes. They are at the heart of the governance of elections and are thus privileged actors in the electoral systems of member states. They are also often controversial, as we observed in some member states in 2022, but generally demonstrate competence and credibility in the operational conduct of voting processes. The study of their impact on democratic governance is a priority of the AU, which pays attention to their monitoring, evaluation and capacity building.

---

## **I. CONVENTIONAL EMBs REGULATING ELECTORAL PROCESSES**

Article 17 of the ACDEG stipulates that EMBs must remain impartial and independent in order to fully play their primary roles in the material organization of elections. Despite the nuances relating to the diversity of their denomination and their degree or extent of real competence in terms of independence beyond concepts and qualifiers, EMBs play a major role in African electoral processes. In 2022, the AUEOM noted the following in the observed member states.

### **I.1. Republic of The Gambia**

Article 42 of the 1997 Constitution establishes the powers of the Independent Electoral Commission (IEC), which gives it functional independence in the organization of elections. Article 43 (3) of the Constitution enshrines this by providing

that the IEC shall not be placed under the guardianship of any other natural person, authority, or institution. It is composed of one President and four other members<sup>83</sup> all appointed by the President of the Republic in consultation with the Supreme Council of the Magistracy (SCM) and the Public Service Commission (PSC) for a term of seven years renewable only once under the requirements of the Constitution<sup>84</sup>.

The latter may nevertheless dismiss a member if they consider that they are not fulfilling their mission properly. The procedure relating thereto is very restrictive because it obliges the president to justify the decision by providing evidence. In addition, the IEC is also mandated to delimit electoral districts beyond the organizational aspect of electoral and referendum processes.

## I.2. Republic of Congo

This EMB is among the most relevant in Africa. The Independent National Electoral Commission (INEC), consecrated by the provisions of Decree No. 2016-34 of 1 February 2016 relating to its organization and operation and the modalities of appointment of its members. It is composed of a president who is the President of the Supreme Court of the Republic of Congo, a Director of Cabinet and four vice-presidents: the first vice-president comes from the administration, the second from the presidential majority, the third from the Republican Opposition and the fourth from the national civil society specialized in elections and democratic governance. This structuring is generally identical at the level of its local divisions. Then, the DGEA also plays an important role in managing electoral processes including the preparation and updating of the NEF and other aspects of voting procedures in close collaboration with the INEC. It is under the direct

---

<sup>83</sup> Members of political parties, the National Assembly, partisan institutions or persons who have been convicted or who have committed offences against good life and morals are ineligible to be members of the Commonwealth of Independent States.

<sup>84</sup> Constitution of the Republic of The Gambia, Op.Cit., p. 35. Available at: <http://hrlibrary.umn.edu/research/gambia-constitution.pdf>.



supervision of the MTADLD. It is headed by the Elections Administrator Prefect assisted by agents of the state. Under his leadership, it updates the data and relies on its decentralized local divisions. This makes it controversial between the opposition and the government. In short, the DGEA is rather in control of the didactic operations under the aegis of the Ministry of Territorial Administration, in particular the NEF, while the INEC manages the voting operations.

### **I.3. Republic of Senegal**

The National Autonomous Electoral Commission (NAEC) was created by Law No. 2005-07 of 11 May 2005, giving it a permanent structure endowed with legal personality and financial autonomy. It monitors and supervises all electoral and referendum operations. It succeeded the National Observatory of Elections (NOEL). The NAEC is composed of 12 members exclusively of Senegalese nationality appointed by Decree of the President of the Republic and renowned for their independence, moral probity and intellectual honesty.

The NAEC can also make the necessary corrections to any malfunctioning found and it enforces the electoral law to ensure the regularity, transparency and sincerity of the elections by guaranteeing voters and candidates the free exercise of their rights. In the event of a blockage found or refusal to comply, the NAEC has the competence to relinquish the authority at the base of the blockage if it persists in not following its orders. This gives an additional guarantee of credibility and deterrence to the NAEC with the other ad hoc EMBs of the electoral process.

### **I.4. Republic of Kenya**

The EMB is called the IEBC<sup>85</sup>. It is mainly governed by the provisions of Part 2 Clause 88 of the Kenyan Constitution which enshrines its independent constitutional character which confers on it the eminent responsibility to conduct or supervise all elections and referendums in the country, per the

---

<sup>85</sup> IEBC: Independent Electoral and Boundaries Commission.

law. The IEBC comprises its president assisted by six other members and commissioners who are appointed by the President of the Republic and confirmed by Parliament. IEBC members are non-partisan<sup>86</sup>. The probity of its members aims to reinforce its seriousness and irreproachability with stakeholders. In particular to highlight the transparency and credibility of the elections with regard to Article 250 of the Constitution and Act No. 9/2011, Section 7, which sets the term of office for the members of the IEBC at six years.

The director in charge of information, communication and technology was appointed in March 2022, as well as the deputy secretary commissioner in charge of electoral operations<sup>87</sup> and the director in charge of legal and public affairs. It would help to revisit this in the future, if possible, in order to appoint them at least a year earlier to give them more time and better familiarize themselves with their new functions well before the polls are held. This will further contribute to enhancing the operational effectiveness of the IEBC.

## I.5. Republic of Angola

Angola has set up a National Electoral Commission (NEC) composed of 17 members in accordance with the provisions of Subsection III of the O.L. on the Organization and Functioning of the NEC<sup>88</sup>, including four women (a ratio of 23.53 per cent). One of the lessons learned here is that the NEC is not equal despite its efforts to this end. Article 107 of the Angolan Constitution establishes the NEC constitutionally as an independent EMB responsible for the operational organization of elections and referendums. Its president is appointed by the President of the Republic and the National Assembly appoints the remaining 16 members of its National Bureau. This often implies that their method of appointment is controversial because it is criticized by the opposition as not contributing sufficiently to ensuring its functional independence. But the AUEOM did not notice political intrusions

<sup>86</sup> The 2011 Independent Electoral and Boundaries Commission Act.

<sup>87</sup> Deputy Commission Secretary in charge of Operations.

<sup>88</sup> Organic Law on the Organization and Functioning of the NEC, Subsection III, available on the link: [CNE-Legislação-5627285f92d776.pdf](https://www.cne.gov.ao/legislacao/legislacao-5627285f92d776.pdf), p. 14.

into the effective functioning of the NEC during its stay in the Republic of Angola. The election results suggest that the NEC as a whole operated in a professional and credible manner.

The NEC has branches in all 18 state provinces and each municipality. These are the Provincial Electoral Commissions (PEC) and the Municipal Electoral Commissions (MEC)<sup>89</sup>. On another note, the AUEOM noted that in 2022, unlike in 2017, the NEC had drastically reduced the total number of accredited National Election Observers from 3,000 to 2,000. This had a definite impact on the coverage at polling stations by the National Electoral Observers and therefore impacted the principle of including members of the civil society in the electoral processes<sup>90</sup>.

## **I.6. Kingdom of Lesotho**

The Constitution and the Electoral Law confer a decisive role on the IEC to manage the electoral process in the Kingdom<sup>91</sup>. It is mainly governed by the provisions of Article 66 of the Constitution, which extends its powers to the management of all elections, the enrolment of voters, the registration and validation of parties, coalitions and candidates and the delimitation of electoral districts. It also proclaims the results of the elections after handling the related disputes by the Court of Justice of the Kingdom.

## **I.7. Republic of Equatorial Guinea**

The National Electoral Commission (NEC) is non-permanent. It is constituted five days after the promulgation of the Presidential Decree convening the Electoral Body, and its mission ends 100 days after the elections. The members of the NEC at the national level and of the divisions at the level of each district are appointed by the President of the Republic on proposals

---

<sup>89</sup> Final Report of the AUEOM in the Republic of Angola during the 2022 general elections, p.10, Point 34.

<sup>90</sup> This was possible under the provisions of Article 8 of the Law on Unofficial Registration of Voters in the State as set out in the Final Report of the AUEOM.

<sup>91</sup> Official website of the IEC of the Kingdom of Lesotho: <https://iec.org.ls/#>

made by the President of the Supreme Court, the prime minister as well as the political parties and coalitions. Article 18 of Law No. 7/2015 specifies that the members of the NEC elect the President of the NEC.

## I.8. Republic of Tunisia

The Higher Independent Authority for Elections (HIAE)<sup>92</sup> is a public service body responsible for the management of electoral processes and referendums in accordance with the Organic Law (O.L.) N° 2012-23 of 20 December 2012 amended and supplemented by Decree-Law N° 2022-22 of 21 April 2022. This EMB shall have one decision-making body consisting of seven members and an executive body. The HIAE ensures among other things to: keep the register of voters and update it permanently; adopt the electronic lists for each election or referendum, revise them if necessary and publish them on its website; fix and publish the electoral calendar; receive and rule on the candidacy files; ensure respect for the rights of voters and candidates; and ensure the transparency, sincerity and credibility of ballots and referendums. It draws up an annual report on its activities of the previous year which is submitted to the Head of State and the Prime Minister and then published in the Official Journal of the Republic of Tunisia. The AUEOM noted: "The HIAE's mission is therefore the management, administration and supervision of elections and referendums. It consists of a central body and regional bodies in the various constituencies"<sup>93</sup>. In addition, other Tunisian EMBs are involved in the process in their areas of competence, which will be discussed later.

---

## II. RELEVANT JURISDICTIONAL INSTITUTIONS

In addition to the EMBs of the above-mentioned observed member states, some of their jurisdictions play a significant role.

<sup>92</sup> HIAE is officially called in French the ISIE: Instance Supérieure Indépendante des Elections.

<sup>93</sup> Final Report of the AUEOM in the Republic of Tunisia, *Op. Cit.*, p. 11.

## II.1. Republic of the Gambia

The Supreme Court (S.C) is the judge of elections in the sense that it is competent to hear electoral disputes and to announce in the last instance the final results of elections and referendums following the provisional ones published by the IEC. Indeed, if the parties, candidates and coalitions competing have 10 days after the proclamation by IEC of the provisional results, the Court has a maximum of one month to decide on the related disputes brought before it under the provisions of Article 124 Paragraph 1 (a) of the Constitution<sup>94</sup>.

## II.2. Republic of the Congo

In this member state, the Courts of Instance (C.I) and the Constitutional Court (C.C)<sup>95</sup> are competent in their respective areas of intervention as provided by the Constitution and the Electoral Law. They were active in the disputes relating respectively to the enrolment of voters for the first and that of candidates and the proclamation of the final results by the second. They were decisive in the management of the electoral process as well as the Courts of Appeal, (C.A) which also contributed to appeals to them.

## II.3. Republic of Senegal

The Courts of High Instance (CHI) deal with the disputes of the lists of voters, but also the Court of Appeal (C.A) clears the disputes over the lists in the event of an appeal and the Constitutional Council processes. It validates the candidacies in competition as well as receives and clears electoral disputes before proclaiming the final results. The AUEOM noted an efficient role on their part despite the political controversies.

---

<sup>94</sup> Article 124 Paragraph 1 (a) of the Constitution of the Republic of The Gambia of 16 January 1997. P69 available at: <http://hrlibrary.umn.edu/research/gambia-constitution.pdf>.

<sup>95</sup> O.L (Organic Law) N° 28-2018 of August 7, 2018 on the organization and functioning of the Constitutional Court, supplemented by O.L N° 57-2020 of November 18, 2020 adopted jointly by the NA and the Senate, promulgated by the President of the Republic in these Articles 1 to 3 of the O.L confers this power on the Court.

## II.4. Republic of Kenya

It is the Supreme Court (S.C) that is competent to regulate electoral disputes. It has been controversial mainly because of the narrow margin of electoral results resulting from the presidential election. It polarized everyone's attention, but it ended up validating the results of the vote. A Judiciary Committee on Elections (JCE)<sup>96</sup> has also been established to facilitate the management of electoral processes. Finally, the AUEOM noted the training of 120 judges, 480 magistrates and 400 judicial officers in electoral processes to further strengthen their skills. The Court of Appeal also plays a role in these areas of competence.

## II.5. Republic of Angola

The Constitutional Court is the competent court to arbitrate electoral disputes in accordance with the provisions of Article 119 (f) of the Constitution. The President of the Republic is empowered to: "appoint the Judge President of the Constitutional Court and the other judges of the said Court"<sup>97</sup> with regard to Organic Law No. 12/12 of 13 April 2012. The Constitutional Court handles disputes over candidacies. Indeed, the parties and coalitions legally have 20 days from the official publication of the Presidential Decree convening the Electoral Body to submit the candidacies of their candidates for the elections under penalty of inadmissibility.

## II.6. Kingdom of Lesotho

It is the Court of Justice of the Kingdom which is empowered—on a fundamental basis in accordance with the provisions of the Constitution revised in 2022. It fulfilled its duties with dexterity and transparency according to the AUEOM.

---

<sup>96</sup> Judiciary Committee on Elections (JCE). See Final Report of the AUEOM in the Republic of Kenya, P.22.

<sup>97</sup> Republic of Angola, Constitution of 2010, Available at: [http://angola-constitution.pdf\(accf-francophonie.org\)](http://angola-constitution.pdf(accf-francophonie.org)), P.42.

## II.7. Republic of Equatorial Guinea

The Supreme Court of Justice is competent to hear and decide on electoral disputes as well as that of the candidacies and results. While the Courts of Instance, manage disputes relating to the voter's registration and their removal, among others.

## II.8. Republic of Tunisia

The Trial Chambers of the Administrative Tribunals manage appeals on electoral processes under Article 27 of the Electoral Law. On the other hand, the Judicial Tribunal plays a prominent role in the electoral jurisdiction<sup>98</sup>. They have been at the heart of the electoral process, particularly during the phase of receiving candidacies.

---

## III. AD HOC EMBs INVOLVED IN THE MANAGEMENT OF ELECTIONS

The administrative bodies empowered in the management of electoral processes sometimes cover, depending on the country and the nature of the ballots, parts of an EMB's mission. These bodies can include ministries of foreign affairs, consulates and embassies as well as the host states, and ministries of the interior, territorial administration and information and communication. It is these ad hoc EMBs that will be addressed in this section according to their degree of relevance in the democratic governance of the elections observed in 2022 by the AUEOM.

### III.1. Republic of The Gambia

The Gambia Public Utilities Regulatory Authority (GPURA)<sup>99</sup> is competent to regulate the media, IT and telecommunications sectors, among others. In addition, the public media are placed under the Ministry of Information

<sup>98</sup> It was noted by the AUEOM that they rejected many appeals. This question will be further elaborated in the section on sponsorships.

<sup>99</sup> To know more about the PURA: <https://pura.gm/about-pura/overview-of-pura/>

& Communication Infrastructure (MICI)<sup>100</sup> and are the main channels of transmission of the electoral campaign between candidates and coalitions or competing parties. National radio and television, as well as the private press, played decisive roles during the election. In addition, it should be noted that the Ministry of the Interior had played a major administrative technical support role for the proper organization of the ballot in its areas of competence in terms of co-management of the electoral process.

### III.2. Republic of the Congo

The Superior Council of Freedom of Communication (SCFC) is responsible for the management of communication and the media during electoral processes in accordance with the requirements of Law No. 15-2001 of 31 December 2001 on pluralism in public broadcasting and that of O.L No. 4-2003 of 18 January 2003 determining the missions, organization, composition and operation. In addition, it has produced a Code of Good Conduct (CGC) for the Media and accredits them for the management of elections in accordance with the relevant provisions. It has produced a reference document that compiles the legal guidelines governing electoral processes to better equip journalists to carry out their work in accordance with the national legal framework. It played a decisive role in safeguarding the freedom of communication of candidates, parties and coalitions competing, particularly with adopting the Guidelines for Journalists and the Media for Media Coverage of the Campaign for Legislative and Local Elections—July 2022. And the broadcasting of sections of passages called 'No Comment', 'Special Pages'. and 'same time, same duration and same broadcast' which ensured equality between the actors. In addition, the Ministry of Territorial Administration played an important role through the DGEA in the preparation of the national electoral list, the mapping and delimitation of electoral constituencies and the support of the decentralized administrations to the subdivisions of the CNEI on the extent of the national territory. This makes them significant ad hoc EMBs of the electoral process in this member state.

---

<sup>100</sup> Ministry of Information & Communication Infrastructure (MICI) was established on 6 May 2002.



### III.3. Republic of Senegal

The National Audiovisual Regulatory Council (NARC)<sup>101</sup> manages the legality and equal access and treatment of candidates in terms of communication. It played an important role in the management of the electoral process. Radio Télévision du Sénégal (RTS) has been at the heart of the coverage of electoral processes both for candidates and for EMBs targeting populations. In addition, private media (Wal Fadjri, Sen TV, Groupe Futurs Médias, SENEWEB, D-Médias, I-Médias, etc.); were also featured in the coverage of the elections. The public media also made an important contribution to allow the emergence of true pluralism among all the protagonists of the election in accordance with Law No. 2017–27 of 13 July 2017 on the Press Code. In addition, the Ministry of the Interior as well as that The Ministry of Foreign Affairs and Senegalese Abroad (MAESE), each participated, as far as concerned, in the electoral process in support of the actions of the NAEC without interfering in its regular functioning. Indeed, if the first contributes to the preparation of the National Electoral File, the next two intervene exclusively in the development of the National File of the Senegalese Diaspora. This makes them essential ad hoc administrative and diplomatic EMBs in the electoral governance of the Republic of Senegal.

### III.4. Republic of Kenya

The IEBC has entrusted the Kenyan Integrated Elections Management Systems (KIEMS) with the management of the technical aspects of electoral operations, including the biometric dimension of voter registration, the identification of polling stations and the transmission of results during the 2022 general elections under Article 86 of the Constitution. The IEBC was also supported in its missions by the services of Klynveld Peat Marwick Goerdeler (KPMG) to conduct a transparent audit of the NEF. In addition, the Office of the Register of Political Parties (ORPP), governed by Article 260 of the Constitution of Kenya of 2010, which further governs the legality of competing and upstream parties, participates in their certification without which they will not be able to

---

<sup>101</sup> Final Report of the AUEOM in the Republic of Senegal during the Legislature of 31 July 2022, p.10.

participate in the expression of suffrage. Finally, according to the IEBC, there were 200,000 voters registered<sup>102</sup> who could not vote because they had been unduly ejected from the NEF due to technical problems. They could not know it until after the end of the closing of the legal period of voter registration. This prevented them from being able to fulfil their civic and political duties on election day. The Ministry of the Interior has played a key role in supporting the actions of the IEBC in the fulfilment of its mandate. Its collaboration makes it possible to draw up a more reliable electoral file.

### III.5. Republic of Angola

Article 73 of the Constitution relating to the O.L. on General Elections enshrines the freedom and equal access of actors to public media, including the Public Television of Angola (PTA)<sup>103</sup>, the National Radio of Angola (NRA)<sup>104</sup> and the Angolan Press Agency (APA)<sup>105</sup>. The Angolan Media Regulatory Entity (AMRE)<sup>106</sup> is responsible for regulating the operation and use of the media, especially during electoral processes, in accordance with the provisions of the AMRE Law No.2/17 of January 2017<sup>107</sup> and ensures the ethics of journalists under the Press Law No.1/17 of 2017. Controversies over the coverage between the opposition and the government in the public media have taken place. Overall, the NRA has managed the electoral process according to standards by ensuring the strict respect of the candidates running without any hindrance.

In addition, it should also be noted that in Angola, during past elections, the Ministry of the Interior supported the actions of the EMBs, in particular the CNE. The Ministry of Foreign Affairs and its consulates and embassies have also spared no effort to facilitate the effective vote of the diaspora established abroad. This indicates in this case that these types of ad hoc

<sup>102</sup> Final Report of the AUEOM in the Republic of Kenya, General Elections 2022, P.19, Point 37.

<sup>103</sup> In Portuguese: Televisão Pública de Angola (TPA).

<sup>104</sup> In portuguese: Rádio Nacional de Angola – (RNA).

<sup>105</sup> In portuguese Agência de Imprensa de Angola (AIA).

<sup>106</sup> In portugue: Entidade Reguladora da Comunicação Social Angolana – (ERCA).

<sup>107</sup> Press Law - Law No. 1/17 and Organic Law of the Angolan Media Regulatory Authority - Law No. 2/17.

EMBs are not only administrative and diplomatic, but they also join those of the media responsible for regulating communication and information to better manage electoral processes within the Republic of Angola.

### **III.6. Kingdom of Lesotho**

The National Communication Authority (NCA) regulates the electoral process in terms of communications and information for candidates. It has also been involved in the management of the electoral process by guaranteeing pluralism of voting and by making broadcasts aimed at voters, debates between candidates and often in the national language. "Radio Lesotho" (RL) and "Lesotho Television" (LT) covered the electoral process as well as about 18 other media outlets, including six community-based ones, according to the Media Institute of Southern Africa (MISA)<sup>108</sup>. During the last elections, the Ministry of the Interior assisted the EMBs in the registration of voters at the national level, in particular the reliability of the National Electoral File (NEF).

This also made it one of the ad hoc players in the electoral process, along with the NCA, which is more specialized in the field of communication governance and the redistribution of the air time of the candidates and parties or coalitions in the running, as well as the media coverage of the electoral process by public media. This is in accordance with the relevant standards and good ethical practices.

### **III.7. Republic of Equatorial Guinea**

The Ministry of the Interior plays a key role in the organization of the elections because, in addition to being the head of the National Electoral Commission (NEC), it is also responsible for voter registration, the regulation and management of the electoral process and proclaims the provisional results of the elections<sup>109</sup>. The NEC largely depends on the involvement of the Ministry of the Interior and local authorities for the effective registration of

---

<sup>108</sup> Final Report of the AUEOM to the Kingdom of Lesotho, Op. Cit., p. 16.

<sup>109</sup> Final Report of the AUEOM during the 2022 Elections, Op.Cit. p. 4.

voters at the national level, but also on the qualitative support of the Ministry of Foreign Affairs with regard to enabling expatriate nationals to vote. This indicates that there are correlations between the administrative, diplomatic and sometimes media dimensions provided by the aforementioned ad hoc EMBs in their respective areas of competence.

### III.8. Republic of Tunisia

The Independent High Authority for Audiovisual Communication (IHAAC) regulates the media coverage of the election campaign, the access of candidates to public media and the legality of airtime, among other things. The Ministry of the Interior and that of Foreign Affairs intervened in the organization of the elections in accordance with their respective mandates provided for by the Electoral Law. The first aimed above all to support the registration of national voters by the HIAE, while the second did the same for the diaspora population and ensured the appropriate conditions to enable effective participation in the vote. This made them ad hoc actors involved in some way in the complex management of the country's electoral process. In this perspective, there are also undoubtedly correlations between the administrative, logistical, diplomatic and media aspects relating to the administration of the elections in Tunisia. This is the same approach noted in other African states covered by the AUEOM in 2022.

---

## IV. SYNOPSIS OF EMBs: SCOPE, FUNCTION AND SYSTEMIC EFFECTS IN DEMOCRATIC GOVERNANCE<sup>110</sup>

This part suggests a series of complex systemic structural dynamics that induce EMBs to be polysemous in their nature and function. They all contribute to holding credible elections and are sometimes the privileged

---

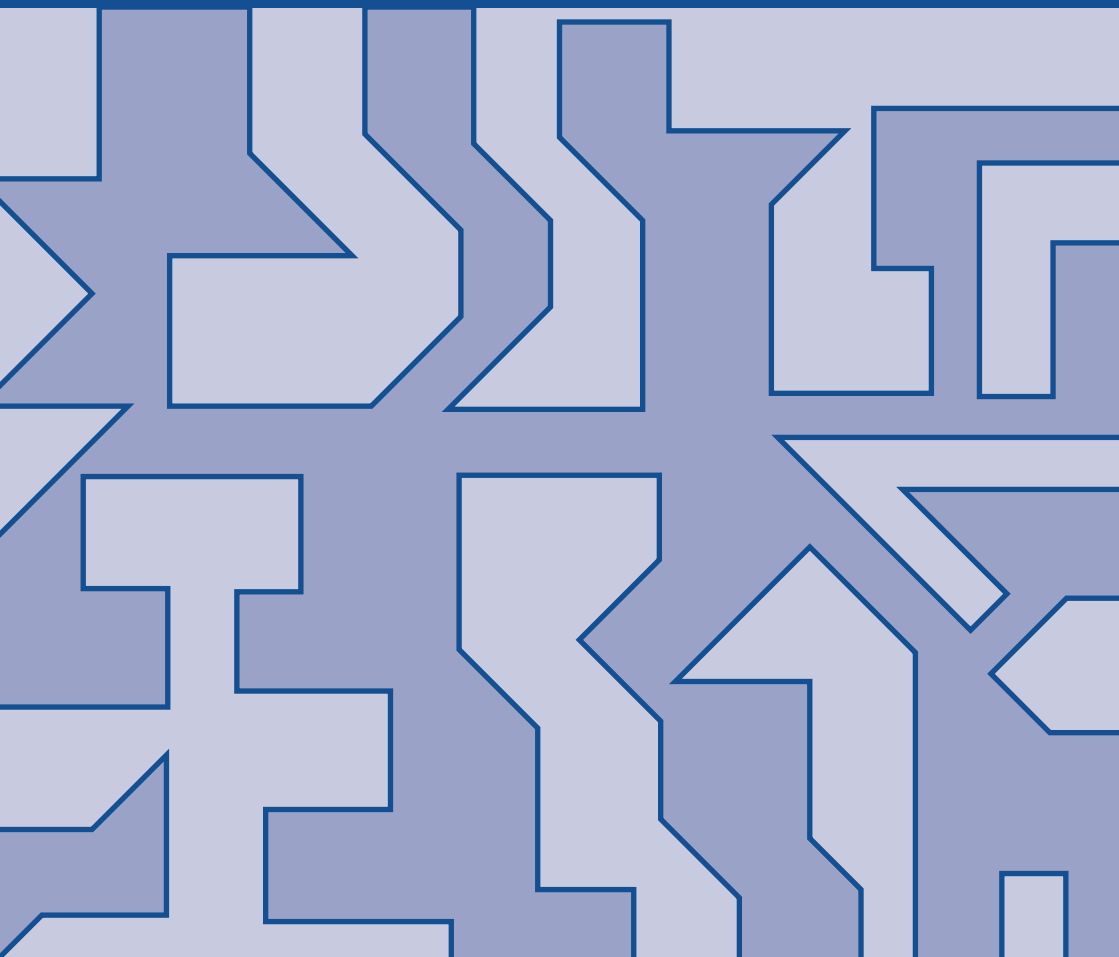
<sup>110</sup> The Sigle and Abbreviations in the table are mentioned as originally called in each country. But, these have been translated in English within paragraphs and inserted in the list of Sigle and Abbreviations at the beginning of this Current Annual Report.

The Gambia	Congo	Senegal	Kenya	Lesotho	Equatorial Guinea	Angola	Tunisia
IEC	CNEI DGEA	CENA CNRV/ CEDA DGE	IEBC KIEMP	IEC	CNE	CNE	ISIE
MOICI	CSLC	CNRA	MRAK	ANC	ARM	ARM	HAICA
Supreme Court	Constitutional Court	Constitutional Council	Supreme Court	Supreme Court	Supreme Court	Supreme Court Justice	Administrative Court
Ministry of the Interior and Group Police Force	Ministry of Territorial Administration and NDSF	Ministry of the Interior, Ministry of Foreign Affairs, Senegalese Abroad, and NDSF	CJE, Ministry of the Interior and NDSF	Ministry of the Interior and NDSF	Ministry of the Interior, Local Collectivity and NDSF	Ministry of the Interior and FDSN	Ministry of the Interior, Ministry of Foreign Affairs, and NDSF

actors of change while being sources of cleavages between the actors. Overall, they have fulfilled their missions and should improve accordingly to be more efficient. To remove the ambiguities, they should also cultivate permanent dialogue and consensus in order to accommodate the stakeholders in the same sign, thus reducing the risk of potential crises that crystallize them. They contribute in their various fields to the consolidation of democratic achievements and should take full account of them in their choices and decisions in the face of actors from all sides. Not criticizing them all the time will also contribute to their systemic strengthening in the national electoral system. This is possible if everyone plays the game properly.

