



**11<sup>TH</sup> HIGH-LEVEL DIALOGUE ON DEMOCRACY, HUMAN RIGHTS AND GOVERNANCE  
IN AFRICA: TRENDS, CHALLENGES AND PROSPECTS**

**THEME:**

**Breaking the Cycle of Unconstitutional Changes of Government through Strengthening  
Democratic Governance Systems in Africa**

**NARRATIVE REPORT**

**22 - 23 NOVEMBER 2022  
COTONOU, REPUBLIC OF BENIN**

## I. INTRODUCTION

1. On May 28, 2022, during the **16th Extraordinary Session of the Assembly of the African Union on Terrorism and Unconstitutional Changes of Government in Africa** held in **Malabo, Equatorial Guinea** Member States of the AU recognised the resurgence of Unconstitutional Changes of Governments (UCG) and attributed Governance deficits and structural challenges as root causes. The Declaration further mentioned three important focus areas that necessitate concerted efforts by all stakeholders of the Union, including AU Organs, RECs and Institutions, Member States (MS), Civil Society Organisations and partners. The focus areas entail the importance of AU shared values, specifically adherence to the African Charter on Democracy, Elections and Governance (ACDEG), the African Charter on Human and People’s Rights (ACHPR) and the Lomé Declaration and further called for effectiveness of capacity building to MS to support peaceful transitions and the support to the organisation of free and fair elections.
2. In light of this, the AU organs and institutions that form the African Governance Architecture Platform (AGP) convened the 11th High-Level Dialogue (HLD) on Democracy, Human Rights and Governance focusing on the theme: “**Strengthening democratic governance systems in Africa**” from the **22–23 November 2022** in the **Republic of Benin, Cotonou**.
3. Interactive sessions were held on AU’s normative dispensation against unconstitutional changes of government; democratic elections in Africa in light of UCG and complex security dynamics; building strategic partnerships and alliances for democratic consolidation; strategies for transformation in the implementation of the Accra and Malabo Declarations, and the role of RECs in promoting good governance and democracy in Africa.
4. Robust conversations and analysis were held, interrogating the various legal and normative frameworks available to MS through the AU. Additionally, the conversation discussed the regressing nature of governance manifested through:
  - a. deliberate exploitation of state security structures;
  - b. poor electoral administration that makes the electoral process porous and susceptible to manipulation; and
  - c. the inconsistent application of the rule of law.

The above add to the many other factors that place perpetrators of UCG in power or within close proximity that enables the flouting of other financial, human rights and governance laws.

## **II. ATTENDANCE**

5. The key stakeholders of the HLD included current and Former Heads of State and Government of AU Members; AU organs and institutions; Regional Economic Communities; Civil Society Organizations (CSOs) including Youth networks and Women's organisations; Representatives of the republic of Benin as hosts of the 11<sup>th</sup> HLD; Representative of PRC Subcommittee on HRDG, Representative of the PSC and other Member States; Development Partners and Agencies; Private Sector (Multinationals/Local); Philanthropic Organisations and Individuals; UN agencies, Media and Academia, think tanks, and Research Institutions.

## **III. OPENING SESSION**

The 11th HLD began with welcome statements delivered by **H.E. Remy Lumbu**, Chairperson of the AGP and Chairperson of the ACHPR, **Mrs. Lindiwe Khumalo**, Chairperson of the AGP (Technical Level) and Executive Secretary of ACHPR, and the Minister of State for Development, Coordination, and Government Action of Benin, **H.E. Abdoulaye BIO TCHANE**.

**H.E. Remy Lumbu** expressed gratitude to the President of the Republic and Benin, **H.E. Patrice TALON** for hosting the event. He also relayed the gratitude of the ACHPR for the opportunity to participate in this meeting which was being held for the first time on-site, following the Covid-19 pandemic. He thanked all participants for their presence despite their busy schedules, which in his view, is a testimony of their commitment to the theme and support to good governance, human rights and democracy in Africa.

The 11th High-Level Dialogue, he noted, was preceded by the Continental Youth Consultation and the Gender Pre-Forum which led to in-depth discussions on the empowerment and participation of youth and women in a bid to address UCG. He informed participants that the recommendations formulated during these pre-events will be presented during the HLD, and that they will contribute to realising the Africa We Want. The HLD, he observed, is an opportunity to identify the root causes of UCG but also on implementation strategies of the instruments which political organs of the AU have adopted. Against this backdrop, he deemed it crucial to reflect on how to implement the existing legal and normative

frameworks, particularly the ACDEG which should be popularised within MS to enable them advance economic, political and social governance on the Continent.

He stressed that more than ever, it was important for African States to create the needed conditions to ensure the participation of citizens, transparency and training, freedom of the media and civic participation which are preconditions for tackling UCG. He called for concerted efforts to embed a culture of democratic governance, respect for human rights and efficient humanitarian assistance.