**part three**

# **Pre-Election Phase in the Member States Observed by the AU**



This step in the electoral process is often very sensitive for parties, candidates and coalitions as well as for EMBs. According to the member states observed, some nuances and similarities foreshadow variability in the evolution of legal frameworks and mechanisms governing electoral processes.

---

## I. OVERALL FINDINGS AND COUNTRY SPECIFICITIES

Generally, this phase was well managed by the EMBs. But it has also sometimes been marked by the emergence of crises and conflicts depending on the member states and the actors involved. Issues that could impact the electoral process, such as a National Electoral File (NEF) audit, were raised, in some member states. In others, this phase was generally peaceful and without major incidents, as reflected in the various final reports of the AUEOM that were deployed there.

---

## II. VOTER REGISTRATION AND ACCREDITATION OF ELECTIONS

The registration of voters on the electoral lists is an important issue in the electoral process as is the accreditation of elections in accordance with the requirements of the national legal framework and relevant international standards. Indeed, only citizens who meet the conditions

of age, nationality, residence and quality, not affected by court decisions or any incompatibilities fixed by the law are registered in the electoral rolls. The freedom of citizens is guaranteed by the general principles of Law within the member states observed. The legal age is set at 18 years. Nationality is an additional condition.

People convicted of crimes and who have lost their civil and political rights are excluded from being able to register on the lists. They must be removed, if necessary, in accordance with the provisions of Articles L.29, L.30 and L.120 of the Senegalese Electoral Code. In any case, in all the member states visited by the AU missions in 2022, it was confirmed that without registration or sometimes without having presented a valid voter card, it is impossible to vote. However, in member states, such as the Kingdom of Lesotho, it is prescribed to be able to do so even with an identity card, a driver's licence or a witness to register on the electoral lists.

In the **Republic of The Gambia**, there were no new voter registrations; only voter cards were replaced from 21 to 27 March 2022. There were 962,157 voters registered on the NEF or 96.2 per cent of the estimated 1.5 million potential voters concerning the constitutional requirements of the Constitution amended in 1997. There were 545,318 (57%) women compared to 416,839 (43%) men. In addition, there is a specific norm governing the registration and certification of political parties, Article 60 of the Constitution. There were 12 legally registered parties and 85 independent candidates in the polls. The United Democratic Party (UDP) put forward more candidates, 46 against 40 for the National People's Party (NPP).

In the **Republic of Congo**, there were in the NEF: 2,877,061 registered voters for the legislative coupled to the local (first round) against 2,591,727 voters during the presidential election of 2021. The difference is 285,344 registered voters. There was no specific enrolment of new voters for the second round of voting because the electoral file was maintained as it was in the first round.

In the **Republic of Senegal**, voter registration is conducted by the National Vote Census Commission (NVCC), chaired by the First President of the Court



of Appeal. It also has its divisions in the departments called Departmental Vote Census Commissions (DVCC). There were 7,036,466 registered voters. The biometric voter card is referenced by its number on the back of the National Identity Card (NIC) of the Economic Community of West African States (ECOWAS). There were two electoral files, one for national voters living inside the state and the other for the diaspora living abroad.

In the **Republic of Kenya**, the voter registration period was from 5 October to 2 November 2021, then from 17 January to 6 February 2022. Biometric identification was carried out throughout the national territory, respecting the alphabetical order of voters. There were 22,120,458 registered voters, an increase of 12.79 per cent compared to the 2017 elections. The name, National Identity Card (NIC)/Passport, Civil Status, etc., are registered by 15 out of 18 Biometric Provincial Registration Agencies deployed, integrating easy imaging and fingerprinting of voters in the database. The IEBC recorded 7,483 prisoners, an increase of 44.4 per cent compared to 2017 and 10,444 diaspora voters, 147.3 per cent compared to the previous elections<sup>111</sup>. In 2017, youths aged 18 to 35 represented 29 per cent of the total population or 13,793,645 registered voters out of 47,564,296 inhabitants. In 2022, there were 39.84 per cent, or 8,812,790 youth voters registered. But, there is a decrease in their mobilization on the NEF, estimated by the IEBC at 5.17 per cent compared to 2017. The general elections also concerned the expatriate diaspora as there were voter registration centres and offices in the following countries: Burundi, Canada, Qatar, Germany, Rwanda, South Africa, South Sudan, Tanzania, Uganda, United Arab Emirates, United Kingdom and the United States of America.

In the **Republic of Angola**, the NEF had 14,399,391 voters registered, a substantial increase compared to 9,317,292 in 2017. The registration of voters is governed by Article 86 paragraph 5 of the O.L. relating to General Elections. This phase is finalized with the publication of the final list of voters. Registration shall be made at least 30 days before the date of the elections. The list must be posted in front of the polling stations so voters can check beforehand whether they are actually on the electoral lists and

---

<sup>111</sup> 2017 Elections.

can complain if there are omissions or other problems. However, CSO accreditation has been decreased as indicated below in section 3.7. This still impacted the certification of the number of national observers and incidentally that of voter participation in the election which was officially 44.82 per cent of eligible voters. Meanwhile, the number of polling stations increased from 25,973 to 26,488 or an increase of 515 (1.94%) between 2017 and 2022. This poses a challenge in terms of effective participatory democracy, although the NEC agents justify this by the lack of sufficient resources on the one hand; and the fact that civic awareness is also their responsibility; on the other hand.

In the **Kingdom of Lesotho**, it is Section 30 of the Law on the Election of the National Assembly<sup>112</sup> that speaks about voter registration and accreditation of elections. There were 44.5 per cent of eligible women voters registered on the NEF. According to the Electoral Commission, only 876 out of a total of 2,560 candidates (or 33 per cent) were women. The overall turnout fell from 46.37 per cent in 2017 to 37.44 per cent in 2022.

In the **Republic of Equatorial Guinea**, the final electoral list included 427,663 registered voters in 1,486 polling stations. This list was submitted to the government, which brought together the political parties to find a consensual election date. After the publication of the final electoral list, the President of the Republic signed Presidential Decree No.116/2022 of 20 September 2022 convening the Electoral Body for the Presidential, Legislative, Senatorial and Municipal Elections of 20 November 2022.

In the **Republic of Tunisia**, the Higher Independent Authority for Elections (HIAE) has experienced a clear positive evolution, moving from voluntary registration in 2011 to automatic registration in 2022. The exceptional revision of the electoral file took place from 28 October to 20 November 2022. The HIAE had mobilized 306 fixed voter registration workers throughout the national territory under the authority of 27 Independent Regional Electoral Bodies (IREB) to register voters on the electoral lists. During the legislative elections, the electoral file counted 9,136,502 voters

---

<sup>112</sup> National Assembly Electoral Act, Section 30.

(with 50.58% women), of which 8,981,467 were in the country and 135,035 abroad. In addition, local voters were distributed in 4,551 Polling Centres (PC) and 11,310 polling stations against 140 polling centres and 175 polling stations for the Tunisian diaspora.

**Note:** Statistical data by member states is often not very informative about people living with disabilities to make appropriate formulations in favour of greater participation of these voters registered in the NEF, especially in terms of accommodation and accessibility for them according to the type of disability. However, the republics of Senegal and Kenya and the Kingdom of Lesotho made progress in this area during the voter registration phase.

---

### III. ROLES OF CONTESTING CANDIDATES, POLITICAL PARTIES AND COALITIONS

The candidates, parties and coalitions are privileged actors in the electoral processes and also in the democratic progress recorded in contemporary states in terms of the good management of electoral processes and the consolidation of democracy. Indeed, their role as eminent actors in democratizing the electoral system and political systems or regimes contributes to highlighting their heuristic centrality as levers of modern governance. In addition, political parties and coalitions are instruments at the service of candidates in order to contribute to the conquest or retention of power according to whether they are in the majority or the minority. Political parties are often described as the “children of democracy”<sup>113</sup> because it is said that no better apparatus has yet been discovered in society to replace them. However, in their strategic aims of seeking the ideocratic and effective capture of power via democratic legitimacy through universal suffrage, there are direct and indirect correlations between the

---

<sup>113</sup> Max WEBER, *The Politician and the Scientist. The Politician and the Scientist* is the English translation of two articles: *Wissenschaft als Beruf and Politik als Beruf*, by German sociologist Max WEBER, from lectures given in 1917 and 1919 at the University of Munich.

candidates and the parties and coalitions (actors) in order to carry out their public governance enterprise of the state to improve in principle the socio-economic living conditions of the populations (purpose).

Moreover, democracy goes hand in hand with political and economic liberalism, which is ontologically based on the rule of law and the principle of individuation of voting citizens (source of the legitimacy of democratic power). Multiparty liberalism, which relies on the end of single-party politics, rejects authoritarianism and promotes the opening up of systems of abundant civic and citizen political representation. This induces a polyarchy of political offers that often leads to an accelerated fragmentation of the representation of political alternatives by the induction of political parties. In this context, the parties that seek to make the big gap in their electoral strategies seek to rake wide and create in this unifying momentum political groupings of programmatic interests or coalitions. If it is true that they thus aggregate their forces of partisan mobilizations in a trans-partisan way, it sometimes happens that in the end, it creates some challenges and stakes in terms of survival for the smallest among them. Above all, this could appear when political tensions arise in poorly negotiated coalitions or which ultimately see the clash of egos and ambitions of the leaders who compose them.

In the **Republic of The Gambia**, candidates were registered in accordance with the requirements of the Electoral Law without any major difficulty except for the West Coast Region, which was once eventful after the invalidation of lists of candidates of DARBOE's opposition party.

In the **Republic of Kenya**, candidatures for the general elections were registered during two phases: from 29 May to 7 June 2022; then from 9 to 12 June 2022. In addition, the Kenya has created a specific body responsible for the legal administrative registration of political parties and coalitions and for regulating their functioning, known as the Office of the Registrar of Political Parties (ORPP).

The overall trend in the member states observed is towards under-representation of women. In Kenya there were 1,962 female candidates in the last general elections, which is 12.2 per cent of candidates compared

to 9.4 per cent in 2017. This increase is correlated in the AUEOM report by the citizen awareness efforts induced by the IEBC to encourage the female electorate to better participate in the electoral process by taking ownership of it. This is also partly a result of the reform innovations adopted by Kenya, including quota parity under the 'two-thirds' rule adopted by the legislature. It appears that more EMBs and legislators invest in synergy to encourage women and girls to become more involved, ultimately increasing the number of applications and voter registrations on the NEF.

The **Republic of Angola's** presidential and parliamentary elections were held on 24 August 2022. Seven political parties and one coalition competed in the ballot to elect the new President of the Republic and the 220 seats to be filled by MPs. The modalities of the parties to participate in the expression of suffrage are prescribed by Act No. 22/10 of 3 December 2010 (Official Gazette No.229). Their financing is governed by Law No. 10/12 of 22 March 2010.

In the **Kingdom of Lesotho**, changes in political alliances also suggest that coalitions are sometimes fragile. The Revolution for Prosperity (RFP), a party of the current Prime Minister has only a relative majority. It is forced to ally with three small parties to obtain an absolute majority. This denotes a certain pragmatism in coalitionist logic in order to be able to govern better. Without their consent, there could be a more fragile Government facing Parliament. Historically, Lesotho has experienced recurring upheavals of political alliances during elections.

In the **Republic of Sao Tome and Principe** the logic of alliances intensified in the run-up to the elections. Contrary to the effect of surprise that took place during the legislative elections of 2018, this time, the presidential camp caught up. Indeed, in 2018, the Independent Democratic Action (IDA) emerged first in the election but could not retain the Prime Minister and form the government because its immediate successor, namely the Movement for the Liberation of Sao Tome and Principe—Social Democratic Party (MLSTP–SDP) had decided to forge alliances with the Democratic Convergence Party – Reflection Group (DPC–RG). This allowed the MLSTP–SDP/DPC–RG to downgrade the IDA and thus become a majority in the

National Assembly by leading the government. This also prompted the President of the Republic to end his cohabitation with the Prime Minister, H.E Jorge Borm JESUS.

In the **Republic of Somalia**, the instability of coalitions is consubstantial with the alliances of great leaders and the positioning of federated entities vis-à-vis the central power. This gives them a certain volatility in the face of electoral processes and induces alternations at the top of the state, especially for the election to the Presidency of the Republic.

In the **Republic of Equatorial Guinea**, there was only one list of electoral political coalitions: the ruling party PDGE was supported by an overwhelming majority of 14 out of the 17 political parties legally constituted in competition. This illustrates the PDGE's great domination of the political system.

In the **Republic of Senegal**, to face the BBY Coalition, the two largest coalitions met politically as part of an 'inter Coalition' against the regime in place, but without structurally merging. YAW and Wallu Senegal were content to develop the idea of having established a political approach. In contrast, in substance on the structural and legal level, each had a distinct list. In view of the presidential election and just after the proclamation of the election results, the opponent Ousmane SONKO declared himself. This created the prelude to a breakdown of the YAW Coalition, which was forced not to have a single candidate in the presidential election in 2024.

Meanwhile, during the 2022 legislative elections, it was noted that YAW's parties abstained or gave voting instructions against the coalition, including Bess Du Niack, who was misplaced on YAW's national list. This weakened the coalition in its performance. In addition, BBY experienced dissension in some local constituencies due to parallel lists of members of their parties and coalition who were not satisfied that they had not been nominated to carry their banners during the election.

All of this indicates that getting elected constitutes a permanent challenge for the political parties and candidates in the running. It is a powerful test of democratic vitality and the solidity of the electoral performance of the competing parties, candidates and coalitions. This effervescence indicates

that now, given the proliferation of around 300 parties in Senegal, it is difficult for any one party to win an election alone without a coalition. The era of coalitions is a relevant factor in the Senegalese political system. But alliances also can create ranges of optimal programmatic convergences to strengthen internal democracy and permanent intra and interparty consultations. This time, there were only coalitions competing and no single party competing to express the suffrage of Senegalese women and men.

---

#### IV. PRE-ELECTION DISPUTES: STATE OF PLAY

The issue of the management of pre-election disputes constitutes a sensitive point in the democratic governance of elections and related processes.

In the **Republic of The Gambia**, after receiving and processing lists of candidates, political parties, coalitions and independent candidates contesting, the IEC invalidated eight and validated 246. Most of the rejections concerned lists of candidates of the opposition party UDP. The filing and validation procedures were interrupted in three instances, particularly in Busumbala, in the West Coast Region. In this context, activists and supporters of the UDP have violently demonstrated against these decisions to reject the candidacies of their leaders. Security forces responded and videos were produced and disseminated on NICT. On the whole, the electoral process was peaceful in almost the whole of the national territory.

In the **Republic of Senegal**, the pre-election dispute was dominated by the inadmissibility of lists of candidates on the grounds of non-compliance with the number of sponsorships and the Law on parity.

Non-parity lists were invalidated by the EMBs. Appeals for annulment on these issues lodged with the Constitutional Council have been dealt with by the judges. By Decision No.9-E-2022 Case No. 17-E-22, Session of 2 June 2022, the Constitutional Council ruled and rendered its verdict on the admissibility of the candidacies of the Coalition of BBY after having been seized by the Representative of the Coalition Yewwi Askan Wi (YAW), who

asked it to invalidate the entire national list of the coalition of presidential majority, on the grounds that in the 43rd and 44th positions, among the alternates, there are two persons of the same sex. Considering that the lists of alternates of BBY did not respect the full parity of the order, although conforming to the parity of the number. That, consequently, they contravened the requirements of the Electoral Law in Article L. 149 Paragraph 6 referred to above. In response to this request, the Constitutional Judge specified that the Electoral Code only provides that a defect tainting one of the lists can lead to repercussions on the other. In addition, this irregularity does not affect the list of holders by a proportional representation which respects parity; and he rejected the appeal of the representative of the YAW Coalition. Subsequently, the Constitutional Council was also seized by the Representative of the GRANDE COALITION WALLU SENEGAL, which reiterated in its request the same recriminations against the list of BBY in the same way as the representative of the YAW Coalition. After having ruled and deliberated, the Constitutional Council rejected this appeal for the same reasons, particularly in its Decision No. 10-E-2022-AFFAIRE No.14-E-22 Session of 2 June 2022<sup>114</sup>. The Constitutional judge also reproached the YAW's representative for having merely evoked vague irregularities in the lists of BBY without being able to substantiate it in accordance with the provisions of Articles L. 149, Paragraph 6 above and L. 178 Paragraph 2<sup>115</sup> of the Electoral Code.

All these rejections of the lists confirm the initial observation of the AUEOM, indicating that these reforms divide "the political class and are the subject of challenges"<sup>116</sup>. However, these divisions do not detract from the deep meaning of better modernizing the electoral system and further consolidating pluralist democracy and the rule of law at the national level. Nevertheless, the actors must deepen the dialogue, assess the situation of the difficulties encountered and consider inducing saving consensus to

<sup>114</sup> Constitutional Council, Decision, [www.constitutionalcouncil.sn](http://www.constitutionalcouncil.sn).

<sup>115</sup> Electoral Code, Article L.178, Paragraph 2, p.

<sup>116</sup> Final Report of the AUEOM in the Republic of Senegal, Op. cit., p. 11.



better appropriate the meaning and the legal and political scope to preserve the nation-state's social peace and stability.

In the **Republic of Congo**: the Ordinary Courts (O.C), including the High Courts (H.C)<sup>117</sup> beyond the Constitutional Court, have played a preeminent role in the arbitration of political disputes arising from the pre-electoral phase of legislative and local elections under the National Electoral Law. In addition, the INEC and DGEA also played an important role in receiving disputes over the lists. The SCFC has performed a substantial ex ante function in regulating the republican equality of candidates and political parties or groups competing in the public media. The regulations of displays and publications of messages not in conformity with ethics or likely to instrumentalize identity or ethnic, religious or even tribal variables, the use of force and violence as well as hatred are strictly prohibited by Positive Law.

In the **Republic of Angola**, for the elections of 24 August 2022, the Presidential Decree convening the Electoral Body was issued on 6 June 2022. Articles 37 and 40 of the O.L. governing general elections provide that the candidacies of candidates, political parties and coalitions in the presidential and legislative elections must be submitted within twenty days following the proclamation of the date of the elections. The other general conditions for the identification of candidates, parties and coalitions concern the determination of their affiliation, the payment of the deposit, age, residence, eligibility and incompatibility in accordance with the Electoral Law. Only candidates who have their civil and political rights and who wish to do so may apply.

In the event of rejection of candidacies by the Constitutional Court, legal remedies are provided by Angola's electoral Law. Candidates, political parties and coalitions in the running have a maximum period of 48 hours after the official publication of the electoral lists of candidates by the Constitutional Court. In case of referral, the Constitutional Court also has 48 hours to process appeals in Plenary Session. Then, the Court renders its

---

<sup>117</sup> H.C. played a role in the lists disputes.

final decision, which bears the seal of *res judicata* because it can no longer be the subject of any other form of judicial remedy.

The Constitutional Court validated 12 lists, including seven of the political parties and five of the coalitions competing in the legislative elections. This indicates that political parties coexist with coalitions in the Republic of Angola.

In the **Republic of Equatorial Guinea**, no such appeals were brought to the attention of the mission.

In the **Kingdom of Lesotho**, some candidates failed to issue their bank account statements upon submission of their applications, a sworn statement signed, dated and certified by the competent authority for militant candidates. But, only signed and dated for the non-activists of the contending parties are among the causes of inadmissibility. There is also the fact that there is no discrimination whatsoever based on race, sex, profession, creed, etc. The plaintiffs have six (6) days to appear in court and the Court has two (2) days to decide on the electoral dispute.

In the **Republic of Kenya**, the Court of Nakuru, Kenya, rejected by Judgement of 28 July 2022, the action for annulment introduced in the pre-election phase aimed at the proscription of the mention “none of the above” in other words ‘none of its answers’ proposed by the IEBC to the voters on the physical ballot papers and this in view of the general elections of 9 August 2022. In particular, because it would not appear in the Constitution. This appeal means that there is a certain democratic vitality guaranteeing the rule of law in this member state because democracy is also “procedural”<sup>118</sup>. During the presidential election, only one list was returned by the Court as previously stated.

In the **Republic of Tunisia**, on 17 December 2022, the Administrative Court (A.C) indicated that of the 54 appeals it had received and processed, 50 were declared inadmissible. Only four appeals were admissible. The most common reasons cited in support of the rejections were: “insufficient

---

<sup>118</sup> Karl POPPER and Thomas KUHN.

sponsorship, non-compliance with the residency requirement in the electoral constituency"<sup>119</sup>.

In the Republic of Tunisia, non-compliance with the 400-sponsorship clause introduced by Presidential Decree is another source of inadmissibility of the lists of candidates.

---

## **V. MEDIA PLURALISM AND POLITICAL COMMUNICATION**

### **V.1. Modernization of the political field by NICTs: Source of adaptation of actors**

The modernization of the political field goes hand in hand with that of information and communication and in particular the proliferation of new information and communication technologies (NICTs), which are a corollary of the dynamics of globalization. Indeed, traditional mass media (radio, TV, newspapers) is increasingly threatened by the impact of new social networks consubstantial with the democratization of access to the Internet and apps such as Facebook, YouTube, Twitter, LinkedIn, Telegram, WhatsApp, Imo, Botim, Signal, Webex Meet, MS Teams, Zoom, Skype, Messenger, TikTok, Instagram, Skype, Viber, and others. The instantaneous circulation of information and communication challenges candidates, political parties and coalitions to a permanent reinvention of their electoral strategies to have better visibility with voters to convince them to vote for them. In order to attract more national and international public opinion, the candidates, parties and coalitions in the running adopt innovations in the absence of being downgraded in the political competition during the elections. Increasingly, they have active websites in which they present their ideas, projects, programmes and speeches or even their alternative political offers. They develop advertising spots to sell their candidates while exposing the limits of their political opponents.

---

<sup>119</sup> Final Report of the AUEOM in the Republic of Tunisia, Op. Cit., p.12.

These changes are attracting the attention of the AU, which has become aware of their repercussions in the dynamics of interactions between the various stakeholders in the electoral processes. Indeed, CPAPS/AU, H.E Ambassador Bankole ADEOYE, insisted on this aspect in his speech: "Emerging Technologies and New Media: Impact on Democratic Governance, Peace and Security in Africa"<sup>120</sup>; at the AU Peace and Security Council Meeting, 4 August 2022. He estimated that 30 per cent of youths are fond of NICTs.

Indeed, "the acceleration of the domestication of social networks constitutes a challenge for parties, candidates, coalitions, but also, associations among others, within the framework of e-governance"<sup>121</sup>. In this sense, NICTs induce complex dynamics that contribute to the political, socio-cultural, economic and financial, diplomatic and geopolitical reprofiling of contemporary governance as well as the perception and management of peace, security, stability and development of the continent. This calls for competing parties, candidates and coalitions to become aware of this in order to better re-evaluate their positions on the national, regional, continental and global political scale because of the 'complex interdependencies' induced by globalization.

## **V.2. NICT: An induction factor of "long distance nationalism"<sup>122</sup> linking the diaspora and national electoral processes and citizens**

In this context, the innovative socio-political dynamics related to NICTs also allow diaspora populations to become more involved in electoral processes. They often obtain quotas of candidates in their home states. This is the case in Senegal, Kenya and Tunisia, among others. In this mutant context,

<sup>120</sup> H.E Ambassador Bankole ADEOYE, Speech on the theme: "Emerging Technologies and New Media: Impact on Democratic Governance, Peace and Security in Africa"; Meeting of the Peace and Security Council, 04 August 2022, Addis Ababa, Ethiopia, 3 Pages.

<sup>121</sup> H.E Ambassador Bankole ADEOYE, *Idem*, p. 2.

<sup>122</sup> Concept developed by Benedict ANDERSON.

parties and coalitions develop transnational strategies with candidates established abroad. This accelerates changes in the modes of classical political practices.

### **V.3. Under-representation of women: A general observation**

The AU Missions noted that women were underrepresented as candidates and as leaders in political parties and coalitions in the observed member states. However, despite this underperformance, the AU still noted some progress. Nevertheless, there are still some issues and challenges related to the risk of segmenting relations between candidates and political parties and coalitions. This is fundamentally incompatible with the ideal of democratic consolidation.

### **V.4. Political communication and reification of the centrality of the media: Counter-power and mediating function**

The media play a decisive role in the democratic consolidation and transparency of elections. It is noted that most of the elections were covered in an overall fair manner in terms of respect for the airtime of the candidates, parties and coalitions competing in the observed member states. However, it has happened that sometimes the situation is quite controversial against the EMBs in charge of governing the political game and also the public media. Indeed, even if reforms deserve to be made in some member states, overall, republican equality has been observed in most cases by the AUEOM. The parties combine various communication tactics including door-to-door, posters, tea debates, meetings, etc. In the Republic of Kenya, for example, the number of polling stations not covered by the Internet increased from 11,000 in 2017 to 1,111 in 2022. The mechanisms governing candidacies, parties and coalitions fluctuate in the member states observed. Women candidates are less representative than men. Young and older people, those living with disabilities and pregnant or breastfeeding women are also less represented in political parties and coalitions.

## V.5. The aforementioned specialized EMBs regulate the electoral processes: Guardians of democracy and the rule of law

EMBs regulating electoral processes in the member states mentioned in this report contribute to the functional and structural preservation of the media by ensuring their accreditation but also ensuring the proper legal coverage of elections. They also ensure that competing actors do not use violence, hate speech, the instrumentalization of partisan identities, or other holistic identification variables that undermine human rights, national peace and security. Most of the time, these types of EMBs are vigilant guardians of pluralistic democracy and the rule of law in Africa.

---

## VI. FINANCING ELECTIONS

The question of the financing of elections is also another parameter of the democratization of states in their organization of electoral processes. In order to avoid the survival of census law as a primary source of undemocratic political legitimation, it was agreed to raise this issue of the adoption of consolidating reforms as an optimal qualitative criterion for the opening of electoral systems in the evolution of modern States. However, this raises questions of transparency, control, monitoring and evaluation of the public resources allocated to the candidates, parties and coalitions competing to prevent them from serving other ambitions contrary to political-democratic ethics. In addition to the electoral guarantees to be paid by candidates, it will be more of a question of dealing with the public financing of elections in certain member states that have made notable progress in this field.

In the **Republic of The Gambia**, the state supports the financing of elections, while the candidates, political parties and coalitions in the running take care of their contributions and pay the deposit to be able to compete in the ballot.

In the **Republic of Kenya**, the Registration Document governing this component, adopted in 2011, was amended before the 2022 general

elections. The financing of the election campaign is prescribed by the provisions of the Campaign Financing Act 2013. However, this provision is still fragile because it was rejected by Parliament, which blocked the amendments aimed at drastically tightening the financing of electoral campaigns in the state. This status quo was still in effect in the last elections. In this context, the AUEOM stressed the need to reform this legal and financial standard to better contribute to the efficient moralization of national political life. Knowing that the financing of the electoral campaign will be more controlled, as well as the origin of the funds of the candidates, parties and coalitions competing. This makes it possible to ensure a better rationalization of public funds and to guarantee transparency and equality of republican opportunities between the authorities and the opposition.

In the **State of Angola**, the public financing of elections is fundamentally governed by the Legislative Elections Act in its Article 81, which sets the deadline for payment to parties and coalitions running within a maximum of five days from the publication by the Constitutional Court of the final list of candidates. This Article sets out the procedures for the equitable distribution of public financing of elections to candidates.

In **Congo, Somalia** and **Lesotho**, the financing of elections is governed by the national budgets. In the **Republic of Senegal**, too, the state finances all of its elections on its own.

In the **Republic of Angola**, the state released 1.112 billion Kz to finance candidates, parties and coalitions in the running. The disbursement of this sum and its equitable distribution to the beneficiaries is another aspect of democratic governance of electoral processes. In the general elections, candidates, parties and coalitions received their shares in accordance with the electoral law. This is a sign of the democratic progress of this member state in this area.

During the presidential election in the **Republic of Equatorial Guinea**, the candidates, parties and coalition in the running had automatically received 350 million CFA francs in public funding. It is also an important achievement

that allows them to cover a good part of their election expenses and to guarantee the consolidation of democracy at the national level.

In other countries, funding paid to the competing parties and coalitions, but only late. This has been reported to the AUEOM in the **Republic of Congo** by the opposition and civil society organizations.

In the **Republic of Guinea-Bissau**, the government says it is facing difficulties in public financing of elections despite the creation of the Democracy Fund, which is partly financed from government funds but did not cover all the financial needs relating to the elections on 4 June 2023. This affects the government's willingness to provide financial support to candidates, parties and coalitions in the running. It calls on the international community to support it further in its needs for the organization of its elections. The Trust Fund provided for this purpose under the aegis of the United Nations Development Programme (UNDP) is strictly devoted to financing voting operations and EMBs but not to candidates, parties and coalitions in competition. It welcomes the support of the TFPs for having assisted it in this direction, including from a technical point of view.

On the other hand, the **Republic of Tunisia** financed the legislative elections with its own funds. This was welcomed by the AUEOM. However, political parties are prohibited from funding their candidates. On 3 October 2022, they were prohibited from doing so according to the ISIE Spokesperson. According to the national legislation in force, political parties and associations cannot finance candidates for legislative elections since they are not considered natural persons who can participate in private financing<sup>123</sup>.

Ultimately, the rules on the financing of elections vary according to the member state and the nature of the candidates, parties or coalitions

<sup>123</sup> Political parties are prohibited in accordance with the new legal requirements and the public announcement of 29 December 2022 made to this effect by ISIE Spokesperson Mohamed Tlili MASIRI.



competing. However, the proliferation of candidates, parties and coalitions and independent candidates in some member states has significant financial impacts on national budgets. But it will take a thorough discussion between actors to see how to continue to ensure optimal rationalized sustainability of public spending to allow member states to manage all their sovereign duties in national governance. The adoption of rules on the transparency of campaign funds and the fight against the potential for money laundering and abuse of public funds are concerns in some cases.

---

## **VII. ROLE OF THE CIVIL SOCIETY: CITIZEN CIVIC EDUCATION AND WATCHDOGS FOR DEMOCRATIC OWNERSHIP OF ELECTORAL PROCESSES**

Civil society is an important link in the democratization of contemporary states. Indeed, the greater its positive involvement in the conduct of public affairs, such as the monitoring and evaluation of electoral processes, the strengthening of citizens' capacities and the awareness of EMBs, parties and candidates to respect the rule of law, the legal framework and the international standards governing elections, the more it imposes itself as an actor in various areas of democratic governance of states. This justifies that its place and role in the member states, including during electoral periods, also attract the attention of AUEOM in the name of civic awakening and democratic inclusiveness of electoral processes in accordance with the requirements of Article 12 of the ACDEG.

This report constitutes a substantial contribution to the review of the empirical findings made by the Electoral Assistance and Observation Missions in the member states.

First, in the **Republic of The Gambia**, national civil society played an important role, including in the Elections Watch Committee (EWC), the National Council for Civic Education (NCCE) and the West Africa Network for Peacebuilding (WANEP). These internal and regional organizations have contributed to awakening citizens' consciences to encourage voters to better take ownership of the vote and to go out and vote. This citizen mobilization in the political field was done in collaboration with other institutions including UNICEF<sup>124</sup>, UNDP, UNFPA<sup>125</sup> and ECOWAS.

In the **Republic of Angola**, civil society has assumed an eminently pro-democratic role. The Election Observation Act is governed by Act No.11/12 of 22 March 2010. However, in 2022, the number of voting offices increased, but the number of national observers of civil society organizations decreased by 1,000 compared to the elections of 2017 when there were 3,000. Nevertheless, Angolan civil society has adapted to this situation. Indeed, national CSOs have striven to create network platforms, databases on governance in order to be a force of proposal including in the operational optimization of electoral processes in the name of popularizing participatory deliberative democracy. One of its main platforms on public policy issues to further stimulate their appropriation by women and young people as well as all national citizen categories was structured on the Movimento Civic Mudei (MCM). Their slogan illustrates their commitment to credible and fair elections.

In the **Republic of Congo**, the participation of the National Coordination of Civil Society Networks and Associations for Democratic and Electoral Governance (CORAGED) was noted by the STOs of the mission because it constitutes the main platform of the country, bringing together dozens of CSOs.

In the **Republic of Senegal**, COSCE<sup>126</sup> and the DGE conducted parallel electoral awareness activities aimed at citizens.

---

<sup>124</sup> UNICEF: United Nations International Children's Emergency Fund.

<sup>125</sup> UNFPA: The United Nations Population Fund.

<sup>126</sup> Final Report of the Electoral Observation Mission to the Republic of Senegal – 2022, P.15.

In the **Republic of Equatorial Guinea**, CSOs have also distinguished themselves in monitoring populations in close collaboration with the National Electoral Commission (CNE).

In the **Republic of Kenya**, they have also distinguished themselves by their dynamism. They are governed by the provisions of Article 88 Paragraph (4) (g) of the Elections Act of 2011, which gives the IEC the mandate to carry out electoral civic education of voters in coordination with CSOs.

In the **Republic of Tunisia** the AUEOM noted 'with satisfaction, the positive contribution of certain CSOs in the electoral process'. They have played a significant role in raising awareness about the election, particularly in rural areas, to encourage voters to take greater ownership of the electoral process. Among the CSOs involved are: the Tunisian Mediterranean Centre (TUMED), which deployed 180 observers; the Murakiboun Network Association (MNA) (1,110 observers); and the Tunisian Association for the Integrity and Democracy of Elections (ATIDE) (678 observers). In 2022, the national observers deployed numbered between 4,000 and 5,000.

In view of the various AUEOM deployed on the continent in 2022 in the aforementioned member states, the role of civil society is encouraging. However, as illustrated earlier, there are some challenges. Indeed, it intervenes with a difference of intensity according to the member states, considering the national systemic and legal variabilities.

---

## VIII. INCLUSIVENESS OF ELECTORAL PROCESSES AND TARGET VOTERS: YOUNG PEOPLE, WOMEN, PEOPLE LIVING WITH A DISABILITY

Democratic elections are also consubstantially focused on their inclusive dimension towards these categories of voters. In the **Republic of The Gambia**, Article 178 of the 1997 Constitution enshrines their inclusiveness in the electoral process. However, in the **Republic of Kenya**, Chapter 7 of the Constitution guarantees the inclusive dimension of elections. A quota of two-thirds is reserved ex officio for women in the 47 electoral counties

for the election of governors, deputies and senators under the affirmative action provisions in favour of the aforementioned Specific Interest Groups and prisoners in accordance with Articles 81 (b) and 27 (8) of the Constitution. After several rounds of expectations in Parliament, finally these provisions were adopted and implemented during the 2022 general election with some success<sup>127</sup>. On the other hand, in the **Republic of Angola**, this was also noted in the procedures provided. Although they are generally well treated and prioritized from enrolment to voting day in all member states despite the nuances existing on the mechanisms and procedures relating to them, in the **Kingdom of Lesotho**, national language broadcasts and the use of Braille are introduced in the management of the electoral process. In **Senegal**, the type of disability of voters is systematically considered when they are registered to vote. This makes it possible to treat them well as ex-posts in all the different phases of the governance of the electoral process to facilitate their full participation in the elections. On the day of the vote, these voters are assisted in all the polling stations observed by the AUEOM in the various member states covered in 2022, particularly by a person of their choice, the election staff or the members of the EMBs. This was welcomed by the AU Electoral Experts.

---

## IX. SECURITY DIMENSION: A PERSISTING CHALLENGE FOR A PEACEFUL POLLING

This dimension of the electoral process is one of the sensitive parameters for securing and stabilizing electoral processes in Africa. The National Defense and Security Forces (NDSF, in French: FDSN) played a decisive role in the member states observed without exclusion. Despite the security challenges sometimes related to a terrorist threat or other types of violence, uncontrolled demonstrations or internal and external destabilization, it was noted that the NDSF performed their sovereign functions with dexterity. Peace is integral to any consolidation of democracy and the possibility of holding peaceful elections. It is the

---

<sup>127</sup> Final Report of the AUEOM during the general elections, 2022, p.13 Point 19.

alpha and omega of all sustainable human development. Without peace, no consolidated democracy, no viable State, let alone a credible, effective and inclusive election. Hence, the fundamental importance of securing electoral processes in accordance with the national legal framework and international standards. Incidentally, it is with this in mind that in the **Republic of The Gambia**, this function was carried out by the Gambia Police Force (GPF). Despite the protests described above, the overall situation of the electoral processes has been well managed in peace, security and stability at the national level.

Moreover, in the **Republic of Senegal**, this observation was also observed despite the political divides between the power and the opposition. The NDSF managed this component throughout the electoral process without hindrance. This contributed to successfully holding the elections in an environment of peace throughout the national territory. This observation was also reflected by the AUEOM in the **Republic of Angola**, where in the face of the opposition's recriminations against the electoral results, the state put its NDSF on alert. Nevertheless, the stability of the country has not been threatened so far. In addition, in the **Republic of Kenya**, a series of training and capacity-building sessions for the NDSF was conducted in view of the national security of the general elections through the programme conducted in April 2022 by the IEBC called: "IEBC–NPS Election Security Arrangement Project (ESAP)". This made it possible to monitor 250,000 police officers on this sensitive issue. However, there have been cases of violence between candidate stakeholders and competing coalitions.

In addition, in member states such as the republics of **Congo, Sao Tome and Principe, Equatorial Guinea** and **Tunisia** and the **Kingdom of Lesotho**, the NDSF have mobilized to ensure the security of electoral processes in all their phases.

However, in the **Republic of Guinea-Bissau**, the AU PAM noted the existence of a Joint Stabilization and Operational Security Plan between the NDSF and the ECOWAS Force deployed in the state to strengthen peace for peaceful and credible elections. These various observations of the AUEOM constitute a reason for satisfaction towards the NDSF for their professionalism, non-interference and general discretion noted in all the

states covered. This is important to note and welcome, as it has incidentally strengthened the credibility of elections and electoral processes. This ultimately indicates that democracy is moving in the right direction: in other words, it is "at work".

## X. ELECTORAL CAMPAIGNS: SIMILARITIES AND DIFFERENCES

### X.1. Similarities

Election campaigns were conducted in a generally peaceful manner in almost all member states observed by the AUEOM. Their freedom and fair play are criteria of electoral transparency or at least also contribute to it. Secondly, the electoral campaign is one of the indicators of the democratic openness of modern states. However, given the issues and challenges that it polarizes, the parties, candidates and coalitions in competition developed various strategies ranging from speeches, meetings, tea debates, door-to-door, use of NICT as vectors of democratic meaning and electoral projects and programmes in order to rake wide. This was a salient parameter of the findings made by the missions.

However, there have been nuances between the observed member states, the most tangible of which often relate to the differences in the dates of the campaigns and their violent or peaceful dimension or even resorting to hate speech or not. In the **Republic of Congo**, the electoral campaign took place from 7 March to 7 April 2022 and there was the signing and adoption of the Ethical Campaign Code for Parties and Code of Conduct.<sup>128</sup> In addition, Codes of Conduct between parties and coalitions have been signed between stakeholders, particularly in **Gambia, Equatorial Guinea, and Kenya**, among others. However, such a mechanism does not yet exist in the **Republic of Senegal**, which prioritizes the Inclusive National Dialogue before the elections and throughout the electoral process.

<sup>128</sup> Code of Campaign Ethics for Parties and Code of Conduct.

## X.2. Differences

Most member states had peaceful election campaigns. However, some have been marked by violence. This is particularly the case in the **Republic of Somalia**, marked by the endemic terrorist threat and intermittent interparty violence in certain areas of the country.

In the **Republic of Kenya**, too, there was violence due to the clash between activists and sympathizers of contending candidates, particularly having caused material damage to 'Maranga and NYERI'<sup>129</sup> where the OLT had noted that incidents between the JUBILEE PARTY and UDA had translated into clashes between the supporters, resulting in the destruction of campaign equipment and property on both sides. Worse still, there have been a few instances of gangs being exploited for political purposes to undermine the free movement and exercise of the civil political rights of other challengers. Indeed, transnational criminal organizations such as "Mungiki, Kamjesh and Gaza" were relayed by the AU Observers as real sources of tension that interfered negatively in the campaign displacing the political stakes on the ground of instrumentalization of violence.

In addition, in Bungoma, the candidate of Women Representative, Catherine Wambilianga, was also attacked and her campaign car was ransacked by a group of young people. Another female candidate for parliament in the Nairobi constituency was also subjected to violence. Idem - Uasin Gishu, the candidate for the position of governor of this electoral district Bundotich Kiprop, was also attacked in Eldoret on 26 July 2022 despite the signing of the roadmap for a peaceful campaign<sup>130</sup>.

The intrusion of violence, insults and other ransacking in the political field is structurally and fundamentally antithetical to the spirit of organizing peaceful elections as prescribed by the ACDEG, but also other democratic standards that are based on fair play, the contradictory

<sup>129</sup> AUEOM report in the Republic of Kenya, Item 25, p. 13.

<sup>130</sup> Campaign Peace Pledge

ideocratic debate relating to political projects and programmes. Indeed, they prescribe the democratic freedom to campaign and carry out one's project and ideas without fear, threat or invective on the political field. This allows citizens to choose their elected representatives without hindrance, freely. Leaving it to everyone to vote in their soul and conscience for the candidate of their choice. Democracy rests above all on peace, stability and security, without which there is no viable and consolidated democracy.

However, in the other member states observed, the findings were more nuanced. The election campaign in the **Republic of Tunisia** was generally weak according to the observations of the AUEOM due to the boycott of a large segment of the political class and some CSOs. On the other hand, in the **Republic of Angola**, the electoral campaign lasts 30 days from 25 July and it ends 24 hours before the date of the elections in accordance with the provisions of Article 62 of the Organic Law on General Elections<sup>131</sup>. The above-mentioned O.L. was approved by 125 votes in favour, 47 against (opposition) and no abstentions. Article 68 prohibits the inauguration of public or private works during the election campaign. Then, the Head of State had also asked to introduce additional measures strengthening the republican equality of candidates in this period to ensure more pluralism of ideas, free competition between candidates and access to the media. The AUEOM noted that the campaign had been conducted primarily peacefully and in an orderly manner, but that some actors had mentioned 'the use of public resources and assets by the majority coalition' and the opposition's 'limits of access' to public media<sup>132</sup>. In other member states such as **Senegal, Gambia, Lesotho, Angola, Equatorial Guinea, and Congo**, despite the variances in the dates of the election campaign, these were more peaceful. The political logics of coalitions have suggested complex dynamics of trans-partisan mobilization during this period.

<sup>131</sup> Article 62 of the O.L. On the General Elections, Republic of Angola.

<sup>132</sup> Final Report of the AUEOM in the Republic of Angola, 2022 General Elections, P.13, Item 49.



---

## XI. PROGRESS AND LIMITATIONS NOTED BY AUEOM IN THIS PHASE WITHIN THE MEMBER STATES

The attention of national developments on the management of electoral processes has been substantial in the observed member states. Progress has been notable in terms of the legal framework and democratic standards in almost all of the member states observed.

### XI.1. Progress noted

The advances relate more to the overall control of electoral processes by EMBs and electoral staff and mechanisms for financing elections by member states.

Also, election campaigns were conducted globally in an orderly, peaceful and democratic manner in most of the observed member states.

In addition, parity was noted as a major advance in its variant of the adoption of zebra lists in the **Republic of Senegal** and two-thirds quotas in the **Republic of Kenya**, as well as positive discrimination strategies against pregnant and breastfeeding women, the elderly, those living with a disability or prisoners, etc., were relayed by the missions.

NDSF personnel had a constructive, professional and beneficial involvement without any hindrance to the electoral processes.

The financing of the elections from national government funds was ensured by almost all the member states.

The evolution of youth representation in voters and the overall rise of the number of women voters were noted in the majority of member states visited in 2022.

Equal airtime was granted and observed by the media during the elections as reflected in the final reports of the AUEOM.

A Code of Ethics and Good Conduct has also been adopted in some observed member states.

Online messages, Internet links, and telephone codes have also been created to facilitate the identification of voters and their polling stations and to induce the smooth running of the ballot.

In the **Republic of Angola**, for example, the prohibition on inaugurating public and private works was noted by the AUEOM as one of the positive points relayed by it during its in situ stay.

Jurisdictional and ad hoc EMBs have also had to settle most disputes in accordance with the law and, therefore the rule of law consubstantial with the encapsulation of pluralistic democracy. All this implies once again that despite the functional, structural and cyclical limitations noted, it must be said that democracy in Africa is moving in the right direction in the observed member states even if they need to make some improvements to further consolidate it in a qualitative way.

## XI.2. Limitations observed

As indicated in the various final reports of the AUEOM, the existence of some limitations was noted, in particular:

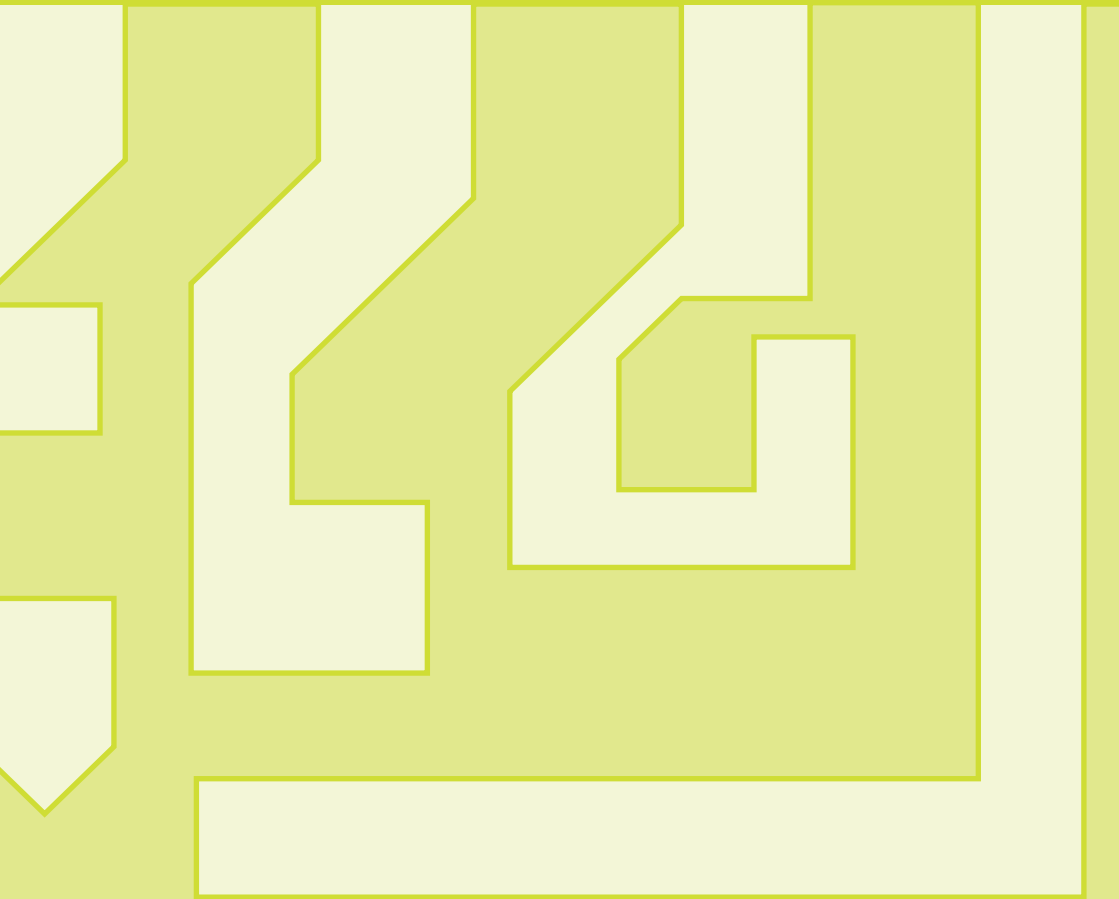
- The low representation of women as candidates in elections, although they are often well mobilized as voters in most member states;
- The lack of full parity in the preparation of lists of candidates in Senegal, which had to invalidate the national lists of the two largest coalitions of power and opposition in the running;
- The unilateral dimension of the distinction between the candidates running and their affiliation to their party or coalition of origin in the filing of their candidacy files as is the case by Presidential Decree in the Republic of Tunisia;
- The insufficient control on the question of sponsorships;

- The low presence of women in EMB bodies;
- Access to public media was often criticized as more supportive of ruling parties and coalitions;
- In the Republic of Angola, there was a decrease from 3,000 to 2,000 in the total number of civil society accreditations, (i.e., a 30 per cent decrease), while the number of polling stations was increased;
- The use of public state resources for partisan and electoral purposes was highlighted in some observed member states.
- The political dialogue blocked in a few member states deserves to be revived to generate constructive dynamic consensus to adopt acceptable reforms that will consolidate all stakeholders in the electoral process.

In short, all the aspects above constitute issues and challenges to further strengthen and reform the national framework of electoral processes in Africa. Also, civil society, EMBs, NDSFs, among others, are axes of progressive democratic governance. Member states have generally moved positively on the path of consolidating the rule of law and pluralism, highlighting the role of civil society, the professionalism of the NDSF, the promotion of inclusive dynamics towards target groups (elderly or breastfeeding, pregnant women, people with disabilities), women and youths, prisoners, but also respect for airtime during the election campaign.

part **four**

**Election Day in Member States: Commendable Practices and Need for Improvement**



The day of the elections was covered by the various AUEOM deployed in 2022 in the observed member states. The related deployment plans are attached to this report to reflect the coverage of the elections by the AU observers. They visited the polling stations without hindrance. This allowed them to cover the entire process from the opening to the closing of polling stations and the counting of the votes.

---

## I. OPENING OF POLLING STATIONS

The opening of the polling stations is an important phase of the voting day. It was carried out calmly and peacefully. Opening hours vary from country to country. Even though, generally, the opening of the polling stations took place in an orderly manner, there were some delays ranging from a few minutes to about 2 hours 15 minutes. Before starting the vote, the presiding officer of the polling stations ensured the quality of the election staff and delegates present, and checked that the ballot box was empty. Ballot boxes were then sealed in most cases before proceeding to the opening of the vote after having listed and checked the available material.

In the **Republic of The Gambia**, the polling stations opened within the legal deadlines, including seven (7) hours in as many polling stations observed in the seven (7) electoral districts throughout the national territory. However, in **the Republic of the Congo** the mission had noted in the

first round a delay in the opening of the polling stations ranging from 15 minutes to 2 hours and 15 minutes. In addition, in the **Republic of Kenya**, 26 per cent of the polling stations visited had opened with a delay varying between 10 and 30 minutes. In Nairobi there was a delay of more than two hours due to connectivity concerns noted at Kenya Teachers Technical College. But, in the **Republic of Senegal**, the polling stations opened at 08:00 per Article 2 of Decree No. 2022-868 of April 19, 2022<sup>133</sup>, referred to above. However, in the **Republic of Angola**, 17 polling stations were observed of which 92 per cent had opened on time and 8 per cent opened late due to the late arrival of election staff or election materials. The delays varied between 16 minutes and one hour. In the **Republic of Equatorial Guinea**, none of the 18 polling stations observed by the mission opened on time. The average election staff was four people per polling station. However, in the **Kingdom of Lesotho**, out of the 15 polling stations observed at the opening, 87 per cent of them had opened on time. The delays recorded vary from 16 minutes to one hour. Finally, in the **Republic of Tunisia**, the opening of the polling stations<sup>134</sup> is governed by the provisions of O.L. No. 16 of 26 May 2014 on legislative and referendum elections, amended and supplemented by Decree-Law No.55 of 15 September 2022 relating thereto. They set the opening of the polling stations at 08:00. The AUEOM noted that almost all of the stations observed had opened on time. Representatives of the HIAE were also present, as well as the members of the polling stations, plus representatives of parties, coalitions and candidates.

All AUEOM noted that the main reasons for the delays were the late arrival of electoral material and sometimes that of the electoral staff.

With the exception of **Kenya**, where the main cause of delays was network connectivity issues caused by KIEMS malfunctions.

---

<sup>133</sup> Article 2 of Decree No.2022-868 of 19 April 2022 convening the Electoral Body for the Legislative Elections of 31 July 2022.

<sup>134</sup> A polling station may not exceed 1,000 voters registered.

---

## II. PROGRESS OF ELECTION DAY IN THE POLLING STATIONS OBSERVED

Despite some of the aforementioned delays noted by the AUEOM, it should be noted that the observed polling stations were well organized and the vote was generally satisfactory in almost all the member states covered in 2022.

### II.1. Availability of electoral materials

The AUEOM noted with satisfaction that overall the electoral material was sufficient. But if in most of the polling stations it was arranged in time, in some cases, there were variable delays. Most of the delays were due to logistical problems, the availability of electoral materials and the late arrival of electoral staff. Nevertheless, the sensitive material (indelible ink, envelopes, lists of signings and attendance, minute sheets, and signings were sufficient) except the scorecards, and the minutes (PV) of the results intended for the delegates. It was noted by the various missions that the EMBs were nevertheless able to provide almost all the missing material in most of the polling stations visited in all the observed member states.

In addition, voters voted in intermittent rows noted in front of most of the visited polling stations. Electoral staff checked voters' fingers before allowing voters to exercise their rights. The use of indelible ink was also systematic, as was the presence of voters' names and their identification in accordance with the enrolment lists. The ballot boxes were sealed or padlocked (Republic of The Gambia) and the polling stations had booths.

This helped to ensure the secrecy of the vote in almost all of the observed polling stations.

In the **Republic of the Gambia**, electoral materials were provided in sufficient quantities in the polling stations observed by the mission. This

was done by putting in place an upstream implementation in anticipation of any possible delay. This allowed the election staff to proceed with opening the polling stations within the legal deadlines. The material was well arranged so as to guarantee the secrecy of the vote. The voting procedures and the related secrecy were well noted by the AUEOM.

With regard to the **Republic of Senegal**, it is Articles L.76, L.78, L.79 and L.81 of the Electoral Code that determine the composition of electoral material for elections, such as: transparent ballot boxes and their seals, polling booths, envelopes, bottles or sprayers of indelible ink, electoral lists, minutes of proceedings (PV), other types of documents transcribing the results and voter registration, and ballots among others. The AUEOM noted that the secrecy of the vote was also observed as well as the calm and serenity that characterized the vote.

In the **Republic of Angola**, some polling stations opened late due to the late arrival of electoral material. In the **Republic of the Congo**, material was delivered in time to allow the election's opening. But, glue and yellow scorecards of the results, pens and sanitary hygiene kits to prevent the spread of Covid-19 were always absent, or in limited numbers, as highlighted by the delegates of the candidates running for observers of the AUEOM. Especially, among others, in the N°1 polling station of the Preschool Center of MADINGOU in the Department of BOUENZA where the delay was longer. Nevertheless, the checks of reliability of the vote and secrecy were observed in the polling stations visited by the AUEOM.

In the **Republic of Kenya**, the Joint Electoral Observation Mission of AU-COMESA noted that the delay was due to the late deployment of electoral materials and sometimes poorly printed or mixed-up photos or details of the candidates running when printing the ballots. This is the basis for the extension of the vote in certain localities concerning the election of Governors in Kakamega and Mombasa, Kacheliba, South Pokoy, Rongai and Rural Kitui. In addition, on election day, the Joint Mission also noted that: 10.3 per cent<sup>135</sup> of the visited polling stations had suffered a bug of the

---

<sup>135</sup> AUEOM report in Republic of Kenya 2022, Op.Cit., p .31, Item 79.



digital computer connection system because the data of the voter cards were not verifiable or readable by the KIEMS system. The result was that voters returned home without being able to vote. This did not affect the overall smooth running of the election throughout the national territory since it concerned only about 200 defective<sup>136</sup> kits of KIEMS on the day of the vote. There were also no major incidents during the polls, with the exception of a few areas. Here, too, the electoral staff has shown speed in preserving the secrecy of the vote, applying the procedures that contribute to it and carrying out the necessary verifications to that end.

In the **Kingdom of Lesotho**, the delay noted by the AU Mission on the day of the vote was linked among other reasons to the late arrival of election staff and election materials in 13 per cent of the polling stations visited by the AUEOM. Also, when a voter is on the list of electors but does not have a valid electoral card, using a reliable witness is authorized by the Elections Act.