Hon. Remy Lumbu explained that AGA-APSA is a platform for dialogue among organs of the AU that have mandates in the area of human rights within RECs. It was established as a continental institutional framework for the promotion and protection of democracy, good governance and human rights. The theme of the HLD, he noted, is aligned with the Strategic Plan 2022 to 2030, and to Aspiration 3 of Agenda 2063. He acknowledged the work of all members of the AGA-APSA Platform for their defining role in combating UCG, including the African Peer Review Mechanism (APRM) among others. He mentioned that the ACHPR gives special attention to issues of UCG, as it adopted in May 2012, the 213 Resolution on UCG and in March 2022, another resolution on UCG.

**H.E. Remy Lumbu** remarked that the theme of the HLD concerns all organs of the AU, as democracy and good governance are key in building peace and development, and constitute a significant element for the Africa We Want. He lauded the fact that concerned by the resurgence of UCG, all African governments have developed instruments which strongly condemn all forms of UCG and which reiterate zero tolerance for UCG. These include the Declaration on UCG in Africa of 17 March 2022 known as the Accra Declaration, as well as the Declaration on Terrorism and UCG of 29 May 2022, known as the Malabo Declaration, as well as the ACDEG.

Through these instruments, he explained, African leaders have made the commitment to strengthen national, regional and continental mechanisms for early warning and conflict prevention as well as the interface between the AGA-APSA which have been merged to facilitate the consolidation of good governance, particularly constitutionalism and the rule of law, through commitment at various levels.

In conclusion, he expressed the firm conviction that with active participation, there will be solutions with pertinent outcomes and recommendations that will enable African leaders to adopt the adequate measures to combat the recurring challenge of UCG in many African countries.

**Ms. Patience Chiradza, Director, Governance and Conflict Prevention, PAPS, representing H. E. Amb Bankole Adeoye, Commissioner for PAPS, AUC**

**Ms. Patience** noted that the HLD continues to be an important platform for stakeholders to meet to share information, learn from each other and contribute to building the Africa We Want. The Continental Youth Consultation and Gender Pre-Forum, she stated, have helped to shed light on trends, challenges and opportunities on issues of democratic governance, human rights and peace and security, and the outcomes of these two events provide information on focus areas and creative ideas on how to forge ahead in tackling issues of security.

**Ms. Patience** expressed concern about the recent resurgence of UCG in Africa which is a threat around the continent. The AU and RECs, she acknowledged, have made significant contributions in addressing UCG in Africa, through the normative frameworks. The continent has made strides in institutional reforms and normative frameworks in dealing with UCG, which include the Lomé Declaration, the ACDEG, and the Accra and Malabo Declarations. She, however, was of the view that a multifaceted approach that is inclusive is required in the fight against UCG, as there are still gaps and deficiencies within key institutions that need to be tackled.

According to her, addressing UCG in Africa requires concrete plans and actions which can be implemented, are realistic and time bound. The HLD, she noted satisfactorily, will facilitate reflections on these challenges and how best institutions at the national, regional and continental levels can contribute to addressing these challenges. She observed that the effective implementation of the Accra Declaration and Malabo Decision is crucial to the successful realisation of democracy, rule of law and good governance.

**Ms. Patience** further explained that the themes of peace and security are inextricably linked to democracy and governance. As such, the AU merged AGA with APSA, to create synergy between the two institutions to restore governance, peace and security challenges. She observed that nevertheless, more efforts need to be deployed to break the cycle of UCG in Africa, to achieve the Africa We Want. The first step in the realisation of this objective, she proposed, is to hold free and fair elections and build trusted and strong government institutions, which are key to enhancing citizen engagement in democratic processes. She informed participants of the renewed commitment of the AU towards strengthening the capacities of national Electoral Management Bodies (EMBs), as strong and independent EMBs are key

to advancing democracy and participatory governance in Africa. She stated that due to political instability, violent contestation of electoral outcomes and UCG, EMBs all over the continent are facing high turnover despite legal safeguards of security of tenure or are being disbanded. To overcome external and internal challenges, EMBs must build reliance to organise elections that meet international standards.

**Ms. Patience** underscored the fact that the African Union Commission continues to work with all stakeholders to ensure a democratic and prosperous Africa. She thanked members of the AGA platform and all participants for their presence, as well as partners for supporting the organisation of the HLD and its pre-events.

Two youth representatives were called upon, following the statement by Ms. Patience Chiradza, to present the outcome statements of the Continental Youth Consultation and the Gender Pre-Forum to the High-Level Dialogue. A youth representative, **Mr. Romantic Mouftao** presented the key outcomes from the Continental Youth Consultation, and **Ms. Vera Sompon**, a participant at the Gender Pre-forum also presented its key outcomes.

**The HLD was graced by the presence of the Minister of State for Development and Coordination of Government Action, H.E. Abdoulaye BIO TCHANÉ.**

The Minister took pride in the organisation of the 11th High-Level Dialogue hosted by Benin. On behalf of the President and the government of Benin, he wished a warm welcome to all participants and thanked the AU and its partners for choosing Benin to host this event. He also acknowledged the remarkable efforts of all those who participated in the organisation of the HLD. The theme for the HLD, he noted, provides a platform to have in-depth conversations to promote development and the wellbeing of African populations.