In the **Republic of Equatorial Guinea**, the entire delay of the polling stations was linked to the same causes as those mentioned for the Kingdom of Lesotho, while in the **Republic of Tunisia**, 'the electoral material was available in quantity' because it was delivered and arranged in time at the polling stations visited by the AUEOM.

In these various member states, the indelible ink was available, the fingers of the voters verified and the secrecy of the vote assured.

## II.2. Electoral staff and EMB representatives

The election staff and representatives of EMBs were present on the day of the vote in the polling stations covered by the AUEOM. But generally, AU observers noted that more men than women were represented. Electoral staff and EMB representatives have demonstrated real competence in the management of voting operations.

---

<sup>136</sup> Idem.

For example, in the **Republic of the Gambia**, electoral staff had demonstrated mastery of voting procedures. Nonetheless, capacity-building training for itself and EMB representatives was advised to the IEC by the AUEOM to further boost the share of women election officers and youth on election day.

In the **Republic of Senegal**, the electoral staff had ensured the vote's fluidity according to the AU Mission's Final Report. Pursuant to the provisions of Article L.67 of the Electoral Code, the polling stations were composed of a president, an assessor and a secretary. Article L.68 confers on the parties and coalitions running to appoint a plenipotentiary with jurisdiction in all the polling stations of the constituency they have been appointed to. In addition, the presence of members of the NAEC was noted and they correctly fulfilled their role in the polling stations to ensure the proper conduct of the vote in accordance with the legal requirements and its mandate. There were on average between two and three election officers per polling station visited, 37.5 per cent<sup>137</sup> of whom were women. Apart from a few intermittent rains noted in the **Fatick and Diourbel regions**, the election staff were present at their posts, as well as those of the NAEC and the representatives of the competing coalitions. Election materials were available and in sufficient quantity in the polling stations visited and no election campaign activity was noted in their vicinity. The election staff interacted well with the representatives of the observed polling stations.

In the **Republic of Angola**, the AUEOM noted that only 2 per cent of polling stations visited had been poorly managed by electoral staff.

**In other member states**, election staff were dressed in specific outfits that allowed them to be identified by distinguishing them more easily from other voters and representatives or delegates of candidates and competing parties or coalitions in the polling stations. This facilitated the determination of their function among voters. This good practice deserves to be expanded in the other AU member states visited in 2022 by the AUEOM. Adopting such

---

<sup>137</sup> Final Report of the AUEOM in the Republic of Senegal, Legislative 2022, Op.Cit.

measures will also make it easier for voters to identify their interlocutors and for national and international election observation.

The STOs of the AU Mission to the **Kingdom of Lesotho** pointed out that out of an average of five workers at the polling stations in almost all the observed polling stations, about three to four of them were women and youths. This is a reason for satisfaction in this direction of promoting of women and youth in the management of the vote. It also indicates a certain electoral interest on the day of the vote. This is a good thing for consolidating democracy in this member state.

### II.3. Role of parties and coalitions as observers

Competing parties and coalitions were unevenly represented in the visited polling stations. Indeed, here too, the trend of male over-representation has been observed in most member states observed, except **Kenya** and **Senegal**, which had more gender parity. But the overall climate of the electoral processes was rather peaceful and constructive. The delegates or representatives of the parties, candidates or coalitions running and those of the EMBs that were included in the polling stations visited showed professional competence in most cases. They could play their role without hindrance as reported by the MOUEAs.

However, there were some noted shortcomings. By way of illustration, in the **Republic of Kenya**, the two major coalitions had covered all the polling stations, the same was true in the **Republic of Angola** with the MPLA and UNITA, as well as in the **Republic of the Gambia** (UDP and NPP) and the **Republic of Senegal** (BBY and YAW).

In other member states, such as the **Republic of Equatorial Guinea**, national and international observers also noted this observation. The PDGE Presidential Coalition had its delegates everywhere who represented it. However, the parties of ESONO ONDO and BONAVENTURA had less representation at the national level. This augurs the existence of a representation of the parties primarily correlated with the scope of their

national implantation. This ultimately denotes the power of the electoral performance of their partisan apparatuses mobilizing their delegates, activists and supporters, including on election day in the polling stations.

In **Congo** and **Tunisia**, the electoral staff was well qualified and assisted the voters who needed it. In **Lesotho**, it was noted that an average of 11 representatives of the competing parties and coalitions were present in each polling station observed by the mission.

In addition, electoral staff to support the elderly and those living with disabilities, as well as pregnant and lactating women, were present or voters were assisted by a person of their choice in strict respect of the secrecy of the vote. This aspect has been noted in all the final reports of the AUEOM published in 2022 and discussed in the next section of this report.

#### **II.4. Accessibility of polling stations and facilitation of voting for the elderly and persons with reduced mobility (PRM), pregnant and breastfeeding women**

Accessibility to polling stations and facilitation of voting for PRM or elderly, pregnant and breastfeeding women required the attention of AUEOM concerning the relevant international standards guaranteeing human rights and promoting the inclusiveness of electoral processes as one of the criteria for the inclusive dimension of elections and by induction of participatory pluralistic democracy. The existence of ramps, Braille ballots, and voting support mechanisms for these categories of people are one of the priorities of AUEOM.

Generally, the teams of AU observers noted that a person of their choice systematically assisted these target persons: either a member of the election staff, primarily the polling stations' president, or a relative. In addition, the polling stations' proximity to the usual residence of the aforementioned voters is another important structural challenge that

deserves to be treated with great attention. Because the further away the polling stations are, the less these target people are mobilized on the day of the vote. If they are, this is usually at the expense of additional difficulties. Hence, the need to always bring the polling stations and centres as close as possible to the citizens.

In the **Republic of Senegal**, the polling stations observed were accessible. The Senegalese legislator paid particular attention to the inclusive dimension of the electoral process, including in this phase of the election, through the requirements of Article L.38, which requires the CNRV to provide information about the nature of the voter's disability, which is taken into account upstream at the time of registration on the electoral lists. This makes it easier for them to arrange their polling stations in accordance with this so that they can vote in good conditions. This implies a step forward in the conduct of an inclusive election in accordance with Human Rights.

In the **Republic of Angola**, an effort to communicate and assist voters in these categories was also highlighted. Also, in the **Kingdom of Lesotho**, the use of Braille mentioned earlier in this report is an undeniable step forward.

In the **Republic of The Gambia**, EMBs have been working with CSOs to increase voter awareness of accessibility accommodations for the above-mentioned voters.

In the **Republic of Kenya**, it was pointed out by the AUEOM that 14 per cent<sup>138</sup> of the polling stations visited were not accessible to people with disabilities, pregnant and lactating women and the elderly.

In the republics of the **Congo** and **Kenya** efforts have also been made in this area.

In the **Republic of Equatorial Guinea** the involvement of associations such as AMIFLORA helped to assist the voting of their members on polling day.

---

<sup>138</sup> Final Report of the AUEOM during the General Elections in the Republic of Kenya, 2022, P.32.

The member state has distinguished itself by integrating these partners of the National Electoral Commission (NEC) throughout the electoral process, including in this deliberative phase of the election. This was also welcomed in the final report of the AUEOM.

In the **Republic of Tunisia**, the AUEOM noted a similar observation. Voter lists were posted and clearly visible in front of the polling stations. This helped to make it easier for voters to vote, allowing them to situate themselves more quickly. In addition, a mobile toll-free number was created and displayed visibly at the entrance of the polling stations with the following code: (\*195\*NoCIN#). As part of the permanent updating of the Electoral Register, the Independent Higher Authority for Elections (ISIE) has indicated that Tunisian voters can check polling stations and electoral constituencies via mobile telephone services, in dialling \*195\*, then entering the national identity card number and pressing #. Voters can also change their polling stations or electoral districts via the website: [touenssa.isie.tn](http://touenssa.isie.tn). This measure was positively welcomed by the mission.

## II.5. Role of Civil Society and National Observation Organizations

The role of CSOs is also increasingly decisive in the governance of election day to give a guarantee of transparency to elections in contemporary states. In Africa, it found that CSOs were active in almost all member states observed by the AUEOM. National election observation contributes to revitalizing democratic vitality in the member states visited.

All the CSOs previously mentioned in the section on the pre-election phase were<sup>139</sup> also involved in a very beautiful way in covering the day of the vote

<sup>139</sup> In addition to these CSOs and apolitical institutions aiming to strengthen democracy and the proper conduct of electoral processes including voting: the National Cohesion and Integration Commission (NCIC) with its Strategic Plan (2020-2025) in this area as well as the Office of Registrar of Political Parties (ORPP), the Kenya National Commission on Human Rights (KNHCR), and

from beginning to end. The AUEOM met with them and exchanged places intermittently with observers from international missions, including those of the AU deployed in the observed member states.

In the **Kingdom of Lesotho**, the mission had indicated the important involvement of the IEC, which had trained 446 educators deployed throughout the national territory, villages and electoral districts to train voters (civic and electoral education) and it also accredited 16 CSOs who played an important role on the day of the vote.

In all the member states observed, posters explaining the voting process were also popularized and welcomed by the AUEOM. All this constitutes a certain undeniable political maturity that indicates that democracy in Africa is adapting more and more despite structural and cyclical challenges.

## II.6. International election observation missions

The international election observation missions were outstanding throughout election day. They observed the electoral processes in the member states alone or sometimes in close interaction with RECs/RMs through joint missions as in the **Republic of Kenya**, among others.

The main international observation organizations involved in the 2022 elections were: Economic Community of West African States (ECOWAS), Economic Community of Central African States (ECCAS), Southern African Development Community (SADC), Common Market for Eastern and Southern Africa (COMESA), IGAD, COMMONWEALTH, League of Arab States (LAS), Organization of the Islamic Conference (OIC), Organisation of la Francophonie (OIF), Community of Portuguese Language Countries (Comunidade dos Países de Língua Portuguesa: CPLP) and European Union (EU).

In addition, accredited diplomatic representatives of foreign states were deployed on the ground on courtesy visits to see the evolution of the electoral process. The African Diplomatic Corps (ADC) also provided observers on the day of the vote.

## II.7. Engagements by AUEOM on Election Day

AUEOM teams met with other national and international election observation missions. CSOs, international organisations, and accredited foreign NGOs mentioned above were also met on election day in the observed member states. The AUEOM interacted with them constructively. The AU welcomes the good collaboration it has had on the ground with all these actors whose effective presence contributed to the credible, impartial and transparent conduct of the elections. This implies that the AUEOM pay particular attention to this issue. The AUEOM also interacted with the Electoral Institute for Sustainable Democracy in Africa (EISA), National Democratic Institute (NDI), International Institute for Democracy and Electoral Assistance (International IDEA), International Foundation for Electoral Systems (IFES), and the European Centre for Electoral Support (ECES), among others.

## II.8. Media and voting coverage: Systemic nuances

National and international media<sup>140</sup>, both public and private, have been at the forefront of election day media coverage in all observed member states.

They have played an important mediating and democratic role by promoting the voting of candidates and relaying in real time the difficulties encountered in the conduct of electoral operations. Their vigilant role facilitated the responsiveness of EMBs.

<sup>140</sup> International media includes: BBC Africa, Africa 24, France 24, Radio France Internationale (RFI), Reuters, Portuguese Radio and Television (TAP), among others, covered the polls.



They also collected the votes of the candidates in most of the electoral districts on the national territory of the observed member states. It should be noted that in some member states the media reported on some tendencies of the vote, where the electoral law allows it, on election night. This illustrates that elections are increasingly publicized and it also contributes to their legitimization among national and international public opinion.

## II.9. Security and defence forces help secure the vote

In the **Kingdom of Lesotho**, the Mounted Police Service<sup>141</sup> provided security inside and outside the polling stations professionally and peacefully without any interference in the electoral process. In the **Republic of Equatorial Guinea**, the NDSFs deployed to secure the vote were visible and professional, and they often assisted voters to orient themselves well in the polling centres and find their respective polling stations more easily in discipline and order in all conviviality. This aspect was noted with satisfaction by the AUEOM. Moreover, this observation was also shared concerning their effective and efficient pro-democracy role in their area of competence in the **Republic of Congo** on Election Day. The NDSFs were also “visible”<sup>142</sup> and “professional”<sup>143</sup> without hindrance in the voting process as reflected in the mission’s final report.

In the **Republic of Kenya**, the mission had also indicated that 97 per cent<sup>144</sup> of the observed polling stations were well guarded and secured in a discreet but professional manner by the NDSF. There was no interference in the voting process on their part as noted by the mission or reported to it by stakeholders or voters throughout election day. However, the AUEOM stressed that there was some violence due to clashes between voters, specifically at the Primary School in Turbo District (Uasin Gushu County) and

---

<sup>141</sup> This is the Mounted Police Service in the Final Report of the AUEOM in the Kingdom of Lesotho, 2022 Legislative Elections.

<sup>142</sup> Final report of the AUEOM in the Republic of Congo during the Legislative elections from 04 to 10 July 2022. pp.27-28:

<sup>143</sup> *Idem*, P.31

<sup>144</sup> Final Report of the Republic of Kenya, General Elections, 2022, P.32.

Homa County<sup>145</sup>. This led to a temporary interruption of the voting process. The disturbers were arrested and then taken to the police. This allowed the resumption of the vote, which was peaceful for the rest of the election day. In this context, there is a need to strengthen civic and political education for voters and, incidentally, the resources allocated to CSOs to support the CIS in this area to contribute to more peaceful elections and electoral processes that are less confrontational and more peaceful.

### III. CLOSING OF VOTING OPERATIONS

The process of closing voting operations was well mastered in almost all of the polling stations visited. The legal time of closure of the polling stations was between 17:00<sup>146</sup> and 18:00<sup>147</sup> depending on the member state. However, in the **Republic of Angola**, the polling stations were closed between 16:00 and 17:00 due to a discrepancy in the interpretation of the Electoral Law in Article 105<sup>148</sup>. After that, the polling stations were arranged appropriately in order to allow the counting to begin followed by the display of the electoral results. The AUEOM noted the need to better clarify the provisions of the aforementioned Article concerning the legal closure of polling stations.

In the **Kingdom of Lesotho**, the standard time was extended before the closing of the poll; taking into account the delay initially noted at the opening of the polling stations and which was thus filled because there were lines of voters waiting to vote. It is after their civic exercise as citizens that the closing was done in accordance with the legal procedures relating thereto. In the **Republic of Tunisia**, all polling stations closed at the legal time of 18:00.

<sup>145</sup> *Idem*.

<sup>146</sup> As in the Republic of Kenya under the current Electoral Law and in The Gambia; among others.

<sup>147</sup> As is the case in the Republic of Senegal, under the requirements of Section 2, Chapter V of Title I of the Electoral Code and Article 2 of Decree No.2022-868 of 19 April 2022, *Op. Cit.*; as well as in the Republic of Kenya, among others.

<sup>148</sup> Organic Law on General Elections, Article 105.

## IV. COUNTING AND DISPLAYING THE RESULTS

In all the member states observed it was noted that the counting and then the display of the results were done correctly in a generally peaceful atmosphere. The representatives of the candidates, parties and coalitions in attendance waited during this phase to ensure the votes obtained by their candidates. Then, here too, the staff of the polling stations demonstrated a mastery of the voting procedures in almost all the member states covered in 2022 by the AUEOM. However, in some places, there was a lack of minutes and scorecards for all representatives of the candidates, parties and coalitions in the running. The display of results was not always systematically carried out in all the polling stations observed as in the cases of the republics of **Equatorial Guinea** and **Congo**.

## V. SUMMARY TABLE OF MAJOR FINDING

### Republic of The Gambia

Peaceful electoral processes: calm and credible vote; good mastery of the procedures for opening and closing of polling stations; electoral material available and put in place well before the vote; polling stations opened within the legal deadline (07:00) and closed at the legal time (17:00); pluralism of the elections by the contradictory debates 2 series of broadcasts and debates (CPD) + Code of Campaign and Conduct adopted by the stakeholders of the electoral process. Women represented 57 per cent of the voters but only 7.53 per cent of candidates. Good security of the electoral process/Litigation for annulment of the electoral results rejected by the IEC and the Supreme Court. Need to reform the electoral system and introduce gender quotas and padlocked ballot boxes. System of marbles.

## Republic of Congo

Peaceful election day, without clashes or violence. Voting was executed in the Pool Department in 2022 unlike in 2017. Strong mobilization of the NDSF: stabilization and security of the polling stations, competent electoral staff. EMBs managed voting operations processes well. A few polling stations opened late due to the late arrival of election materials and staff. Strong mobilization of the presidential movement was present in all the polling stations visited. CSOs involved on voting day like CORAGED. Internal and external media coverage provided. Lack of minutes of results and scorecard forms for delegates from parties and coalitions competing in most of the polling stations visited. Women were under-represented among election officers. Persons living with disabilities, elderly and breastfeeding and pregnant women were prioritized and supported by election staff or a person of their choice. No automatic display of the results in all the polling stations visited. Sealed ballot boxes. Indelible ink and verification of voters' fingers.

## Republic of Senegal

Idem. But there is also the fact that CSOs including COSCE were mobilized on the day of the vote. All coalition representatives were present in all the polling stations visited. Full parity applied in field validation test mode/good perspective in terms of participatory inclusive democracy. Total security of the electoral process and professionalism of NDSF officers. Electoral staff more male than female. The above-mentioned target voters were also assisted. Systematic display of all results outside of observed polling stations. There was no violence on the day of the vote. Mastery of the voting process. Secrecy of the vote was assured and verification of the voter's finger before voting and also soaking the finger in indelible ink after voting. Verification of the conformity of the voter cards with the lists of the polling stations. Representatives of the coalitions were able to carry out their missions without hindrance.

### **Kingdom of Lesotho**

Democratization on the move. General knowledge of the electoral process and procedures from the opening to the closing of competent electoral personnel polling stations. Although visible and discreet, no interference by NDSF agents in the voting process. Candidates used national languages and Braille to increase voter turnout on election day. Seals used consistently. Indelible ink checked all the time before voting. Polling booths and order in voting and transparency of voting. NDSF was exemplary.

### **Republic of Kenya**

Peaceful but highly contested general elections with some spikes of violence including on the day of the vote in Uasin Gushi County, at the Primary School of the Electoral District of Turbo and in Homa County. Some 200,000 voter cards were invalidated upstream for technical problems by KIEMS, contributions of CSOs and Kenyan democratization institutions to boost voter turnout. Globally competent electoral staff. A lot of efforts made in the coverage of voting by electronic means in almost the entire national territory with 3G/4G networks. Ballot boxes sealed. Mastered the phase of verification and use of indelible ink.

### **Republic of Equatorial Guinea**

Complete presence of representatives of the coalition of the presidential movement (PDGE) throughout the national territory in all the polling stations visited. Some intermittent delays at the beginning of the vote lines of voters in front of the observed polling stations. Ensured media coverage. Men over-represented in the election staff and as candidates. There was no violence or hate speech on the day of the vote. Assistance was provided to persons with disabilities, the elderly, pregnant and lactating women. Involvement of CSOs. Well-assured counting and closing of voting procedures. The display was not systematic. Indelible ink on fingers checked before voting. Signatures respected, ballot boxes sealed and insulators used. Delivery of scorecards in most of the visited polling stations.

## Republic of Angola

The AUEOM included 49 STOs and covered 169 polling stations on the day of the vote (57 per cent in urban areas and 43 per cent in rural areas). Peaceful voting day. Procedures observed include use of seals, ballot boxes and indelible ink at the time of voting and verification of voters' conformity on the voters list. Polls opened on time at the legal time of 07:00 for 92 per cent of the 17 polling stations observed. Eight (8) per cent of polling stations experienced delays of 16 minutes to one hour. Good management of the voter queue by the election staff. Lack of some scorecards of results for all delegates of candidates and parties present. Proven competence of the members of the observed polling stations. Sufficient electoral material in the majority of cases. Polls closed at the legal time of 17:00 in 98 per cent of the polling stations. Some closed at 16:00 due to confusion/misinterpretation of Article 105 of the Law on General Elections. Decrease in the number of accreditations of the National Civil Society by 1,000 despite the increase in polling stations to 515 and impacts the voter turnout. Active national observation despite everything. Inclusivity and overall assistance in the process provided to pregnant and lactating women, the elderly and those with reduced mobility. Verification of finger ink before voting and signatures after voting. Secrecy of the vote was guaranteed. Recourse to legal remedies in the event of disputes.

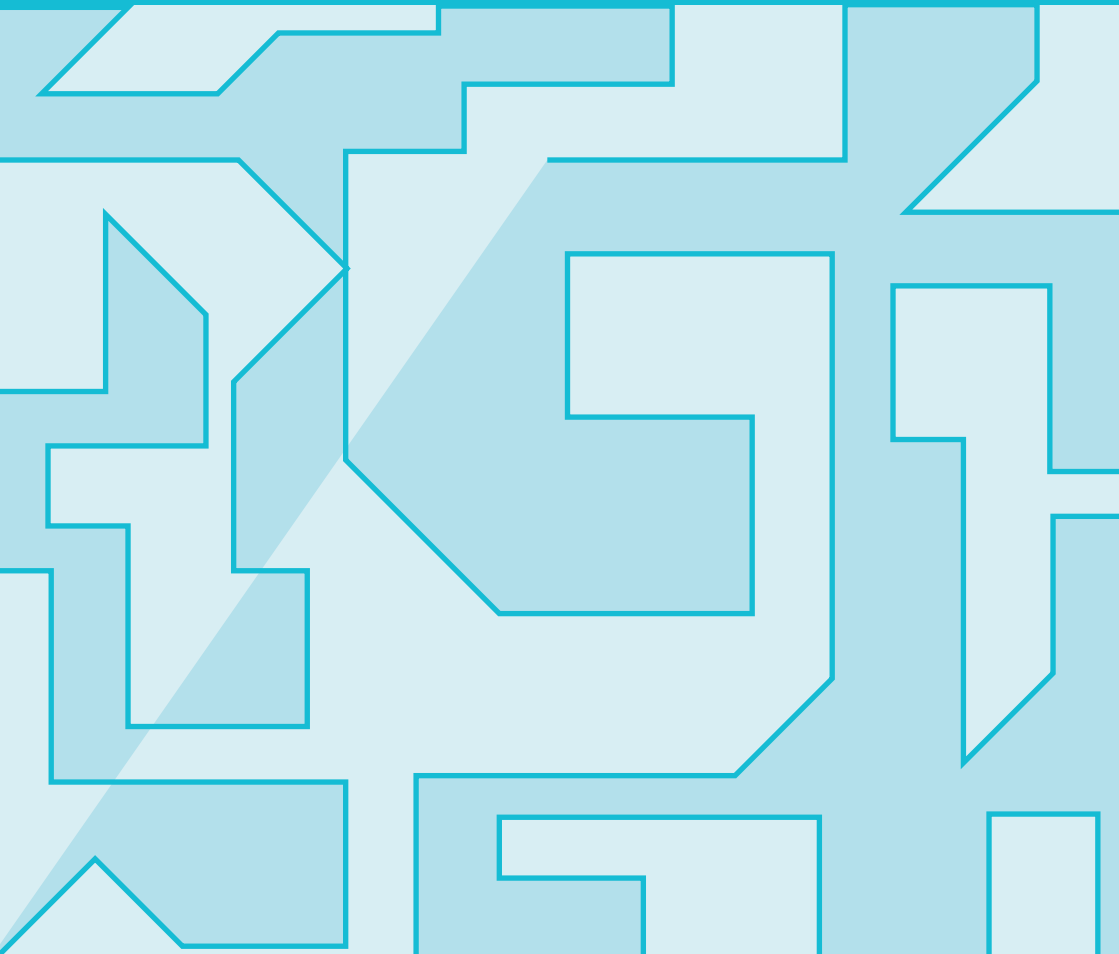
## Republic of Tunisia

All polling stations opened at 08:00 and closed at 18:00, the legal timings. Security provided by the NDSF. CSOs involved, low voter turnout due to the boycott of opposition blocs. IOs present. Peaceful counting but representatives of candidates did not receive a copy of the PV of the results at the end of the counting given to representatives of the polling stations. Use of ballot boxes and sealed control of fingers in indelible ink.

Overall, each election day observed went well despite some areas of improvement. Electoral staff have demonstrated a good general knowledge of voting procedures. They also assisted voters who needed accommodations. There is still some variability between member states, but they have hinted to EMBs that they are constantly adapting and improving as a result of the relevant involvement of NSDFs and CSOs that either ensure elections or observe them according to the respective cases and levels of responsibility. The ballot boxes were sealed or padlocked most of the time and the secrecy of the vote was observed in almost all the polling stations observed. This indicates a clear increase in the democratic and electoral maturity of Africa, especially at a time of "complex interdependencies". Democracy is at work and peaceful democratic alternations have been noted in some observed member states. This is an undeniable source of democratic vitality. After this phase comes the post-election phase.

part **five**

# Post-Election Phase





This phase includes post-election disputes, the publication of provisional and final results after having dealt with and cleared the related disputes, and seeing their impacts on the redistribution of partisan power relations in the political systems and regimes of the observed member states. After that, a summary will be made of the advances and limitations noted in the management of this sensitive phase of the electoral process.

---

## I. POST-ELECTION DISPUTES

The various AUEOM noted that the post-election litigation was well managed by the EMBs, especially the competent courts in the observed member states. The judicial remedies that were introduced in most countries were in accordance with their national legal frameworks and international standards governing elections.

In the **Republic of Senegal**, Article L.195 of the Electoral Code prescribes post-election appeal procedures. It sets a legal deadline of five days to contest the results of the vote from the date of their publication by the CNRV. The AUEOM noted that despite a surge in opposition, its members challenged the results. However, the YAW Coalition did not file an appeal to that effect. On the other hand, the Naataangue Askan Wi Coalition (NAW) leader had brought an action for annulment. It objected to the method of calculating the allocation of seats by the method of the largest remainder. It felt that this method should have taken

into consideration candidates who did not obtain the electoral quota set by the Act. However, based on Article L.153 of the Electoral Code, the Constitutional Council (CC) rejected this request as erroneous and confirmed the election results as rendered by the DGE.

In the **Republic of Angola**, following the announcement of the electoral results by the President of the CNE on 29 August 2022, within 15 days after the end of the election, UNITA, which had been defeated, decided to sue the Constitutional Court (CC) on 2 September 2022, arguing the existence of irregularities in view of the narrow margin that separates it from the outgoing majority party. Indeed, UNITA had obtained 3,209,429 validly expressed votes or in relative terms, 44.82 per cent while the MPLA of the presidential movement won by a score of 51.17 per cent of votes against 43.95 per cent for UNITA after final deliberations of the Constitutional Court. This suggests that the country is experiencing a tightening of political forces since UNITA was significantly closer to the MPLA as a potential challenger compared to 2017 when it received 26.67 per cent of votes against 61.07 per cent for the MPLA.

Nevertheless, the AUEOM noted that there were tensions following the constitutional rejection because the government had alerted its National Defense and Security Forces five days after the final official proclamation of the electoral results crowning the re-election of President Joao LOURENÇO. The Court had found that UNITA could not provide sufficient evidence to demonstrate its allegations. And that the reasons and evidence provided are not sufficient to cancel the elections contrary to his claims.

Despite the controversies and recourse and the presence of the alert NDSFs, stakeholders have been able to avoid a systemic crisis or conflicting crossroads. They have managed to show restraint and republican common sense, using legal remedies despite differing opinions on some points. This augurs another illustrative facet of

Angola's progress, knowing that these two political formations have clashed in the past by arms at the cost of thousands of displaced persons and victims. The time of national reconciliation has passed and democracy is gradually settling in the country. The level of scores suggests a strong, peaceful republican competition. This testifies that despite everything, Africa is moving forward and democracy is on the march, whatever is said in the relevant qualitative sense of systemic progress and pluralistic maturity of EMBs and candidates and parties or political coalitions in contention.

In the **Republic of Tunisia**, the ISIE publishes the electoral results 48 hours after the last judgement on appeal or after the expiry of the legal period provided for this purpose by the Electoral Law. At the end of the first round of voting, only 21 seats were filled out of 161. The rest of the seats were destined to be dispatched in the second round of the legislature. In accordance with his powers, the President of the ISIE held a press conference at the heart of which he indicated that he had totally or partially cancelled certain results in the constituencies due to irregularities that he described as a series of offences and electoral crimes likely to impact the results of the elections. The total cancellations included the electoral constituencies of Menzel Bourguiba-Tinja (Candidate Slim Hrega / 1890 votes); Salimane, Nabeul 2 (Candidate Abdelkader Ben Zineb / 3250 votes); El Omrane Supérieur, Tunis 2 (Candidate Seïfeddine Fehri / 1.160 votes); and finally, Marsa-Carthage, where the total cancellation of votes was declared in the School Center of March 2, 1939. The partial cancellations included:

Mateur-Unique governorate of Bizerte (Candidate Ahmed Saïdani: 1,408 votes including 23 cancelled votes); Governorate of Bizerte Centre de Louata (Candidate Fethi Mechergui: 732 votes including 71 cancelled votes); Maktar, Erouhia, Kasra, Siliana (Candidate Rachid Elarabi: 2028 votes including 178 invalidated votes). Then the ISIE proclaimed the provisional results.

## II. PROVISIONAL AND FINAL RESULTS OF THE POLLS

It should be noted that some of the member states observed were characterized by the absence of recourse challenging the electoral results.

However, the provisional results were criticized in others, such as the Republics of **Senegal, Kenya, Angola** and **Tunisia**. As far as the Republic of Senegal is concerned, the Opposition Coalition did not take any action for annulment of the results, still less for rectification of Validly Cast Votes (VCV). It was the Departmental Vote Census Commissions (DVCC) that centralized them and treated them in front of the representatives of the coalitions in the running and then transmitted to the National Vote Census Commission (NVCC), which centralized them and then treated them in their presence before proclaiming the provisional results. The final results were proclaimed by the Constitutional Council after having dealt with and cleared the post-election dispute.

In the states of **Angola, Congo, Kenya** and **Tunisia**, candidates from defeated parties and coalitions filed appeals on various grounds.

Indeed, in the **Republic of Angola**, the President of the CNE proclaimed the provisional results of the elections on 25 August 2022, attributing a score of: "60.65% to the MPLA against 33.85% to UNITA based on 33% of the votes counted"<sup>149</sup>. At the end of the election, the CNE declared the provisional results, attributing the victory of the MPLA with 51.17 per cent of the validly expressed suffrage against 43.95 per cent for UNITA. However, they were challenged before the Constitutional Court by UNITA, which announced on 1 September 2022 that it had filed an appeal with the CNE in accordance with the Electoral Law to then be able to refer the matter

<sup>149</sup> Final Report of the AUEOM in the Republic of Angola during the 2022 General Elections, p. 19, point 90.

to the Constitutional Court to challenge the results of the elections. It was considered that he had also not received upstream the copy of the national report of the results. In addition, UNITA stated that it had doubts about compiling the processing of all results. On 2 September 2022, they asked for the vote to be annulled. However, the CNE asked at the end of its third Extraordinary Meeting to the Constitutional Court to confirm the results it had proclaimed because they were in accordance with the sovereign choice of the voters and to reject the appeals of UNITA, the Democratic Bloc and CASA-CE. The final verdict of the elections was signed by 9 judges out of 20<sup>150</sup>.

In the **Republic of Congo**, the two rounds of voting brought back more than 30 appeals, four of which concerned the partial or total cancellation of votes and the reformulation of the provisional results of the ballots. The constitutional judge did not annul any result. However, it rectified the results in particular in the electoral district of Makélékélé 3 in Brazzaville in its Decision of 30 September 2022. This had a direct impact on the invalidation of the victory of the candidate of the female MP elected on behalf of the ruling PCT Party in favour of an independent candidate, who eventually won it. This, after carefully checking and correcting the results in accordance with the actual results of the vote. This implies that the constitutional judge ensured the preservation of the sovereign choice of voters, the consolidation of democracy and the pluralistic rule of law. Indeed, the aforementioned decision is based on the legal requirements of Chapter 2 of the aforementioned O.L. No. 28-2018 of 7 August 2018 relating to Election Litigation, Section 2 of the Election Litigation of the President of the Republic, Deputies and Senators; but also Article 57 New (Law No. 57-2020 of 18 November 2020 which enshrines the principle that: 'The right to contest an election belongs to the Candidate' as well as Article 59 which prescribes that the deadline for contentious appeals is 15 days after the proclamation of the provisional results by the minister in charge of elections for the Legislatures and Locals against five days during the presidential election. The Constitutional Court is seized by written request,

---

<sup>150</sup> Final Report of the MOUA in the Republic of Angola, Idem, p. 2, point 97.

addressed to its President in accordance with the provisions of Article 58 or 59 above.

In the **Republic of Kenya**, the tension was palpable even within the CIS, which was divided into two Vice-Presidents and two Commissioners who were beaten according to them. Then, the AUEOM was concerned by the disappearance on 11 August 2022 of Daniel MUSYOKA, a staff member of the IEC of the electoral district of Embakasi East,<sup>151</sup> who was later found dead in unclear circumstances. In the wake of this, the camp of the Vice-President of the Republic said that the opposition is also seeking to repeat the post-election violence experienced by this member state, which the accused party rejected. The elections were tense and contested to the end. Finally, fortunately with the involvement of the AU, the RECs/RMs, the TFPs and internal actors, the tension has subsided and democracy has triumphed for all. However, sometime before the announcement by the IEBC of the electoral results, four commissioners of this EMB held a press conference to disassociate themselves from the results of the ballot box as presented by the President of the IEBC. Thus, in return, the latter evoked that the former aimed neither more nor less than a desire to undermine the electoral process and to redo the election by annulling the vote, which he considered unwise and bypassed their powers as soon as there is a real winner of the elections. Ultimately, tensions have eased and the country continues to follow its path towards the continued deepening of democracy at the national level. The Supreme Court of Justice has played a prominent role in this process by confirming the results issued by the President of the Commonwealth of Independent States, who also promptly published all the votes cast by polling stations throughout the country and the diaspora. Leaving the policies debunked on their veracity or not and allowing national and international public opinion to get a clear idea of the outcome of the vote. This has also helped to reduce tension and the risk of violence. However, on 22 August, eight other political coalitions had also decried the results but this did not cause the invalidation of the elections. Ultimately in Kenya, the members of the IEBC and the stakeholders must play the

---

<sup>151</sup> AUEOM Final Report, General Elections 2022, Republic of Kenya, p. 33, item 89.

game of responsibility and balance in their positions, not losing sight of the national interest, peace and national security. Secondly, recognizing an electoral victory or defeat is the normal natural order in democratic states.

In the **Republic of Tunisia**, the ISIE published the provisional results of the vote in the polling stations but as a result, legal remedies were introduced to challenge them. Twenty-six appeals have been filed with the Administrative Court under the legal requirements. Of the 9,136,502 citizens registered to vote, there were: 1,023,418 voters, 45,613 invalid ballots, 23,789 blank ballots and an abstention of 8,111,084. The validly expressed suffrage for all candidates was 956,016 or a turnout of 11.22 per cent<sup>152</sup>. According to the ISIE<sup>153</sup> 56 per cent of voters were men and 34 per cent were women; 34.80 per cent of the voters were people aged at least 60 years; 5.8 per cent were aged 18–25 and 26.7 per cent were aged 26–45.

After the publication of the provisional results of the elections and the related appeals, the authorized institutions proceeded to the proclamation of the final results.

---

### III. SUMMARY OF VOTING RESULTS BY MEMBER STATE

A summary of the electoral results in each observed member states plus those monitored in the application of the Strategic Watch contributes to better reflect the dynamics of the performance of the candidates, parties and coalitions in the running, as well as their impacts on the realignment or not of the relations of political and partisan forces in the national chessboard, either by inducing alternation or by perpetuating the existing majorities of democratic governance. In any case, elections and democracy in progress are mutually relevant in Africa, particularly in African States.

<sup>152</sup> In 2019, the participation rate was higher. It was estimated at 41.70% per cent domestically compared to 18.4 abroad.

<sup>153</sup> These data are extracted from the AUEOM Report in the Republic of Tunisia, Legislative 2022, Op.Cit, pP. 20.

## III.1. Republic of the Gambia

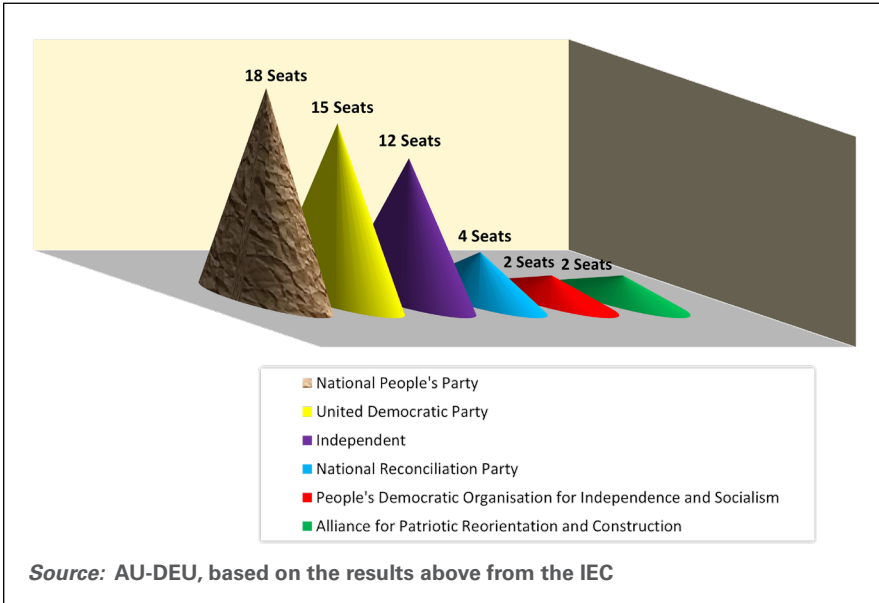
### III.1.1. Table of Final results of 2022 legislative elections

Party	Votes Received	% of Votes	Seats
National People's Party	143,826	29.19	18
United Democratic Party	138,176	04.28	15
Independents	107,232	21.76	12
Gambia Democratic Congress	33,882	6.88	0
People's Democratic Organization for Independence	24,683	5.01	2
Socialism			
Alliance for Patriotic Reorientation and Construction	15,710	3.19	2
National Reconciliation Party	14,153	2.87	4
Citizens' Alliance	8,682	1.76	0
Gambia Moral Congress	2,531	0.51	0
National Unity Party 3	1,257	0.26	0
People's Progressive Party	1,168	0.24	0
Gambia for All	1,151	0.23	0
All Peoples Party	294	0.06	0
Appointed seats	-	-	5
<b>Total</b>	492,745 (votes)	100.00	58
<b>Registered voters</b>	962,157		
<b>Vote Turnout</b>	51/21		
<b>Invalid votes</b>	0		
<b>Total vote absenteeism</b>	469,412		

Source: IEC, The Gambia



### III.1.2. Histogram of political parties and seats obtained



### III.1.3. Decryption of the results in the Republic of the Gambia

Deciphering the results of the Legislative Elections in the Republic of The Gambia 2022, it appears that the party of President H.E BARROW won it with 18 seats, followed by his challenger DARBOE’s party. He won 15 seats in the general election. However, since there was no absolute majority, a coalition alliance may be needed to have a stable majority of government.

## III.2. Republic of Somalia

### III.2.1. Somali – 2022 presidential election results

No.	Candidate Names	Number of votes
1	Hassan Sheikh Mohamud (HSM)	214
2	Mohamed Abdullahi Farmaajo	110

Source: Parliamentary Election Committee

## II.2.2. Decryption of results of the vote in Somalia

Following the Somali presidential election, H.E Hassan Sheikh Mohamud (HSM) won with a total of 214 votes in a highly contested third round of voting against his next H.E Mohamed Abdullahi Farmaajo, who won 110 votes. This implies an alternation in the position of the President of the Republic. Despite internal difficulties and existing divisions, after a long process of dialogue and constructive proposals, the Somali Federal State subjected to the terrorist threat has finally found the sources of its qualitative start to carry out its elections, although staggered in time. A continuation of this interparty dialogue would be a good thing to consolidate the chances of peace, security, stability and sustainable development in this AU member state.

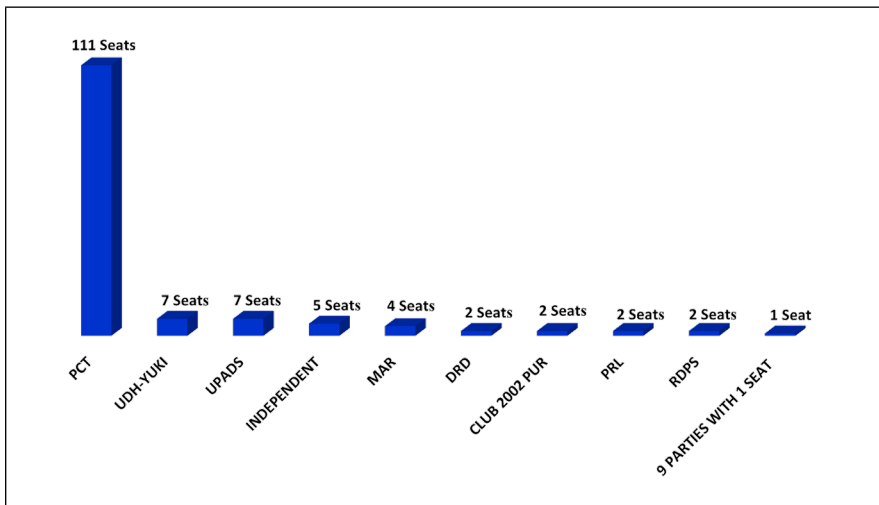
## III.3. Republic of Congo

### III.3.1. Table and Histogram of Congo 2022 final election results

No.	Partis	Seats
1	PCT	111 (73.5%)
2	UDH-YUKI	7 (4.63%)
3	UPADS	7 (4.63%)
4	INDEPENDANT	5 (3.3%)
5	MAR	4 (2.6%)
6	DRD	2 (1.3%)
7	CLUB 2002 PUR	2 (1.3%)
8	PRL	2 (1.3%)
9	RDPS	2 (1.3%)
10	MDP	1 (0.6%)
11	CPR	1 (0.6%)

(continued)

No.	Partis	Seats
12	URDC	1 (0.6%)
13	LACHAINE	1 (0.6%)
14	UPDP	1 (0.6%)
15	RC	1 (0.6%)
16	APC	1 (0.6%)
17	MUST	1 (0.6%)
18	MCDDI	1 (0.6%)
<b>Total</b>	18	151
<b>Tournout</b>	46,55%	
<b>Invalid Ballots</b>	84 060	
<b>Voters Registered</b>	2 879 543	



**Source:** The table is the results received from the Electoral Commission and Decisions of the Constitutional Court of: 16 July; 3 and 14 August; and 30 September 2022. The graphic is proposed based on the results by the AUC DPAPS-Democracy and Elections Unit (DEU).

### III.3.2. Decryption of the results of the Congo

With 111 seats won in the National Assembly, the PCT reinforces its place as the leading party of the Republic of Congo. The other lesson of this election is that the independent candidates finished in fourth place with five seats against seven seats for both UDH-YUKI and UPADS each. This foreshadows a redistribution of a small but not negligible sum. The rise in power on the political chessboard is becoming an empirical reality observable in most of the AU member states.

### III.4. Republic of Senegal

The electoral results of the 31 July 2022 legislative elections in Senegal are presented in the Table 5.3.4 and Figure 5.3.4 to better highlight the political dynamics, nuances, challenges, and issues related thereto.

#### III.4.1. Table of the 2022 Senegalese legislative elections results

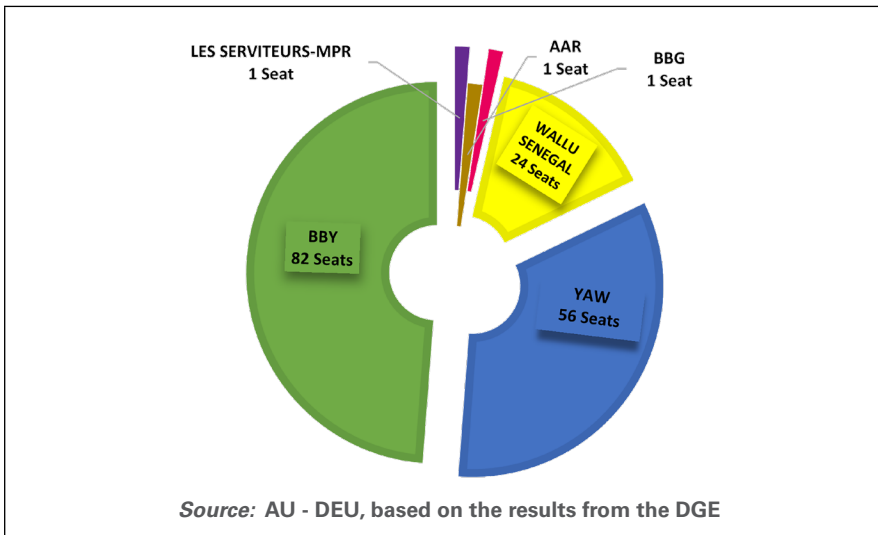
No.	Coalitions	No. of votes received	Percentage of votes (%)	No. of Seats		
				SM	SP	Total
1	Benno Bokk Yakaar (BBY)	1,518,137	46.56	57	25	82
2	Yewwi Askan Wi (YAW)	1,071,139	32.85	39	17	56
3	Wallu Sénégal	471,517	14.46	16	8	24
4	Les Serviteurs / MPR	56,303	1.73	0	1	1
5	Alternative pour une Assemblée de Rupture (AAR)	52,173	1.60	0	1	1
6	Bokk Gis Gis (BGG)	44,862	1.38	0	1	1

(continued)

No.	Coalitions	No. of votes received	Percentage of votes (%)	No. of Seats		
				SM	SP	Total
7	Naataangue Askan Wi (NAW)	25,833	0.79	0	0	0
8	Bunt Bi	20,922	0.64	0	0	0
<b>Total</b>		3,260,886	100	112	53	<b>165</b>
<b>Voters Registered</b>		7,036,466				
<b>Voters</b>		3,279,110				
<b>Invalid votes</b>		18,224				
<b>Validly Expressed Suffrage</b>		3,260,886				
<b>Voter Turnout</b>		46.60%				

Source: General Directorate of Elections

### III.4.2. Diagram of the Relationship of political forces at the end of the 2022 Senegalese legislative elections



### ***III.4.3. Decryption of the results of the Senegalese legislative elections***

The electoral results of the Senegalese legislative elections indicate that although a majority, the ruling Benno Bokk Yakaar coalition (BBY) obtained a majority with 1,518,137 validly expressed votes, or 46.56 per cent of the vote and 82 seats of parliamentarians elected to the National Assembly. The opposition coalition YAW came second with 1,071,139 votes, or 32.85 per cent of the vote and 56 seats. The Wallu Senegal coalition received 24 seats based on 471,517 votes or 14.46 per cent of the vote. The standard deviation of votes between these three main coalitions is more favourable to the BBY presidential movement since it exceeds YAW by 446,998 votes or 13.71 per cent and the Wallu Senegal coalition by 1,046,620 votes or 32.1 per cent. The other coalitions and parties to receive seats were Servants/MPR, Alternative for a Breaking Assembly (AAR) and Bokk Gis Gis (BGG), who only obtained one seat each. The two remaining lists of Naataangue Askan Wi (NAW) and Bunt Bi did not win any seats.

The main lesson is that the National Assembly thus knows a readjustment of the balance of political forces. And that in view of the presidential election of 2024, the configuration of the current coalitions could fundamentally change, in view of the ambitions of the candidates and the parties that make them up. This will have repercussions in terms of changes in the national political landscape. Finally, the Republic of Senegal, which has already known democratic alternatives and continues on the path of pluralism and the rule of law, is organizing credible elections that strengthen its systemic credibility. In this momentum, the current configuration of the New Legislature denotes the democratic maturity of the people and the professionalism of the EMBs, despite some controversies.

### **III.5. Republic of Angola**

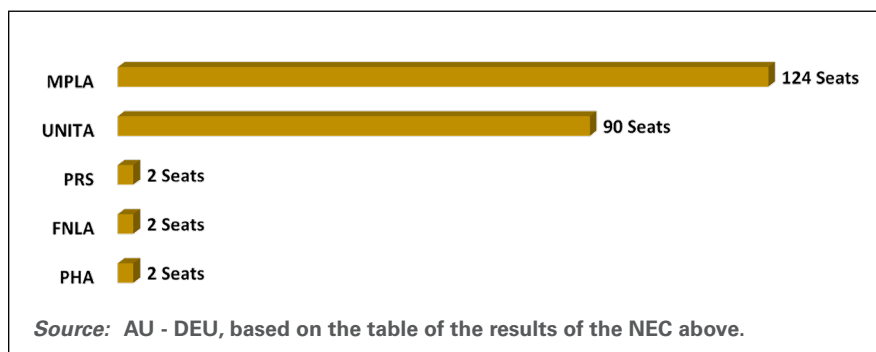
The president of the CNE announced on 29 August 2022 the final official results of the general elections of 24 August 2022 (see Table 5.3.5 and Figure 5.3.5). A brief decipherment will accompany these results on their political impacts in the evolution of the balance of political forces in this member state.

### III.5.1. Table of final results in the Republic of Angola

No.	Political Party/ coalition	No. of votes	Percentage of votes	No. of Seats
1	MPLA	3,209,429	51.17%	124
2	UNITA	2,756,786	43.95%	90
3	PRS	71,351	1.14%	2
4	FNLA	66,337	1.06%	2
5	PHA	63,749	1.02%	2
6	CASA–CE	47,446	0.76%	0
7	APN	30,139	0.48%	0
8	P-NJANGO	26, 867	0.43%	0
<b>Voters Registered</b>		14 399 391		
<b>Total votes</b>		6 454 109 (100%)		
<b>Validly Expressed Suffrage</b>		6 272 104 (97,18%)		
<b>Invalid votes</b>		74 259 (1,15%)		
<b>Blank votes</b>		107,746 (1.67%)		
<b>Turnout</b>		44,82%		

Source: CNE Website, <https://resultados2022eleicoesgerais.cne.ao/> accessed on 9 September 2022.

### III.5.2. Histogram of the distribution of seats of the deputies of the parties and coalitions competing at the end of the Angolan legislative elections of August 2022



### **III.5.3. Decryption of the results of the Angolan general elections**

These official results confirm the re-election of the incumbent president, the MPLA candidate H.E João Lourenço, who obtained 3,209,429 votes (51.17%) for the presidential election and his party won the legislative elections with 124 seats of deputies in the National Assembly. The candidate who came second in the general elections is that of UNITA led by Adalberto Costa Júnior who received 2,756,786 votes (43.95%) in the presidential election. But his party received 90 seats in Parliament.

As a comparison, in the 2017 elections UNITA received 17.3 per cent of votes in the presidential election and 39 seats in the deputation. This represents a net increase in 2022 of 26.65 per cent and 51 seats respectively. Meanwhile, the MPLA experienced a decline in its 2022 results of 9.9 per cent and 26 seats of deputies compared to its results from the 2017 general election.

According to available statistics, there were 14,399,391 registered voters in the national electoral file, but only 6,454,109 voters voted on election day. The turnout was 44.82 per cent in these elections, against 31.3% in 2017. This implies that, despite everything, there is a slight increase in national electoral turnout, although it is still below the average of 50 per cent. Moreover, in 2022, there were 182,005 blank and invalid ballots, according to the data provided by the CNE to the AUEOM. However, the challenge of participation is a national priority that challenges all actors in the electoral process and civil society to consolidate democratic gains through the appropriation of elections by the sovereign people.

### **III.6. Republic of Kenya**

At the end of the Kenyan general elections (presidential, legislative, and senatorial elections), the president of the IEBC proclaimed the final results on 25 August 2022. They are summarized in Tables, Diagrams and Histograms below followed by their decryption.



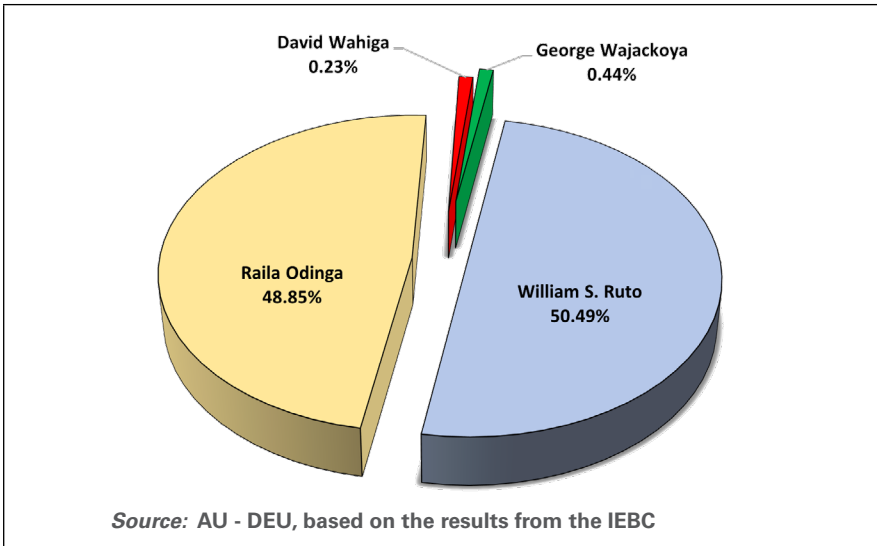
### III.6.1. Results of the 2022 presidential election

#### III.6.1.1. Table of the Results of the Kenyan 2022 presidential election

No.	Name of Candidate	No. Votes	Percentage
1	William Samoei Ruto	7,176,141	50.49%
2	Raila Odinga	6,942,930	48.85%
3	George Wajackoya	61,969	0.44%
4	David Wahiga	31,987	0.23%
<b>Voters Registered</b>		22 120 458	
<b>Voters</b>		14 326 641	
<b>Valid votes</b>		14 213 027	
<b>Invalid / Blank votes</b>		113 614	
<b>Participation rate</b>		64,77%	

Source: IEBC

#### III.6.1.2. Diagram of the 2022 Kenyan presidential results

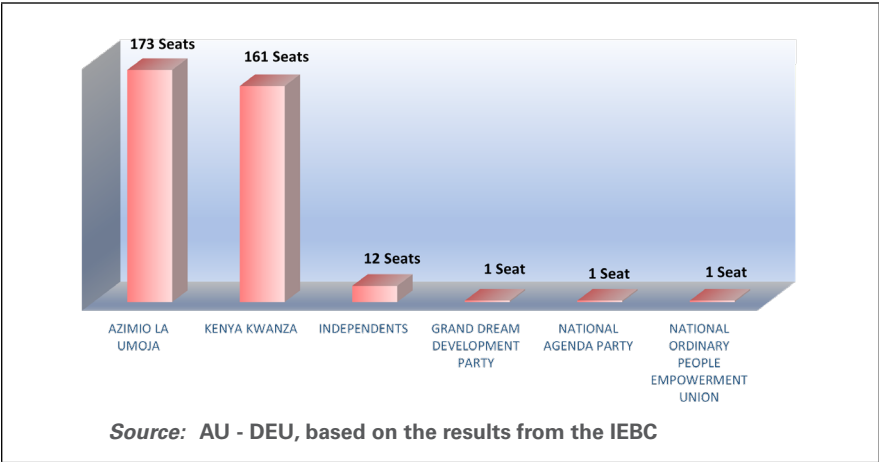


### III.6.2. Results of the 2022 Kenyan legislative elections

#### III.6.2.1. Table of the Distribution of seats by party & coalition in the National Assembly

	Party or Alliance	Seats	
		Appointed	Total
<b>Azimio la Umoja</b>	Orange Democratic Movement	3	89
	Jubilee Party	1	28
	Wiper Democratic Movement – Kenya	1	26
	United Democratic Movement	-	7
	Democratic Action Party	-	5
	Kenya African National Union	-	5
	Pamoja African Alliance	-	3
	Maendeleo Chap Chap Party	-	2
	United Party of Independent Alliance	-	2
	Kenya Union Party	-	2
	United Progressive Alliance	-	2
	Movement for Democracy and Growth	-	1
	United Democratic Party	-	1
	Total	-	173
<b>Kenya Kwanza</b>	United Democratic Alliance	5	143
	Amani National Congress	1	8
	Forum for the Restoration of Democracy – Kenya	1	6
	The Service Party	-	2
	Chama Cha Kazi	-	1
	Democratic Party	-	1
	Total	-	161
Grand Dream Development Party	-	1	
National Agenda Party	-	1	
National Ordinary People Empowerment Union	-	1	
Independents	-	12	
<b>Total</b>		<b>12</b>	<b>349</b>

### III.6.2.2. Histogram of the Kenya 2022 National Assembly elections



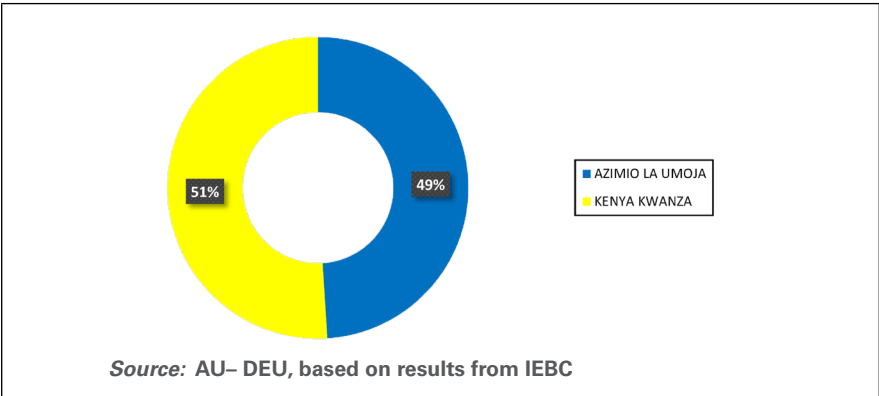
### III.6.3. Senate results

#### III.6.3.1. Kenyan Senate 2022 results

Party	Seats		
	County	Appointed	Total
Azimio Umoja	23	10	33
Kenya Kwanza	24	10	34
<b>Total</b>	<b>47</b>	<b>20</b>	<b>67</b>

*Source: IEBC*

#### III.6.3.2. Diagram of the Kenya 2022 Senate elections



### III.6.4. Decryption of the results in Kenya

The results of the presidential election illustrate the victory of candidate William Samoei RUTO over his political opponents. Having obtained 7,176,141 votes (50.49%), RUTO was thus elected President of the Republic. His election allows the maintenance of power in the camp of the presidential majority. However, the election was highly contested. The opposition embodied mainly by the candidate Raila ODINGA, came second with 6,942,930 votes (48.85%). There was a difference between these two candidates of only 233,211 votes or 1.6 per cent. This led to a challenge of the final results by part of the opposition including ODINGA's camp.

Nevertheless, remaining anchored in republican legality by using legal remedies in case of contested results minimized the risks of violence. The third and fourth ranked candidates, George Wajackoya and David Wahiga, received 61,969 votes (0.44%) and 31,987 votes (0.23%) respectively. This illustrates the maturity of the actors and indicates that democracy is making its way in this state despite the political divides.

## III.7. Republic of Sao Tome and Principe

The Constitutional Court of Sao Tome and Principe proclaimed the final official results of the Legislative elections on 3 October 2022. They will be accompanied by a decryption of their systemic impacts in the political arena.

### III.7.1. Table of the Final official results of the 2022 legislative elections in Sao Tome and Principe

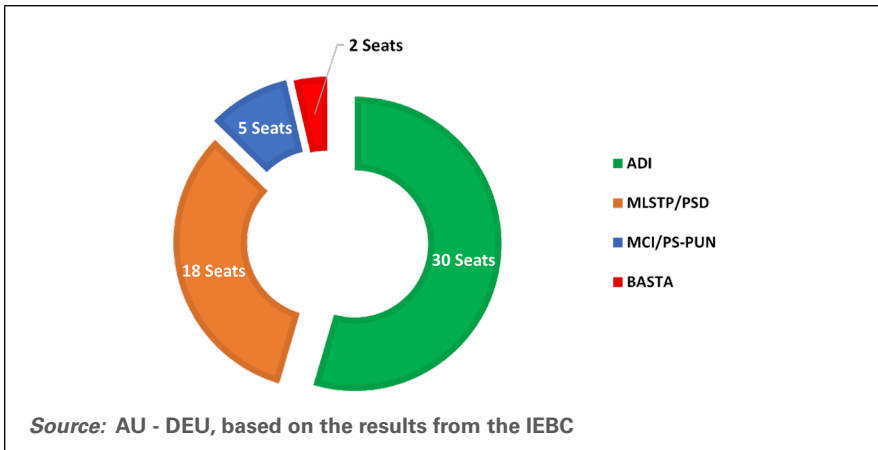
No	Political Parties	Seat	Final Results	
			Votes	%
1	ADI	30 (54.5%)	36 212	45.52%
2	MLSTP/PSD	18 (32.7%)	25 287	31.56%
3	MCI/PS-PUN	5 (9%)	4 995	6.23%

(continued)

No	Political Parties	Seat	Final Results	
			Votes	%
4	BASTA	2 (3.6%)	6 788	8.47%
5	UDD	0	697	0.87%
6	MSD/PVSTP	0	275	0.34%
7	PTOS	0	195	0.24%
8	CID-STP	0	458	0.57%
9	MUDA-STP	0	393	0.49%
10	PARTIDO NOVO	0	355	0.44%
11	MDFM/UL	0	1 597	1.99%
<b>TOTAL</b>		55		
<b>Turnout</b>			80 132	65.36%
<b>Abstention</b>			42 464	34.64%
<b>Invalid Ballots</b>			43	1.71%
<b>Voters Registered</b>			122 596	

Source: The table is the results as announced by the Constitutional Court on 3 October 2022

### III.7.2. Diagram of the results by seats won at the Parliament of Sao Tome and Principe



### ***III.7.3. Decryption of the results of the vote and impacts on the political system of Sao Tome and Principe***

The Santomean legislative results above illustrate the balance of power in the National Assembly. The legislative elections make it possible to elect the 120 deputies of the National Assembly for a term of five years. The total number of votes cast was 80,132 for a turnout of 65.36 per cent of registered voters. The number of blank and invalid ballots was estimated at 43 or 1.71 per cent. The National Electoral File had 122,596 registered voters. The official results of the elections show profound changes that have led to a democratic alternation in the National Assembly and the government, as well as rebalancing of the political system through a substantial recomposition of the relations of political forces in this state. Primarily, the Independent Democratic Action (IDA), the party of the President of the Republic, obtained 36,212 votes or 46.52 per cent of the vote. This gave them 30 seats in Parliament equivalent to 54.5 per cent of the seats. This allowed him to overtake the party of the outgoing Prime Minister H.E Jorge BOM JESUS: the Movement for the Liberation of Sao Tome and Principe—Social Democratic Party (MLSTP/SDP), which was in coalition with the President from the IDA, H.E Carlos Vila NOVA, elected in 2021. Indeed, this allowed the ADI to end the coalition that prevailed at the State Summit between the President of the Republic from its ranks and the Prime Minister who came from the MLSTP/SDP. This was unlike in 2018, when the gap between them was very small and the ADI had won 25 seats and the MLSTP/SDP had 23 seats. This narrow gap had led to a set of alliances of the MLSTP/PSD with the Party of Democratic Convergence—Reflection Group (PDC). This had allowed them to win a majority in the National Assembly and obtain the position of Prime Minister, particularly since the President of the Republic had decided to appoint H.E Jorge BOM JESUS to the Premature. In this context, the IDA fell into the fold of parliamentary opposition to the new Government while retaining the Presidency of the Republic. However, the MLSTP/PSD lost the 2022, election since it won only 18 seats (32.7%) with 25,287 votes or 31.56

per cent of the vote. The party thus loses the Premature and becomes a minority again in the National Assembly without any possibility of being able to forge this time a new parliamentary coalition as it had done in 2018. This is because the third and fourth political forces are ranked far behind them. This is the Coalition of parties MCI-PS-PUN: Movement of Independent Citizens/PS-Party of National Unity (MCI-PS-PUN (3rd)), having obtained a score of 4,995 votes (6.23%) of the votes with five deputies or 9 per cent of the seats in Parliament and the BASTA Party (4th), which obtained two seats of deputies. The remaining lists had no seats despite their variable scores. In addition, this change of legislative majority and government constitutes a vote of confirmation for the ADI and puts an end to the coalition that existed between the President of the Republic and the former prime minister. Nevertheless, despite the fall of its electoral representativeness, its party, and the MLSTP/SDP takes second place in the political landscape. For now, the political system in Sao Tome and Principe remains dominated by these two main political parties, in this context of alternation, which is one of the qualitative criteria of democratic consolidation, despite the existing political divisions. Finally, the AUEOM noted that these electoral results induce a certain political maturity of the stakeholders.

Indeed, election thus takes on its full qualitative relevance as the primary lever of deliberative pluralist democracy as the ontological source of the legitimization of rulers through the free expression of universal suffrage embodied by the Sovereign People. So, since the alternations follow one another, then 'democracy is at work' in a consolidating way in this member state, notwithstanding the political cleavages between the national actors.

### III.8. Kingdom of Lesotho

The final results of the legislative elections of the Kingdom of Lesotho are summarized in the **Table and Histogram hereunder based on statistics transmitted by the Independent Electoral Commission (IEC) to the AUEOM.**

### **III.8.1. Summary table of the final electoral results of the main political parties and coalitions at the end of the Legislative elections of 7 October 2022**

<b>Party</b>	<b>Votes</b>	<b>% Votes</b>	<b>Constituency Seats</b>	<b>PR Seats</b>	<b>Total seats</b>
<b>Revolution for Prosperity (RFP)</b>	201,478	38.89	57	0	57
<b>Democratic Congress (DC)</b>	128,517	24.81	18	11	29
<b>All Basotho Convention (ABC)</b>	37,809	7.30	0	8	8
<b>Basotho Action Party (BAP)</b>	29,285	5.65	0	6	6
<b>Alliance of Democrats (ANC)</b>	20,843	4.02	2	3	5
<b>Movement for Economic Change (MEC)</b>	17,281	3.34	1	3	4
<b>Lesotho Congress for Democracy (LDC)</b>	12,326	2.38	0	3	3
<b>Socialist Revolutionaries (SR)</b>	10,738	2.07	1	1	2
<b>Basotho National Party (BNP)</b>	7,367	1.42	0	1	1
<b>Popular Front for Democracy (PFD)</b>	4,655	0.90	0	1	1
<b>Mpulule Political Summit (MPS)</b>	4,485	0.87	0	1	1
<b>Basotho Covenant Movement (BCM)</b>	4,117	0.79	0	1	1
<b>HOPE—Mphatlalatsane</b>	3,717	0.72	0	1	1
<b>National Independent Party (NIP)</b>	3,704	0.71	1	0	1
<b>Basotho Patriotic Party</b>	3,201	0.62	0	0	0

(continued)

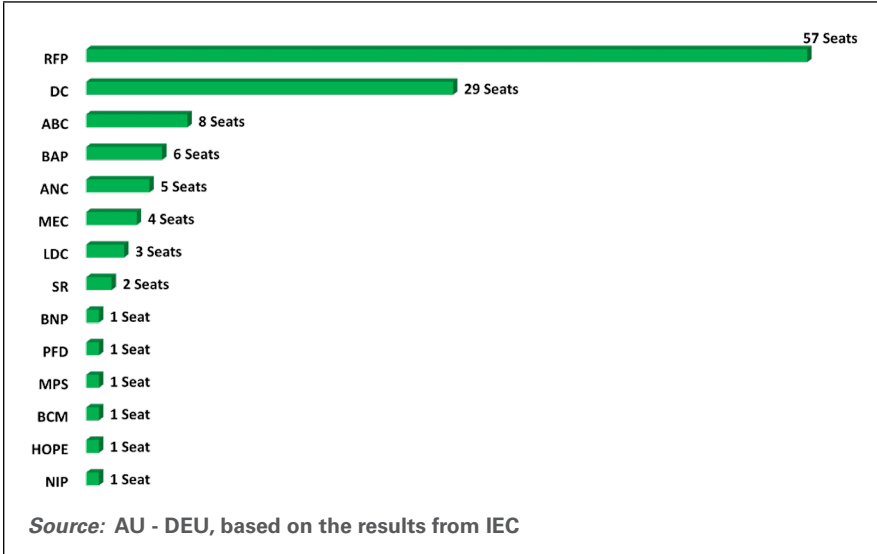


Party	Votes	% Votes	Constituency Seats	PR Seats	Total seats
<b>United for Change</b>	2,940	0.57	0	0	0
<b>Lesotho People's Congress</b>	2,075	0.40	0	0	0
<b>Alliance for Free Movement</b>	2,002	0.39	0	0	0
<b>Basutoland Congress Party</b>	1,911	0.37	0	0	0
<b>Reformed Congress of Lesotho</b>	1,809	0.35	0	0	0
<b>Marematlou Freedom Party</b>	1,767	0.34	0	0	0
<b>Basotho Liberation Movement</b>	1,530	0.30	0	0	0
<b>Basotho Democratic Congress</b>	1,167	0.23	0	0	0
<b>Basotho Democratic National Party</b>	1,165	0.22	0	0	0
<b>Lesotho Economic Freedom</b>	1,153	0.22	0	0	0
<b>Basotho Economic Enrichment</b>	1,076	0.21	0	0	0
<b>Basotho Total Liberation Congress</b>	888	0.17	0	0	0
<b>Khothlang Basotho</b>	828	0.16	0	0	0
<b>African Unity Movement</b>	750	0.14	0	0	0
<b>Your Opportunity and Network Alliance</b>	719	0.14	0	0	0
<b>Lekhotla la Mekhoa le Meetlo</b>	579	0.11	0	0	0
<b>Basotho Social Party</b>	557	0.11	0	0	0
<b>Metsi and Natural Resources Party</b>	533	0.10	0	0	0
<b>Basotho Poverty Solution Party</b>	472	0.09	0	0	0
<b>Development Party for All</b>	469	0.09	0	0	0

Party	Votes	% Votes	Constituency Seats	PR Seats	Total seats
<b>Bahlabani ba Tokoloho Movement</b>	468	0.09	0	0	0
<b>Basutholand African National Congress</b>	446	0.09	0	0	0
<b>Revolutionary Alliance of Democracy</b>	432	0.08	0	0	0
<b>Tsepo Ea Basotho</b>	423	0.08	0	0	0
<b>African Ark</b>	344	0.07	0	0	0
<b>Basotho Council for Economic Freedom</b>	302	0.06	0	0	0
<b>Basotho Redevelopment Party</b>	288	0.06	0	0	0
<b>Empowerment Movement for Basotho</b>	282	0.05	0	0	0
<b>Mookoli Theological Front</b>	264	0.05	0	0	0
<b>Yearn for Economic Sustainability</b>	231	0.04	0	0	0
<b>People's Convention</b>	225	0.04	0	0	0
<b>Allies for Patriotic Change</b>	195	0.04	0	0	0
<b>Prayer Shawl and Light</b>	118	0.02	0	0	0
<b>Independents</b>	123	0.02	0	0	0
<b>Total</b>	<b>518,054</b>	<b>100.00</b>	<b>80</b>	<b>40</b>	<b>120</b>
<b>Voters Registered</b>	1 388 117				
<b>Validly Expressed Suffrages</b>	518 054 (98.74%)				
<b>Voters</b>	524 648				
<b>Invalid votes</b>	6 594 (1,26%)				
<b>Turnout</b>	37,80%				

Source: IEC

### ***III.8.2. Histogram of the distribution of the seats of the main parties and coalitions***



### ***III.8.3. Decryption of the electoral results and impacts on the relationship of political forces in the Kingdom of Lesotho: Victory of the RFP***

These elections were to elect the 120 deputies of the National Assembly. The electoral results suggest that the political majority has changed sides. Indeed, the party of the businessman Sam Matekane Revolution for Prosperity (RFP) won the election. The RFP thus became the 'dominant party' of the country, although it did not have the absolute majority, which is 61 seats. However, their electoral breakthrough was significant because it allowed them to obtain 201,478 votes (38.89%) and 57 seats of deputies in Parliament. In second place was another former opposition party: The Democratic Congress Party (Democratic Congress-DC), led by Mathibeli Mokhothu, and which had 128,517 votes (24.81%) and 29 seats including 18 in the Majority System in a single round and 11 in the Proportional

Distribution. This despite having been marred by judicial problems that had forced its leader and former Prime Minister, H.E Pakalitha Mosisili, to resign. In addition, the All Basotho Convention Party (ABC) of outgoing Prime Minister, H.E Moeketso Majoro, lost the vote third far behind the first two by obtaining 37,809 votes (7.30%) and 8 seats that the party obtained in the Proportional Distribution system. The party's 2022 results are down sharply compared to 2017, when the party garnered 48 seats in Parliament.

The country's fiscal and socio-economic difficulties due to the aftermath of Covid-19 and the resulting economic crisis have impacted voters' choices. This has impacted the distribution of votes and the reconfiguration of the power relations of parties and coalitions on the national chessboard. The other lesson to be learned from these results is that despite the all-round multiparty system observed by the AUEOM which led to the election being contested by 48 political parties, 34 of them had each less than 0.70 per cent of votes. This indicates that the proliferation of parties and candidates has pushed voters to focus their votes more on the winning parties. This brings about a political maturity that induces a dose of electoral rationality. Despite this sovereign vote, the turnout decreased by 8.57 per cent because it was estimated in 2022 at 37.80 per cent against 46.37 per cent in 2017. The final report of the AUEOM explains that this disaffection of voters is due to a combination of two main factors: their "limited confidence in the electoral process"<sup>154</sup> and a certain "political fatigue"<sup>155</sup> due to "unstable governments"<sup>156</sup>. At the end of the election, 119 seats out of 120 were filled except that of STADIUM AREA due to the death of the member of this constituency. Overall, the AU notes that the event of the winning party created in March 2022 by the new Prime Minister opens the voice to profiling the political field and constitutes a real challenge for the classical parties.

---

<sup>154</sup> Final Report of the AUEOM, in the Kingdom of Lesotho, 2022, P.6.

<sup>155</sup> Ibid., P. 6.

<sup>156</sup> Ibid., P. 6.

## III.9. Republic of Equatorial Guinea

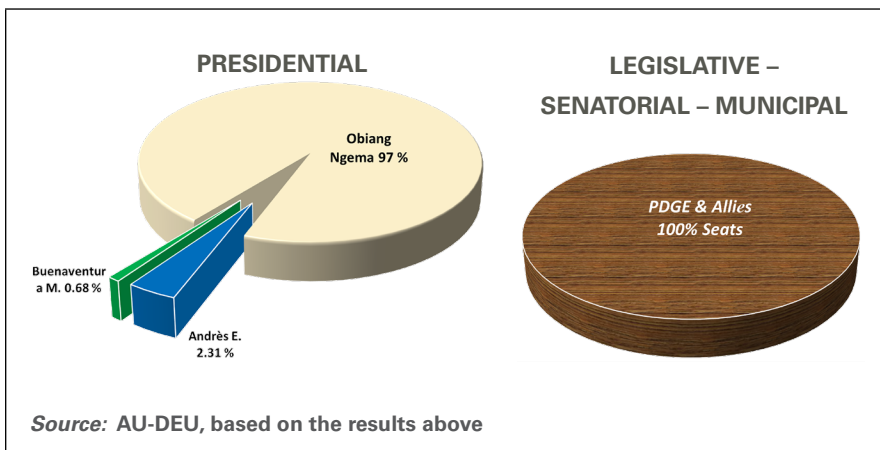
### III.9.1. Table of Results of 2022 General Elections

The results of the 2022 general elections in the Republic of Equatorial Guinea are summarized in Table and Diagrams below:

	Presidential	Legislative	Senatorial	Municipal
<ul style="list-style-type: none"> <li>• <b>Voters Registered: 427,671</b></li> <li>• <b>Voters: 420,531</b></li> <li>• <b>Valid Votes: 418,449</b></li> <li>• <b>Invalid Votes: 2,082</b></li> <li>• <b>Turnout: 98%</b></li> <li>• <b>Abstention: 2%</b></li> </ul>	Obiang Nguema Mbasogo (PDGE and Allies): 405,910	PDGE and Allies: 100 seats	55 seats	588 seats
	Andrés Esono (CPDS): 9,684	CPDS: 0 seat	0 seat	0 seat
	Buenaventura Monsuy (PCSD BABORO): 2,855	PCSD BABORO: 0 seat	0 seat	0 seat

*Source:* Results announced by the Chairperson of the Electoral Commission on 26 November 2022

### III.9.2. Diagrams of the Results



### III.9.3. Decryption of the Results of the Elections

The dominance of the political spectrum by the presidential party and its PDGE allies has emerged as an undeniable electoral empirical reality. This member state has organized elections under international observation and one party has garnered all the seats at stake in all national elections. The re-election of the President is a sign of the efficient leadership of his national magisterium vis-à-vis the voters. None of the opposition parties received a single seat as a Member of Parliament or senator. This indicates the electoral anchoring of the PDGE at the national level. Since the elections are democratic and the standard deviations are significant, this ultimately explains the lack of recourse to contest or protest against the results by the candidates running.

## III.10. Republic of Tunisia

The final results of the first and second rounds of legislative elections were announced by the ISIE and they are listed in the Table and illustrated by the Histogram below:

### III.10.1. Table of the 1<sup>st</sup> and 2<sup>nd</sup> Rounds Results

1 <sup>st</sup> Round of 17 December 2022: 23 Candidates won seats				
Voters registered	9,136,502			
Voters	1,025,418			
Voter cast	958,412			
Invalid ballots	43,217 - 4.21%			
Blank votes	23,789 - 2.3%			
Voter turnout	11.22%			
Winning candidates from the first round of elections	Governorate - Electoral district (Constituencies)	Number of Votes	Percentage	Seats
Najla Lahyani	Ariana – Ariana Ville	5,001	74.83%	1

(continued)

<b>1<sup>st</sup> Round of 17 December 2022: 23 Candidates won seats</b>				
<b>Faten Ncibi</b>	Ariana – Soukra 2	1,383	100% (one candidate)	1
<b>Aymen Boughdiri</b>	Ariana – Raoued	1,134	61.03%	1
<b>Abdelhalim Boussma</b>	Ariana – Raoued 2	1,689	100% (one candidate)	1
<b>Fayssal SShghir</b>	Ariana – Sidi Thabet	1,975	51.23%	1
<b>Maher Boubaker Lhadhri</b>	Ben Arous – Mourouj Bir Kassaa	2,336	100% (one candidate)	1
<b>Wajdi Ghaoui</b>	Ben Arous – Mourouj Farhat Hached	934	52.60%	1
<b>Ibrahim Bouderbela</b>	Ben Arous – Rades	3,700	55.65%	1
<b>Mourad Khzemi</b>	Ben Arous – Fouchena	2,231	55.82%	1
<b>Mohssen Hermi</b>	Jandouba – Jandouba Nord	3,524	51.89%	1
<b>Ali Bouzouzi</b>	Manouba – Douar Hicher	2,317	54.93%	1
<b>Amel Meddeb</b>	Tunis - Bab Souika	1,704	56.26%	1
<b>Adel Bousselmi</b>	Tunis - Beb Bhar	2,658	100% (one candidate)	1
<b>Mahmoud AMRI</b>	Sousse- Sidi Elheni	1,991	54.94%	1
<b>Youssef Ettoumi</b>	Sousse – Zaouiya	2,543	68.2%	1
<b>Hichem Hosni</b>	Tunis – La Goulette	1,588	100% (one candidate)	1
<b>Tabet El Abed</b>	Tunis - Manzeh	2,956	100% (one candidate)	1

**1<sup>st</sup> Round of 17 December 2022: 23 Candidates won seats**

<b>SaMI Sayed</b>	Bizerte – Bizerte Nord	2,565	59.53%	1
<b>Ghassen Yamoun</b>	Mednine – Djerba	2,756	51.2%	1
<b>Abdesselem Hamrouni</b>	Mednine – Bni Khdech	1,332	100% (one candidate)	1
<b>Sami Ben Abdelali</b>	Italie	644	100% (one candidate)	1
<b>Riadh Jaidane</b>	France – Marseille Nice Toulon	665	100% (one candidate)	1
<b>Omar Barhoumi</b>	France 2 – Grenoble, Lion et Toulouze	521	100% (one candidate)	1

**2<sup>nd</sup> Round of 28 January 2023: 131 candidates won Seats**

<b>Voters registered</b>	<b>7,853,447</b>			
<b>Number of voters</b>	<b>895,002</b>			
<b>Votes cast</b>	<b>853,881</b>			
<b>Invalid ballots</b>	<b>23,747 - 2.65%</b>			
<b>Blank votes</b>	<b>17,374 - 1.94%</b>			
<b>Voter turnout</b>	<b>11.40%</b>			
<b>Winning candidates</b>	<b>Governorate - Electoral district (Constituencies)</b>	<b>Number of votes</b>	<b>Percentage</b>	<b>Seats</b>
Maher Ketari	Tunis- Carthage	4,299	67.52%	1
Sonia Ben Mabrouk	Tunis- Kram	1,662	53.13%	1
Lotfi Hammemi	Tunis- Omrane	2,550	55.99%	1
Dhafer Dghiri	Tunis -Tahrir	3,413	55.87%	1

*(continued)*



**2<sup>nd</sup> Round of 28 January 2023: 131 candidates won Seats**

Cyrine Mrabet	Tunis – Syjoumi	2,092	58.14%	1
Ezzedine Teyeb	Tunis – Hreyriya	2,579	53.73%	1
Adel Dhiyef	Tunis- Sidi Hssin	2,951	58.63%	1
Mohamed Kamel Bouthouri	Tunis – Kabbariya	2,561	49.98%	1
Mohamed Amine Ouerghi	Tunis – Wardiya	1,788	58.97%	1
Aymen Ben Salah	Ariana – Soukra 1	2,183	66.55%	1
Tarek Rebai	Ariana- Tadhamon	2,238	51.79%	1
Maha Ameur	Ariana- Mnihla	3,102	69.74%	1
Olfa Marouani	Ben Arous – Madina Jadid	2,998	57.68%	1
Douha Salmi	Ben Arous – Hamma Lif Hammem Chatt	2,741	55.81%	1
Kamal Farrah	Ben Arous – Boumhal	2,626	57.98%	1
Fakhri Abedkhalek	Ben Arous – Mhamdiya	2,012	51.75%	1
Aziz Ben Lakhdar	Ben Arous - Morneg	3,885	58.62%	1
Asma Derouiche	Manouba- Manouba	1,944	51.27%	1
Mariam Cherif	Manouba – Oued Elil	2,787	52.21%	1
Sabeur Jlassi	Manouba- Mornagiya	2,949	58.79%	1
Abderrazek Aouidet	Manouba – Tborba	4,181	68.45%	1
Anouar Marzouki	Nabeul – Nabeul	5,924	60.17%	1
Sami Rayess	Nabeul – Dar Chaabane Fehri	5,063	70.91%	1

**2<sup>nd</sup> Round of 28 January 2023: 131 candidates won Seats**

Abdejilil Heni	Nabeul- Bouargoub	4,101	56.26%	1
Noura Chebrak	Nabeul - Korba	3,080	51.70%	1
Hassan Boussama	Nabeul – Manzel temim	3,042	60.99%	1
Fadhel Ben Torkia	Nabeul- Kelibia	4,190	52.20%	1
Mohamed Ben Said	Nabeul – Takelsa	3,234	55.07%	1
Abdelkader Ben Zayneb	Nabeul - Souliman	4,925	67.51%	1
Rim Sghir	Nabeul – Manzel Bouzelfa	3,202	52.45%	1
Mohamed Ali Fnira	Nabeul – Grombalia	4,216	60.80%	1
Yassine Mami	Nabeul - Hammamet	4,942	57.94%	1
Zina Jiballah	Zaghouane – Zriba	2,924	52.92%	1
Naceur Channoufi	Zaghouane - Fahss	3,775	51.63%	1
Hssan Ben Ali	Zaghouane - Souaf	6,136	67.13%	1
Fathi Mechergi	Bizerte – Bizerte Sud	1,564	51.06%	1
Sami Toujani	Bizerte - Sajnene	6,548	53.09%	1
Cyrine Boussandel	Bizerte – Jarzouna	2,624	64.69%	1
Mejda Ouergui	Bizerte- Manzel Bourguiba	3,611	73.72%	1
Ahmed Saidani	Bizerte - Mateur	2,222	51.63%	1
Youssef Tarchoun	Bizerte – Ghar el Melh	3,073	54.89%	1
Boutheina Ghanmi	Beja- Beja Nord	3,222	58.96%	1
Awatef Chniti	Beja- Beja Sud	3,280	55.04%	1
Ridha Dallaai	Beja - Amdoun	4,921	54.63%	1

*(continued)*

**2<sup>nd</sup> Round of 28 January 2023: 131 candidates won Seats**

Moez Riahi	Beja – Mjez Elbeb	4,079	54.83%	1
Hatem Houaoui	Jandouba	3,554	59.34%	1
Mohamed Yahyaoui	Jandouba – Tabarka	4,100	51.24%	1
Raouf Fekiri	Jandouba – Ghar dima	5,288	60.34%	1
Sleh Ferchichi	Jandouba - Bousselim	5,052	73.13%	1
Yasser Krari	Kef – Kef Sud	4,179	58.81%	1
Imed Sdiri	Kef – Nebr	4,057	54.35%	1
Rim Maachaoui	Kef – Kalaa Kassba	4,365	52.60%	1
Basma Hammami	Seliana – Bargou	3,501	54.86%	1
Rochdi Rouissi	Seliana – Bouarada	4,271	55.23%	1
Mohamed hedi Allani	Seliana -Makthar	5,944	57.14%	1
Abdelkader Ammar	Sousse - Sousse Ville	3,026	51.11%	1
Hela Jeballah	Sousse – Sousse Riadh	2,097	52.82%	1
Hamdi Ben Salah	Sousse – Sousse Jawhra	2,343	51.56%	1
Sofiene Ben Hlima	Sousse – Hamem Sousse	2,435	50.29%	1
Moez Ben Youssef	Sousse- Kalaa Kobra	4,468	54.72%	1
Mohamed Ahmed	Sousse - Bouficha	6,230	53.74%	1
Housseem Mahjoub	Sousse – Mssekin	2,773	61.00%	1
Yosri Baoueb	Monastir – Monastir1	2,204	57.52%	1
Salah Sayadi	Monastir – Monastir2	2,706	51.00%	1

<b>2<sup>nd</sup> Round of 28 January 2023: 131 candidates won Seats</b>				
Sami Haj Amor	Monastir - Sehline	4,544	51.97%	1
Omar Ben Amor	Monastir- Zermdine	3,537	50.20%	1
Mohamed Zied Maher	Monastir- Jammel	3,804	67.20%	1
Hamdi Ben Abdel Ali	Monastir - Moknine	4,262	54.70%	1
Riadh Blel	Monastir - Tbolba	5,330	71.21%	1
Fakhreddine Fadhoun	Monastir – Kssar Hlel	4,884	66.12%	1
Ahmed Bennour	Mahdia	3,294	53.82%	1
Mohamed Ben Hassine	Mahdia – Ksour sef	4,866	64.10%	1
Bilel Mechri	Mahdia – Chebba	4,760	55.24%	1
Mounir Kammouni	Mahdia- Awled Chemakh	3,037	54.64%	1
Imed Ouled Jibril	Mahdia - Boumerdess	4,907	56.72%	1
Fathi Rejab	Mahdia – El Jam	2,546	55.31%	1
Moez Barkallah	Sfax- Sfax Ville	4,208	53.45%	1
Sabeur Massmoudi	Sfax – Sfax West	4,250	59.75%	1
Malik Kammoun	Sfax – Sekiit Ezit	4,335	57.55%	1
Tarek Mehdi	Sfax – Sekiit Deyer	3,321	51.63%	1
Fatma Mssedi	Sfax – Sfax Sud	5,668	68.47%	1
Imen Mrouii	Sfax – Tina	2,206	52.66%	1
Chokri Ben Bahri	Sfax - Agareb	2,537	68.94%	1
Abdelhafedh Ouhichi	Sfax – Jbinyana	3,047	56.24%	1
Issam Chouchen	Sfax – Hancha	2,800	53.74%	1

(continued)

**2<sup>nd</sup> Round of 28 January 2023: 131 candidates won Seats**

Hassan Jarbouii	Sfax – Manzel Cheker	3,219	53.11%	1
Manel Bdida	Sfax – Bir Ben Khelifa	2,722	61.10%	1
Mahmoud Chalghaf	Sfax – Kerkeneh	1,625	55.54%	1
Ibrahim Hssin	Sfax – Skhira	4,915	50.26%	1
Aymen Nagra	Kairouan – Kairouan Nord	3,509	61.41%	1
Taieb Talbi	Kairouan – Kairouan Sud	4,199	55.79%	1
Nabil Hamdi	Kairouan – Sbikha	5,973	53.39%	1
Lotfi Saadaoui	Kairouan – Shbika	5,327	52.40%	1
Walid Hajji	Kairouan – Hajeb Ayoun	7,368	69.16%	1
Kamel Koraani	Kairouan - Nassrallah	4,455	68.57%	1
Mokhtar Ifaoui	Kairouan – Bouhajla	4,003	54.49%	1
Hatem labbeoui	Kasserine – Kasserine Nord	5,068	50.53%	1
Abdelaziz Chaabani	Kasserine – Kasserine Sud	3,673	51.65%	1
Hamadi Ghilani	Kasserine – Sbitla	5,616	55.89%	1
Mohamed Chaabani	Kasserine – Majel Abbessia	5,928	51.02%	1
Mohamed Amine Mbarki	Kasserine – Sbiba	8,280	59.49%	1
Ammar Aidouni	Kasserine – Tela	6,680	61.47%	1
Chafik Zaafouri	Sidi Bouzid – Bouzid sud	4,969	60.98%	1

**2<sup>nd</sup> Round of 28 January 2023: 131 candidates won Seats**

Abdessatar Zraai	Sidi Bouzid – Bouzid Est	5,111	60.59%	1
Salah Selmi	Sidi Bouzid – Jilma	4,829	67.66%	1
Jalel Khedmi	Sidi Bouzid – Bir la7fay	4,976	53.45%	1
Badreddine Gamoudi	Sidi Bouzidi - Meknessi	7,138	51.36%	1
Khaled Hakim Mabrouki	Sidi Bouzid - Rgeb	6,104	53.42%	1
Issam Bahri Jebri	Gabes – Gabes ville	2,183	50.17%	1
Thameur Mazhoud	Gabes – Gabes Sud	2,106	52.74%	1
Nour elhouda Sibtai	Gabes – Ghannouch	2,986	60.09%	1
Faouzi Daass	Gabes – Hamma	2,975	52.95%	1
Abdesslem Dahmani	Gabes – Matmata	3,926	53.74%	1
Saoussen Mabrouk	Mednine – Nord	1,792	52.23%	1
Mohamed Dhaou	Mednine – Sud	2,793	55.49%	1
Ali Zaghdoud	Mednine - Benguerdene	3,133	56.38%	1
Maassoud Grira	Mednine – Jerjiss	2,246	50.26%	1
Badiss Belhadj	Mednine – Djerba Ajim	1,917	50.71%	1
Moncef Maaloul	Tataouine – Tataouine Nord	2,050	54.39%	1
Mostafa Boubakri	Tataouine – Tataouine Sud	1,280	58.47%	1
Mokhtat Maaloul	Tataouine – Dhhiba	1,101	52.48%	1
Nejib Akermi	Gafsa- Gafsa Nord	3,524	55.00%	1

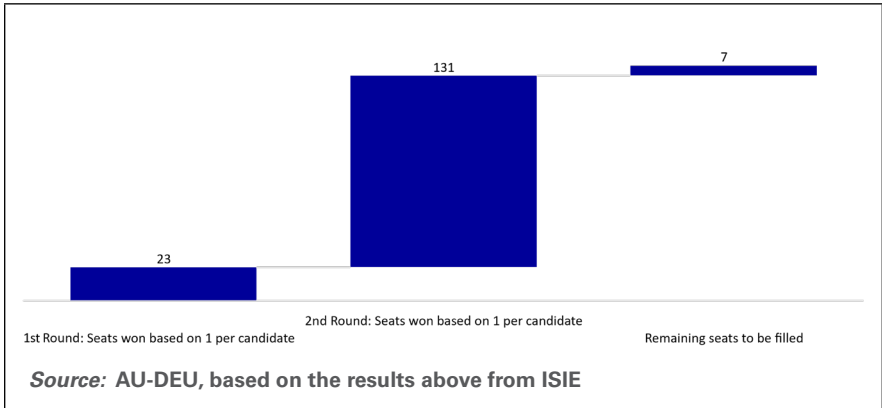
*(continued)*

**2<sup>nd</sup> Round of 28 January 2023: 131 candidates won Seats**

Mohamed ALI	Gafsa – Gafsa Sud	4,339	62.28%	1
Mohamed Mejdî	Gfsa – Om Arayess	7,605	56.48%	1
Nouri Jeridi	Gfsa - Snad	3,856	60.03%	1
Ramzi Chetoui	Tozeur	2,984	51.04%	1
Nabih Thabet	Tozeur–Jerid	2,941	57.04	1
Nizar Sadik	Tozeur–Nafta	1,121	60.37%	1
Taher Ben Mansour	Kebili- Souk Ahad	4,521	61.97%	1
Boubaker Ben Yahya	Kebili – Douz	1,755	57.13%	1
Elyess Boukoucha	Kebili – Faouar	2,366	54.82%	1

Source: ISIE.

### III.10.2. Histogram of results



### III.10.3. Decryption of the results

The Assembly of the Representatives of the People is composed of 161 seats filled for five years by first-past-the-post voting in two rounds in as many constituencies, 151 of which are in Tunisia and 10 abroad. The candidate who obtains in the first ballot an absolute majority of the votes cast shall be elected. Failing this, a second round is organized between the two candidates who came first in the first round, two weeks after the

publication of the final results and the expiry of any appeals. The candidate with the most votes in the second round shall be elected.

The candidates, even if they have a political affiliation, run individually in the elections. The turnout was 11.40 per cent of the 7,853,447 registered voters. There was an effect of a boycott at the polls and even a lack of interest from voters at the polls. Therefore, only 895,002 voters cast ballots, including 23,747 (2.65%) blank votes and 17,374 (1.94%) invalid votes.

**Note:** The number of parliamentarians is not 161 today in parliament but 154 (23 first round plus 131 second round), because there are electoral districts that have remained without candidates since the nomination phase.

There are seven constituencies abroad which are:

- France
- Germany
- Other European Countries
- Arab Countries
- The Americas
- Asia and Australia
- Africa

At the end of the first round of voting, the ISIE approved the timetable for the second round and the key dates for this deadline. Indeed, the electoral campaign took place from 16 to 27 January 2023. The second round of voting took place on 29 January 2023 and will fill the remaining 133 seats, noting that seven seats (all abroad) out of 161 had not received nominations.

The AUEOM was not deployed during this second round of elections.

By-elections will be held, but for the time being no information is provided indicating the date of these elections. Parliament's current priority is the drafting of rules of procedure and the setting up of parliamentary committees.



---

## **IV. PROGRESS AND LIMITATIONS OBSERVED IN THE MANAGEMENT OF THIS SENSITIVE PHASE OF THE ELECTORAL PROCESS**

### **IV.1. Progress**

The elections were well organized in a calm manner in almost all of the visited polling stations and the results were in accordance with the elections, according to the EMBs authorized to certify the vote.

Litigation was preferred in cases of contested results without leading to violence. In some states, the political majority has been consolidated and in others, the alternation has taken place.

The rise in power of the parties and candidates in the running foreshadows profiling of strategies towards more coalition dynamics and therefore by induction of inclusive democracy consensual through permanent dialogue to create programmatic consensus in order to access or retain power.

The nationally entrenched parties have resisted and generally adapted, although some have obtained absolute majorities and others relative majorities, leading them to form majorities of government.

Finally, the EMBs performed their functions despite political divisions and were able to meet the organizational challenge of the elections.

All this contributes to the inference that, despite the variability of electoral and political systems, overall democratic elections are binding on all AU member states as an axiological criterion for the socio-political reform of the art of managing the state.

The introduction of zebra lists or quotas has had a real systemic impact on the significant increase in the representation of women elected to elected bodies.

The centralization, processing and publication by computer of national results by polling stations has also contributed to the maintenance of peace in one member state.

The media coverage of the proclamation of provisional and official results, as well as the appeals filed, constitute another reason for democratic maturity in most of the observed states, a source of undeniable pluralistic democratic maturity.

In other words, this demonstrates that 'democracy is at work in Africa!'

## IV.2. Limits

The perpetuation of violence and hate speech against the background of contested results is a source of concern.

The lack of fair play is also a cause for concern.

The low representation of women in some states was also noted as few women were elected.

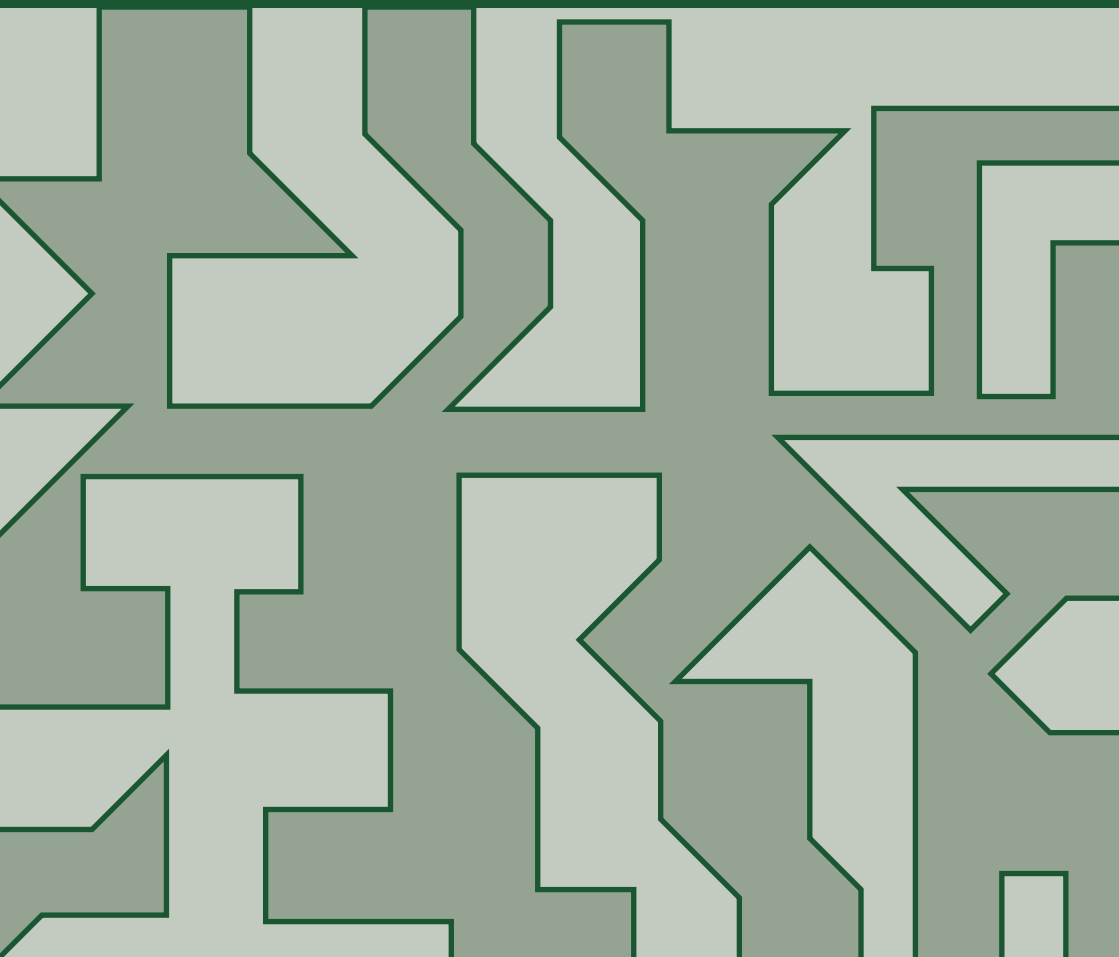
The fact that EMBs are divided within themselves and spread their disagreements in public without finding appropriate ways and means to work together is another challenge to analyse in substance and there is a need to review the mechanisms of their selections and also strengthen their capacities, if necessary.

Ultimately, the above analysis suggests that Africa is moving forward despite existing challenges that challenge stakeholders as well as the AU and RECs/RMs to conduct a thorough introspection on the meaning and scope of the progress and limitations noted by the AUEOM to seek appropriate solutions to this effect.



part **six**

**Related Pro-Democratic  
Activities of the AU  
PAPS**



**T**hroughout 2022, the AU has distinguished itself not only by its AUEOM and TA but also by other important related activities of the D-PAPS that will be addressed as driving-forces of its modernizing and stabilizing commitment to member states for more efficient elections that induce more peaceful and orderly governments and 'democracy at work'.

---

## **I. AU COMPLEMENTARY ACTIVITIES FOR DEMOCRATIC CONSOLIDATION AND UNCONSTITUTIONAL CHANGES OF GOVERNMENTS: IMPLEMENTATION OF THE ACCRA AND MALABO DECLARATIONS**

As part of its ongoing efforts to promote democratic standards and good practices in member states, the AU has taken life-saving initiatives to stem the resurgence of unconstitutional changes of governments and deepen democracy and collective security in Africa. With this in mind and in accordance with its tradition, in 2022 it adopted two major declarations that strengthen its legal arsenal in order to better deal with this recurrent but intermittent phenomenon. These include the 'Malabo' Declaration, issued at the end of the Sixteenth Extraordinary Session of the African Union Conference on Terrorism and Unconstitutional Changes of Government in Africa, of 28 May 2022 and the Accra

Declaration on Unconstitutional Changes of Government adopted on the sidelines of the Conference held in the capital of the Republic of Ghana, from 15 to 17 August 2022.

These two declarations adopted by the heads of state and governments of Africa reiterate their firm rejection of anti-democratic changes—including coups d'état; unilateral unconstitutional reforms that are sources of socio-political crises; and insecurity and terrorism that threaten peace, security, and national, regional and continental stability—which are destabilizing factors for democratic peace in the member states facing them. Unconstitutional changes of governments can cause the deregulation of electoral processes, create additional uncertainty on the timing of transitions and limit the enrolment and electoral participation of marginalized groups such as young people, women, refugees and people with reduced mobility. Internally displaced persons and refugees in member states are subject to cycles of transnational crises or conflicts linked to terrorism, coups d'état, and other risk factors that affect electoral timetables and the effectiveness of the security of electoral processes. The displacement of populations sometimes also creates a weakening of state public authorities in the most vulnerable affected areas, which are often confronted with rising uncertainties and the threat of terrorism as destabilizing factors.

Cross-border crime networks are another priority for the AU. Given the complexities and ramifications of cross-border crime networks and their negative impacts on electoral processes and the consolidation of the rule of law and pluralist democracy, the AU is multiplying proactive initiatives to address these challenges. It is with this in mind that the AU supports and coordinates its actions with the member states, the RECs/RMs and the APRM<sup>157</sup> as well as the PAP and all relevant national, regional and international actors such as academics, members of civil society, representatives of states accredited to it, among others.

---

<sup>157</sup> APRM: African Peer Review Mechanism.

In addition to these two Declarations, there is also the Communiqué of the Peace and Security Council of the AU, issued at the end of its 1100th Meeting, held at the headquarters of the Continental Institution in Addis Ababa, Republic of Ethiopia, on 15 August 2022. This Communiqué highlights the importance of coordinating sanctions.

In addition, the continent is part of the July 2018 Joint Declaration sanctioning the ECCAS-ECOWAS Summit in Lomé, Togolese Republic, which prescribes: the need to develop guidelines on the principles of constitutional convergence for their member states<sup>158</sup>. These important instruments are an extension of other continental legal norms that contribute to the overall pan-African effort towards good democratic governance and the visceral rejection of unconstitutional changes. These include: the OAU/AU Constitutive Act, Vision 2030, the Maputo Protocol; previous OAU/AU and PSC Decisions on unconstitutional changes of Government in Africa; the conclusions of the PSC Retreat held in Ezulwini (e-Swatini) from 17 to 19 December 2009, or the Ezulwini Framework for Strengthening the Implementation of African Union Measures in Situations of Unconstitutional Changes of Government; and the Communiqué [PSC/PR/COMM.1061 (2022)] adopted at the 1061st Meeting of the PSC held on 27 January 2022, which calls for the holding of a Forum of reflection of the PSC and other stakeholders on this crucial issue. These measures are aimed to develop pan-African dynamics to: “build An integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in the international arena”<sup>159</sup>.

The AU reaffirms its strong commitment to prevent and reject unconstitutional changes as it has always done by adopting other continental instruments such as the AHG/Dec Decisions.141(XXXV) and AHG/Dec.142 (XXXV) of the 35th Ordinary Session of the Assembly of Heads of State and Government of the OAU, held in Algiers, Republic of

---

<sup>158</sup> PSC Communiqué, 1100th Meeting, 15 August 2022,

<sup>159</sup> AU Vision, <https://au.int/en/about/vision>

Algeria, from 12 to 14 July 1999; the Declaration on the OAU Framework for Response to Unconstitutional Changes of Government of the 36th Ordinary Session of the Assembly of Heads of State and Government of the OAU, adopted in Lomé, Republic of Togo, from 10 to 12 July 2000 (also referred to as 'The Lomé Declaration') and the Johannesburg Declaration on 'Silencing the Guns in Africa' adopted at the 14th Extraordinary Session, of 6 December 2020. Ultimately, the objectives pursued in this exemplary pro-democracy momentum are to ensure that Africa is free from major conflicts and crises that could slow down its political development and undermine the foundations of its political development. Participants of the Accra Declaration committed to:

"1. Continue to firmly condemn all forms of unconstitutional changes of government in Africa, the Coup perpetrators and the manipulation of democratic processes to effect constitutional amendments or revisions in order to consolidate the power of the incumbent in violation of national democratic principles and stipulated rules and procedures for constitutional amendments and, in this regard, urge all interested parties to address political concerns through the available national legal mechanisms with a view to finding solutions in a constructive, peaceful and constitutionally acceptable manner; emphasize that unconstitutional changes of government, in all circumstances, should not be accepted or justified;

3. Fully implement existing national, regional and continental legal tools, the African Peace and Security Architecture (APSA) and the African Governance Architecture (AGA), as well as the African Peer Review Mechanism (APRM), to enhance national ownership of governance processes and consolidate democratic governance, prevent, manage and resolve conflicts; and to undertake post-conflict stabilization, reconstruction and development; in this regard, underscore the need to multiply continental efforts to mobilize political



and financial resources for more ratification of the AU and RECs/RMs governance and human rights instruments, especially those aimed at promoting social justice;

(...);

10. (...), underscore the need for member states, creation of governance structures that allow smooth transition processes, inclusivity in national engagements to address the lack of fidelity to transitional justice within the community; (...)"<sup>160</sup>.

The AU also emphasizes the factors that contribute to crises, hence the need to respect the Constitutions, the separation of powers, encourage the professionalism and independence of political and social authorities and institutions or customary in the political field. An additional pledge to induce the consolidation of the rule of law and pluralist democracy.

---

## II. DYNAMICS OF INTERNATIONAL COOPERATION FOR THE PROMOTION OF GENDER EQUALITY AND DEMOCRATIC STANDARDS

The AU maintains privileged relations with African regional organizations and the rest of the international community including the United Nations and other TFPs that are substantially involved in promoting democratic norms and standards in Africa. It shall develop with them multilateral cooperation activities aimed at, inter alia: the consolidation of participatory pluralist democracy, in particular to promote civic equality between men and women in the member states.

---

<sup>160</sup> AU, Accra Declaration on Unconstitutional Change, pages 3 and 5.

Indeed, by virtue of the relevant requirements relating thereto, including those mentioned above to which are added: Vision 2030 and Agenda 2063 of the AU; the SDGs, UN Security Council Resolution 1325; the Maputo Protocol on Gender in Africa; and the ACDEG among other standards in favour of effective women's inclusion in the multilevel democratic governance of the continent.

As always, the AU encourages member states to accelerate their strategies aimed at the effective implementation of continental, regional and national standards for gender parity first by the adoption of quotas of at least 30 per cent by 2030 and then to peak with full parity by 2063.

Throughout its various missions in 2022, the AU played a pioneering role in the empirical observation of standards of gender parity in its member states. The AU also advocated for member states to stimulate women's *leadership* in the socio-political space and especially their effective participation in electoral processes in the states observed by her Missions.

Indeed, the AU has amplified its commitment to the advancement of girls and women in the democratic governance of its member states as well as in the deployment of its missions. H.E. Ambassador Bankole ADEOYE, AU PAPS has constantly reiterated his commitment to greater female representation in the composition of AUEOM teams, electoral assistance teams, RECs/RMs, and all other types of activities.

In addition, *in situ*, through the questionnaires distributed to the LTOs and STOs on election day, special attention was paid to this fundamental priority issue, which constitutes one of the criteria for the political modernization of African institutions and states.

In addition, on the ground, the AU and the other international missions or TFPs involved in the monitoring and observation of electoral processes regularly exchanged information on the gender dimension

in the proper conduct of electoral processes. This is in the name of democratic consolidation on the continent and respect for the universal dimension of the expression of suffrage as a salient criterion of socio-political progress aimed at breaking the glass ceiling and cultural and political inequalities based on discrimination against women and girls. The persistence of socio-cultural or religious stereotypes and sometimes professional constraints mean that women and girls are often marginalized from voting. They are mostly voters or activists within the political apparatus but are still globally underrepresented as candidates. Within EMBs as well as electoral staff, this trend is noted by AU observers in the majority of member states covered in 2022 with the exception of **Senegal**, which practices full parity in the number and order for lack of inadmissibility of offending lists, but also, **Kenya**, which has made enormous efforts in this regard. Overall, the general trend is towards an effective increase in women's representation in the national political arena of the member states. This is another reason for satisfaction that indicates the strategic importance of further and better strengthening interstate cooperation in Africa to exchange good practices between countries, but also multilateral: between the AU and other actors of the international community. Gender parity in candidates, within the electoral staff of EMBs, in the electoral file or mobilized in front of the queues of polling stations and those elected at the end of the elections is a strategic priority that makes it possible to objectively measure the progress made in the effectiveness of parity in Africa. This goes hand in hand with the backdrop of popularising a certain kind of diplomacy towards the PTFs and the member states.

At the **Joint AU/UNOAU Workshop held from 13 to 14 October 2022** at the headquarters of the Continental Institution on the theme 'Equal Participation of Women in Electoral Processes in Africa,' Patience Zanelie CHIRADZA, AU Director of Governance and Conflict Prevention, stressed in her opening remarks:

"This workshop is timely in the wake of reforms within the AU as well as restructuring efforts underway within our Department. The AU expects from this Workshop relevant recommendations in order to strengthen its strategy to consolidate the democratic achievements and the pluralist rule of law in Africa for a better effective and efficient participation of women in the electoral processes of the Continent"<sup>161</sup>.

UNOAU also strongly advocated strengthening existing international cooperation with the AU on all fronts, including promoting gender parity in the operationalization of UNSC Resolution 1325 and the SDGs. This involves the technical and financial support necessary to achieve these mutual objectives set by the experts of the two organizations and which are recorded in the Final Report of the Joint Workshop, which reflects the major trends on the real state of implementation of the various joint approaches in the member states which have organized elections in 2022 and those which were preparing to do so during 2023. This sharing of experiences was also done at the invitation of Senegal and Kenya, who had to take important steps during their last elections aimed at achieving full parity in their electoral systems with nuances in their approaches. **Senegal** has opted for strict full parity in the number and order, in the absence of inadmissibility of non-parity lists to the point of invalidating by the Constitutional Council, of the lists of candidates for the last legislative elections, including that of the alternates of the national list of the ruling coalition of Benno Bok Yakar (BBY), as well as the majority of the opposition coalition Yewwi Askan Wi (YAW); this has been controversial and deserves in-depth reflection on the repercussions of applying parity if the stakeholders are not well equipped to implement it. If the Constitutional Council had

<sup>161</sup> Patience Zanelie CHIRADZA, Director Governance and Conflict Prevention (GCPD), D-PAPS/AU, Opening speech of the Joint AU/UNOAU Workshop of 13 and 14 October 2022, extracted in pages 1 and 2.

decided out of rigorism to invalidate the lists of these two majority coalitions in the political arena because of the strict full parity of order and number, it would have been complicated for the country because we would have had an unprecedented situation of blockage or denial of representativeness to apply parity. Using its wise decision, the Constitutional Council refused to trivialize the parity requirements in favour of the effectiveness of gender rights in electoral processes.

This case deserves attention in order to think later about adopting support mechanisms, awareness and capacity building not only with candidates, political parties or coalitions but also with EMBs.

The Workshop noted that overall parity dynamics are underway in Africa in the context of the democratization of the continent.

The AU has recognized the strategic diplomatic importance of strengthening democratic joint cooperation in Africa. That is why, in her closing speech of the Joint AU/UNOAU Workshop, on October 14, 2022, Karine KAKASI SIABA, Ag Coordinator of the AU Democracy and Elections Unit (DEU), reiterated the Continental Institution's call to: "further amplify the mutual dynamics of positive cooperation as well as with the other TFPs present (...)." <sup>162</sup>. Furthermore, "(...) the AU remains grateful and ready to work more in this direction. On this, the AU would like this workshop to be an on-going one held each year in Africa with more EMBs present and other partners involved in electoral processes and especially in promoting gender parity in Africa; in the consolidating political dynamics in favour of the qualitative and quantitative stimulation of female representation in our States and institutions of public and political governance" <sup>163</sup>.

---

<sup>162</sup> Karine KAKASI SIABA, Closing remarks of the Joint AU/UNOAU Workshop of 13-14 October 2022, at the AU headquarters in Addis Ababa, page 2.

<sup>163</sup> Karine KAKASI SIABA, Idem.

### III. ELECTORAL PREVENTIVE DIPLOMACY EFFORTS FOR A PEACEFUL RESOLUTION OF POLITICAL CRISES AND CONFLICTS IN AFRICA

Preventive diplomacy favours approaches in terms of rational anticipations to better manage and prevent socio-political or other crises and conflicts. It is based primarily on strategic intelligence and ex ante mediation in order to create the conditions conducive to the peaceful resolution of disputes. It takes into account upstream the fact that in Africa, most conflicts have primarily political or even electoral roots because they stem directly or indirectly from poor management of electoral crises in most of its member states. However, there are correlations between instability due to the resurgence of conflicts and difficulties related to the consolidation of peace, security and national or even regional stability; in the name of "democratic peace".

With this in mind, the AU intends to deepen its fruitful cooperation relations with the RECs/RMs and the TFPs, particularly the UN Security Council. In his speech at the Meeting with the UN Plenary, the CPAPS/AU H.E Ambassador Bankole ADEOYE mentioned that: "The Organizations always have in common the particularity of always forging subtle and fruitful interdependent relations with a view to transcending crises and conflicts in Africa and in the World. In the African case, the excellence of our diplomatic relations contributes above all to resolving conflicts and socio-political crises within States. In this regard, the articulation and deepening of dialogue between our two organizations is undoubtedly one of the vectors of success of our actions to induce continental peace, security, and stability"<sup>164</sup>.

<sup>164</sup> Speech of the Commissioner for Political Affairs, Peace and Security (CPAPS) of the African Union (AU) at the Meeting between the AU Peace and Security Council and the United Nations (UN) Peace Council, Session: The Application of Sanctions in Conflict Situations in Africa"; p. 1.

With this in mind, in 2022, the D-PAPS/AU undertook Preventive Diplomacy missions in accordance with its mandate. Thus, it has deployed in the Republic of Kenya and states in transition that have undergone unconstitutional changes. This allowed it to be part of the perspective aimed at ensuring rounds of consultations and decision-making primarily with ECOWAS, the AU PSC and the UNSC.

At another level, the AUEOM is often enriched depending on the context by the participation of the Panel of the Wise located within the AU Secretariat: Mediation and Dialogue Division, which facilitates its intervention in electoral processes in Africa. The excellence of their expertise in democratic governance and their moral probity and professional effectiveness contribute to strengthening the qualitative contribution of the multivariate interventions of the AU missions, in particular to avoid the occurrence of crises or conflicts before, during or after elections. This is also the meaning of the Panel's reflection entitled: "Mediation Support in Electoral Processes or Crises"<sup>165</sup> organized on 12 October 2022. The AU had deployed Mediation Missions in the Republics of: "Zambia, Gambia, Kenya, and Lesotho"<sup>166</sup>.

In addition, the following missions have a crisis prevention component such as:

- Joint AU-COMESA-CEA Pre-Electoral and Evaluation High-Level Consultative Mission deployed from 15 to 21 May 2022 in the Republic of Kenya; and the
- Tripartite Technical Mission of Electoral Evaluation AU-COMESA-CEA-IGAD in the Republic of Kenya deployed from 25 June to 25 July 2022.

---

<sup>165</sup> Speech Ambassador Calixte Aristide MBARI, Head of Democracy, Elections and Constitutionalism Division, Directorate of Governance & Conflict Prevention, AU, D-PAPS, 26 October 2022, p.1, point 1.

<sup>166</sup> Discourse referred to above, Idem, P.3, Item 8.

The AU has carried out such missions in Kenya as a prelude to the general election and in view of the beginnings of interethnic socio-political crises in the past. This dynamic of anticipation has been well received by national and regional actors and even the international community. This makes it possible to say that the AU is taking a serious option in terms of innovation of its method by synergizing various Units and Divisions of the D-PAPS/AUC to identify the destabilizing factors of electoral processes in Africa. In this qualitative perspective, mediation, early warning, AGA, human rights among others, are in coherence of action with the Democracy and Elections Unit of the AU under the leadership of the hierarchy of the Continental Institution. While each retains its mandate and objectives, they reinforce their level and quality of transversal cooperation to better anticipate socio-political crises and conflicts, including those relating to electoral processes in the member states. This makes it possible to transcend systemic partitioning and constantly innovate continental action on the ground.





## CONCLUSION AND RECOMMENDATIONS

---

### CONCLUSION/CRITICAL LESSONS

The African Union expresses its deep appreciation to the peoples of the observed states for their political maturity and sense of responsibility in voting freely and transparently for the candidates of their choice. The AUEOM and the AU Technical Assistance missions contribute to the democratic consolidation and capacity building of electoral staff. The AU would like to thank all the heads of mission who kindly led their AUEOM in the various member states. It wishes to reiterate its encouragement to the EMBs which organized the elections in a complex post-COVID 19 context of geopolitical, diplomatic, economic and financial crisis, with varying degrees of impacts faced by member states.

The AU wishes to commend the professionalism observed in the states visited and the diligence taken to facilitate the success of its missions. It also congratulates all member states on the progress noted in this report. Indeed, full gender parity and two-thirds parity is accelerating in the Republics of Senegal and Kenya, respectively. However, it must be acknowledged that in most other states covered by the AUEOM, the trend to gender parity is sluggish. Indeed, the cancellation of the joint provisions in the Republic of Tunisia and the lack of trust between the parties had a definite impact on the low participation rate. Added to this is the sharp decline in women candidates in the Republic of The Gambia. Substantial efforts should be made in Africa.

In addition, beyond the imperative that there is to glimpse a constructive national dialogue in states in crisis of confidence between stakeholders of electoral processes, it is urgent to strengthen the anticipatory meditative

dimension of the AU and its multilevel cooperation with the RECs/RMs, the UN and all relevant TFPs interested in this area.

In addition, the decisive involvement of CSOs also contributes to this and makes it possible to facilitate citizen participation within states.

Moreover, traditional EMBs, such as jurisdictional or ad hoc EMBs in electoral processes, have played their roles professionally, sometimes despite some reservations or controversies relating to their level of independence, such as modes of designation.

In all cases, the elections led in 2022 to democratic alternations and sometimes to the rise of opposition coalitions in places, or the strengthening of a majority of governance, suggesting the existence in some political systems of dominant parties. In any case, the electoral gains are consolidated in Africa every day according to the elections and pluralistic democracy, although remaining a structural and functional challenge and a stake of great importance, and polarizes the attention of internal and external stakeholders. The AU, through its activities, intervenes and advocates for states and actors on all sides to act fairly and accept the results of the ballot box or, failing that, to settle possible disputes via legal channels.

The AU is also committed to addressing the challenges of unconstitutional changes and attempts to do so by reiterating its full commitment to "zero tolerance".

It notes the emergence of political coalitions in some member states, and the rise of independent candidates in others. In an era of NICTs, the relationship between voters and parties or coalitions underwent complex dynamics 'top down' and 'bottom up' driven by 'complex interdependencies'. They implicitly suggest a reprofiling of the strategies of the actors, and by induction, an essential reinvention of the balance of power between parties, and between rulers and governed.

The security forces remained generally discreet and professional and did not intrude into the electoral process. This was very much appreciated by the AUEOM.

The AUEOM' interactions with the other international or regional missions and the internal and external CSOs suggest that the Continental Institution is more than ever determined to strengthen peace, security and stability in member states through regular, transparent, sincere and credible electoral processes. Its impartial assessment during the elections, as well as its substantial qualitative contribution in terms of electoral assistance, contribute incidentally to strengthening democratic achievements and to further promote the values of solidarity, political ethics and performance in the monitoring and evaluation of the continent's electoral and political systems.

Far from latent or existing crises and conflicts, Africa is travelling the path of negotiated transitions via pluralist democracy and the rule of law. The alternations recorded in 2022 and the fluctuating dynamics of the relations of political forces in most states observed indicate that African democracy is flourishing.

Africa has the springs and resources as well as daughters and sons capable of evolving in the wake of happy fundamental structural innovations to refocus political governance at the heart of taking into account the deep, legitimate and democratic aspirations of citizens and, therefore, of the sovereign people, which is the alpha and omega of the legitimization of powers in contemporary states via inclusive deliberative democracy.

Ultimately, despite the discursive dimension often noted at the beginning of the era of contemporary transitions on the African continent, the march is launched towards the encapsulation and ontological appropriation of "real democracy".

In other words, African democracy is on the march and promises a better tomorrow if the reforms proposed for each observed state are implemented inclusively and constructively through a series of broad pro-democracy consultations between power and opposition, prioritizing the higher interest of the nation.

Africa is on the pathway towards democratic encapsulation in its *corpus juris* as well as in its vision.

---

## RECOMMENDATIONS

The African Union Commission makes the following recommendations to:

### **Governments:**

1. Deepen dialogue before, during and after electoral processes and ensure consensus to induce more reforms acceptable to and accepted by all actors involved in the matter.
2. Reduce disagreements on sponsorship issues, parity among others and take into account opposing views in order to strengthen "democratic peace" and further share its reforms with stakeholders.
3. Allow consideration to be given to reforming the methods of designation of EMBs in a less divisive way to put them above partisan criticisms and contingencies.
4. Avoid resorting to unilateral decisions to decide electoral issues that are often sensitive because they have direct and indirect induced effects of mistrust of electoral processes.
5. Avoid adopting deconsolidating reforms and promote those that consolidate.
6. Strengthen the independence of EMBs further to stimulate transparency, regularity and sincerity of elections.
7. Increase accreditations for national election observation wherever possible and avoid decreasing accreditations, especially when the number of polling stations increases during elections.
8. Adopt party financing mechanisms and avoid using state funds and resources for partisan political propaganda.
9. Provide the Opposition with a Statute and further guarantee freedom of expression and the rights of all actors in power and the opposition, including equitable access to public media.

**EMBs:**

1. Further strengthen their independence and financial, human and technical means of operation to fulfil their mandate better.
2. Promote gender parity within the EMBs and also among electoral staff.
3. Strengthen the ongoing dialogue with all stakeholders.
4. Be equidistant between candidates, political parties and coalitions in the running.
5. Provide polling stations with minutes and result sheets in sufficient numbers and arrange electoral materials in sufficient quantity and on time to allow the opening and closing of voting in accordance with legal provisions.
6. Contribute to strengthening fruitful and constructive interactions with CSOs to promote civic education and capacity building of their members for an efficient holding of elections.
7. Clarify in the states concerned the time of closure of the polling stations.
8. Stimulate the representation of women and young people in all aspects of elections and facilitate making the voting process and the polling stations accessible for the elderly, those living with a disability and pregnant and breastfeeding women.

**Candidates, political parties, and coalitions contesting:**

1. Promote democracy and dialogue in all circumstances.
2. Strengthen and prioritize the representation of women and youth as candidates and representatives throughout electoral processes.
3. Contribute to consolidating the rule of law and inclusive, participatory democracy.
4. Adopt a Code of Conduct if it has not already been done and respect it to pacify the political field further and thus prioritize the contradictory programmatic debate.

**Civil Society Organizations:**

1. Continue training activities and electoral monitoring in all the states visited by the AUEOM.
2. Raise awareness about gender parity and sponsorships to induce saving consensus among stakeholders in the electoral process.
3. Strengthen its independence and margins of action on electoral observation.

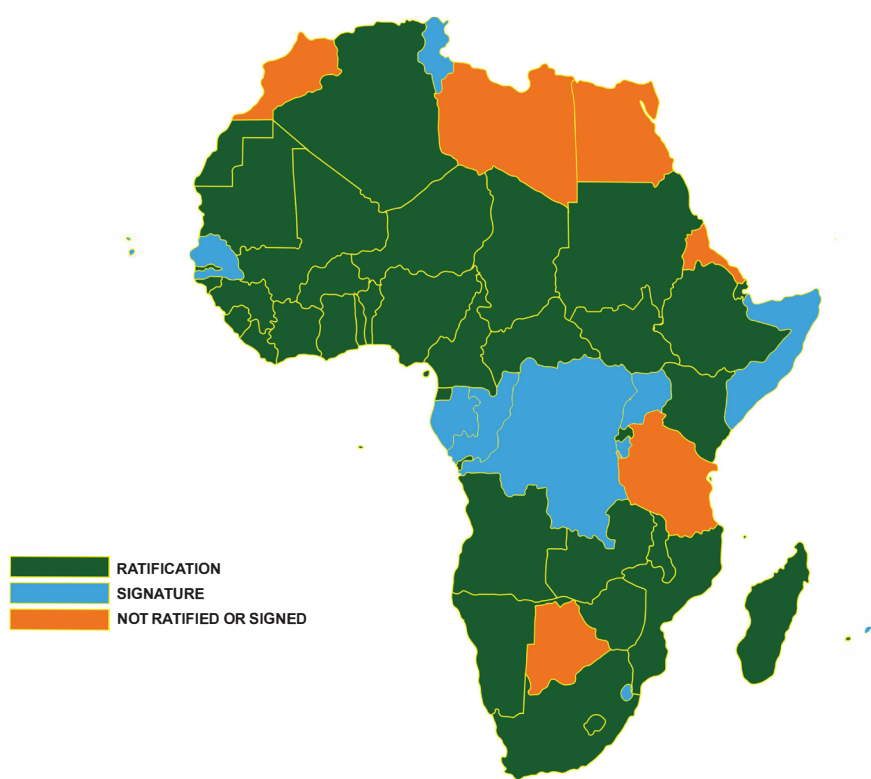
**African Union, RECs/RMs and the International Community:**

1. Strengthen the cooperation and collaboration between AUEOM and TA in the field,
2. Stimulate the logic of cooperation to put a definitive end to the sources of vulnerabilities and support efforts to consolidate democracy, restore the constitutional order and sustainable development in Africa.

## ANNEXES

### ANNEX A:

**Map 1:** The status of the ratification of the ACDEG in each of the members states observed in 2022<sup>167</sup>



Source: AU-DEU

<sup>167</sup> As illustrated in December 2022.



## ANNEX B: AUEOM DEPLOYMENT MAPS IN 2022

The regions and provinces in each stated observed by AUEOM are shown in green in the following maps.

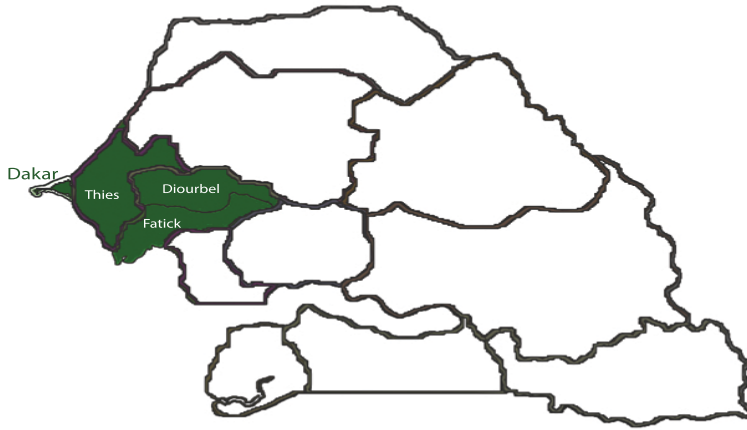
### AUEOM-Gambia Deployment Map



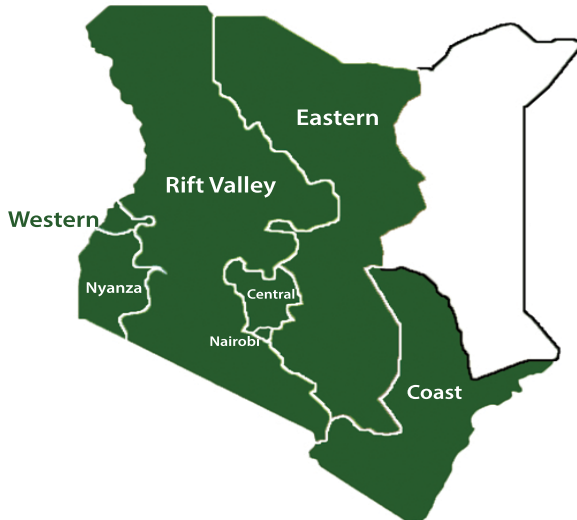
### AUEOM-Congo Brazzaville Deployment Map

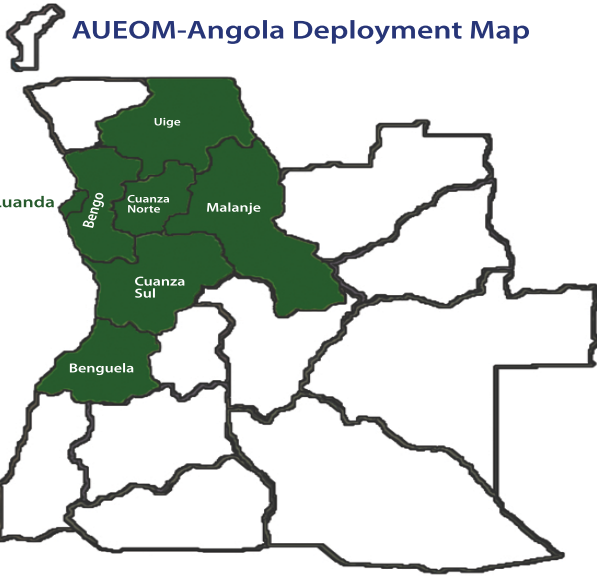


### AUEOM-Senegal Deployment Map



### AUEOM-Kenya Deployment Map





### AUEOM-Lesotho Deployment Map



### AUEOM-Equatorial Guinea Deployment Map



### AUEOM-Tunisia Deployment Map



# BIBLIOGRAPHY

---

## I. AU OFFICIAL DOCUMENTS

### I.1. 2022 AUEOM final reports

1. Final Report of the African Union Observation Mission to the 9 April 2022 National Assembly Elections in the Republic of the Gambia, 15 pages.
2. Final Report of the AUEOM for the Legislative Elections in the Republic of Congo 10 July 2022 (1st Round), October 2022, 38 pages.
3. Final Report of the Electoral Observation Mission of the African Union for the Legislative Elections of 31 July 2022 in the Republic of Senegal, 27 pages.
4. Final Report of the African Union Election Observation Mission to the 24 August 2022 General Elections in the Republic of Angola, September 2022, 27 pages.
5. Final Report of the African Union Election Observation Mission to the 9 August 2022 General Elections in the Republic of Kenya, September 2022, 43 pages.
6. Final Report of the African Union Election Observation Mission to the 7 October 2022 National Assembly Elections in the Kingdom of Lesotho, December 2022, 25 Pages.
7. Final Report of the AUEOM in the Republic of Equatorial Guinea, General Elections of 20 November 2022, 26 pages.
8. African Union Electoral Observation Mission for the Legislative Elections in the Republic of Tunisia 17 December 2022 First Round, January 2023, 26 pages.

## I.2. AU PSC reports

1. AU Peace and Security Council (PSC) 1096th Meeting, Report of the Chairperson of the African Union Commission to the Peace and Security Council on Elections in Africa for the Period of January-June 2022 CPS, Ref.: PSC/PR/Comm.1096 (2022), Communiqué, 2 August 2022, 21 pages.
2. Report of the Chairperson of the African Union Commission to the Peace and Security Council on Unconstitutional Changes in Africa for the Period from July to December 2022, Ref.: PSC/PR/RPT.1132 (2023), 20 January 2022, Addis Ababa, Ghana, 22 pages.

## I.3. AU declarations

1. Accra Declaration on Unconstitutional Changes of Government in Africa, 15–17 March 2022, Accra, Ghana, 7 pages.
2. Preliminary Statement of the AUEOM for the General Elections of 20 November 2022 in the Republic of Equatorial Guinea, 10 pages.

## I.4. AU speeches

1. Speech by the Commissioner for Political Affairs, Peace and Security (CPAPS) of the African Union (AU), His Excellency (H.E) Ambassador Bankole Adeoye, at the Meeting between the AU Peace and Security Council and the United Nations (UN) Peace and Security Council, 7 pages.
2. Meeting of the Peace and Security Council, 4 August 2022, Addis Ababa, Ethiopia, Topic: 'Emerging Technologies and New Media: Impact on Democratic Governance, Peace and Security in Africa', Speech of H.E Ambassador Bankole Adeoye, Commissioner of Political Affairs, Peace and Security, D-PAPS, AUC, 4 pages.
3. AU-UNOAU Joint Workshop on Women's Equal Participation in Electoral Processes in Africa, 13 and 14 October 2022, Opening Remarks of Patience Zanelie Chiradza, Director of Governance and Conflict Prevention, 13 October 2022, D-PAPS, Addis Ababa, 2 pages.

4. AU-UNOAU Joint Workshop on Women's Equal Participation Electoral Processes in Africa, 13 and 14 October 2022, Closing Remarks of Karine Kakasi Siaba, Ag Coordinator, Democracy & Elections / Democracy, Elections and Constitutionnalism Division, Directorate of Governance & Conflict Prevention, 14 October 2022, D-PAPS, Addis Ababa, 2 pages.
5. Amb. Calixte Aristide Mbari, Head of Democracy, Elections and Constitutionnalism Division, Directorate of Governance & Conflict Prevention, 26 October 2022, Panel on 'Mediation Support in Electoral Processes or Crises', 4 Pages.

---

## II. LEGAL FRAMEWORK OF ELECTIONS IN OBSERVED MEMBER STATES IN 2022 AND RELATED DOCUMENTS

1. ARPC: Assembly of the Representatives of the People and the Constitution (National Assembly of the Republic of Tunisia).
2. Tunisia: Publication in Jort of the presidential decree on the dissolution of the ARP | Webmanagercenter available on: <https://www.webmanagercenter.com/2022/03/31/483405/tunisie-publication-au-jort-du-decret-presidentiel-sur-la-dissolution-de-larp/>
3. Constitution of the Republic of Senegal, 1996 revised and supplemented.
4. Electoral Code of the Republic of Senegal.
5. Electoral Code of the Republic of Kenya.
6. Electoral Code of the Republic of Congo.
7. Constitution of the Republic of Angola, [http://angola-constitution.pdf \(accf-francophonie.org\)](http://angola-constitution.pdf(accf-francophonie.org)),
8. Constitution of the Republic of Equatorial Guinea
9. Constitution of the Republic of The Gambia

10. Constitution of the Kingdom of Lesotho
11. Constitution of the Republic of Tunisia
12. Organic Law on the Organization and Functioning of the CNE, Subsection III, available on the link: [CNE-Legislação-5627285f92d776.pdf](#), p. 14.
13. Organic Law (O.L.) N° 28-2018 of 7 August 2018 on the organization and functioning of the Constitutional Court, supplemented by O.L. N° 57-2020 of November 18, 2020 adopted jointly by the A.N. and the Senate, promulgated by the President of the Republic in these Articles 1 to 3 of the O.L. confers this power on the Court.
14. Angolan Media Regulatory Entity (AMRE): Law on the Press - Law No. 1/17 and Organic Law of the Angolan Media Regulatory Authority - Law No. 2/17
15. Decisions of the Constitutional Council of the Republic of Senegal: trough the link: [www.constitutional-council.sn](http://www.constitutional-council.sn).
16. Cohesion and Integration Commission with its Strategic Plan (2020-2025) as well as the Office of Registrar of Political Parties, the Kenya National Commission on Human Rights, and National Police Service Commission. See Final Report of the AUEOM, Kenya, 2022, P.42.



**T**his Annual Report constitutes a fundamental innovation in the functioning of the Department of Political Affairs, Peace and Security (D-PAPS) of the African Union (AU) within its Democracy and Elections Unit (DEU). It thus lays the innovative didactic milestones of the progressive Strategic Vision of the new leadership of the AUC primordially embodied by the Chairperson of the AU Commission H.E Moussa Faki MAHAMAT supported by Ambassador Bankole ADEOYE, CPAPS/AU. This gives it the advantage of being an important work which aims to be a Fundamental Referential Framework, allowing the formulation of relevant conclusions and recommendations on the real state of progress, limits, actors, challenges, issues and prospects of electoral processes in Africa to ultimately induce 'democratic peace' and the pluralist rule of law, particularly in the member states covered in 2022.

In addition, the aforementioned Annual Report highlights the impact of the role of Election Management Bodies (EMBs) according to the types of elections and the nature of the national dynamics of the states, considering the major factors and actors in the running that contribute to the expression of suffrage with a view to a democratic legitimization of political power by the sovereign people, holder par excellence of the sui generis ontological sovereignty.

Indeed, it undeniably constitutes a major continental strategic document which deals with several aspects of the democratic and electoral governance of AU member states such as:

- voter registration;
- candidacies;
- legal frameworks governing elections;
- adoption of Codes of Good Conduct for candidates and parties or coalitions competing;
- Codes of Ethics for media and journalists;
- encouraging the systematic use of legal channels in the event of any disputes;
- the republican equality of treatment of competing politicians in the allocation of airtime during the electoral campaign in the public media;
- respect for the period of electoral silence before the polls;
- the methods of financing elections, the electoral systems according to the typology of the ballots (presidential or legislative or even general) and the forms of political transition;
- the rejection of hate speech and violence in the political field;
- the promotion of full gender parity or that of quotas;
- pre-electoral, electoral and post-electoral disputes;
- the preliminary and final results of the polls and impacts on the balance of political power; and
- the use of preventive diplomacy by the AU, Regional Economic Communities (RECs) and Technical and Financial Partners (TFPs) in a logic of virtuous consolidating pro-democratic cooperation in Africa.

This makes it possible to transcend the existing crises that can lead to de-regulatory conflicts which negatively impact the proper conduct of the elections and the National Unity of the member states, and, thereby, their peace or even their security and stability.

An excerpt of the publication may be downloaded, free of charge, from the African Union Commission's website: <https://au.int>

To receive the full version of this book, email the African Union Commission (AUC) Directorate of Information and Communication at [DIC@africa-union.org](mailto:DIC@africa-union.org). All rights reserved. Material in this publication may be freely quoted. However, appropriate credits are requested. For more information, email the African Union Commission Directorate of Information and Communication.

Design, Layout and Production by  
eValueContent Technology ([www.evc-tech.com](http://www.evc-tech.com))