He observed that most challenges the African continent faces are attributable to the quality of governance in our countries. “If good governance prevails, it leads to credible and inclusive strong institutions which ensures that leaders are accountable to the masses. On the other hand, when there is poor governance, it leads to conflict and instability,” he affirmed.

The theme of the HLD, he stated, is therefore pertinent to enable us to think about ways to solve these challenges, and to embrace good governance which will promote solidarity and a peaceful environment that will forge the adoption of public policies which promote economic and social development.

He noted that 20 years ago, a study conducted by the IMF revealed that if Africa enjoyed good governance to the level of the Latin American nations, each year, we will have 1 percent additional economic growth annually. Benin, he revealed, has taken on this path and in less than five years has doubled its GDP, doubled the budget, doubled access to potable water, and electricity.

He lauded the AU and sub-regional organisations for promoting and entrenching good governance, which is key to deepening democracy, political stability of states, strengthening the protection of human rights and peace, as well as the realisation of Agenda 2063.

The Minister observed that the scourge faced by Africa is terrorism and UCG, and thanked the AU and RECs, particularly ECOWAS, for taking measures to address these. He called on all stakeholders to strive towards good governance and its entrenchment, promotion of democracy, human rights and good governance to build the Africa We Want. On that note, he declared the HLD duly open.

## **SESSION 1: ANALYSIS OF CONTINENTAL RESPONSES AND AU'S NORMATIVE DISPENSATION AGAINST UNCONSTITUTIONAL CHANGES OF GOVERNMENT**

This session sought to analyse continental and regional normative frameworks in response to UCG, identify the gaps and challenges in their implementation and also discuss possible options moving forward.

**Moderator: Mme Lindiwe Khumalo**, Chairperson of the AGP and Executive Secretary of ACHPR

Panellists:

- **Marcel Akpovo**, Regional Representative of the OHCHR, East Africa Regional Office and Representative to the AU;
- **Prof. Eusebio Wanyama**, Prof. of Public Law and Expert on African Constitutions; and
- **Dr. Andrews Atta Asamoah**, Head, African Peace and Security Governance Programme, ISS.

**Mme. Lindiwe** opened the conversation by stating that following independence of most African countries from colonial rule and at the turn of the 1980s, African governments were minded to enter into a social pact with their people, leading to an environment where populations could vote and participate freely in the affairs of their countries. As a result, the right to choose leaders is established in many instruments. However, there is an upsurge of UCG, coups d'état, and extrajudicial transitions which

have marred Africa's human rights and governance record.

On his part, **Prof. Eusebio Wanyama**, Professor of Public Law and Expert on African Constitutions shared his perspective on the existing instruments on UCG and the gaps and challenges associated with these. He examined the concept of UCG, the root causes of UCG in line with the culture of constitutionalism and the rule of law, and shared the outcome of the analysis. Prof. Wanyama stated that it was important for the AU and RECs to forge a common understanding of the concept of UCG. He noted that the concept of UCG is comprehensively covered under Article 8(a) of the Malabo Protocol. However, over the years, the scope and concept of UCG has expanded beyond coups d'état. Concept is important as it also impacts on response. He therefore called upon the AU and RECs to develop a common understanding of the concept of UCG, because the only form of UCG that is acknowledged is coups d'état, whereas constitutional amendment, the manipulation of constitutional laws to retain presidential term limits, and the manipulation of electoral laws and processes that leads to rigging are the major part of UCG in Africa.

According to him, the AU has deployed significant efforts to address UCG, but the AU and RECs have failed to address the root causes of UCG. He shared three root causes of UCG, namely:

- The culture of constitutionalism and rule of law in Africa which is dotted by an increasing number in arbitrary constitutional amendments, and has enabled some incumbents to extend their terms, centralise power and progressively close the existing avenues for intervention.
- The manipulation of constitutions to remove or extend presidential term limits, and the manipulation of electoral laws and systems which has led to regular election rigging of elections in Africa.
- Impunity, which is the total disregard for the rule of law, leading to gross violations of human rights.

The AU, he explained, has specific instruments that could be used to counter UCG, notably, the African Charter on Human and Peoples' Rights (ACHPR); the OAU Convention on the prevention and combating terrorism; Lomé declaration; the Constitutive Act of the AU; the ACDEG; The Protocol on Amendment to the Protocol on the Statute of the African Court of Justice and Human Rights (the Malabo Protocol) and the AU Protocol that establishes the Peace and Security Council. He observed that another instrument against UCG, the OAU Convention on the fight against mercenaries, is outdated and ought to be reviewed.



He lauded the AU, RECs and MS for establishing progressive, legally binding instruments, declarations and policies designed to counter the scourge of UCG, but noted a key challenge with regards to their ratification and domestication and a lack of a clear and consistent plan for the enforcement of these frameworks. To remedy this challenge, he urged the AU and RECs to come up with a comprehensive strategy to enhance ratification and implementation of the existing instruments on UCG, as well as a strategy to act in a coordinated, decisive, firm and consistent manner to ensure implementation of instruments against UCG, and to strengthen the collaboration between the AUC and RECs in the area of peace, security and stability, as these entities have overlapping and similar mandates.

**Prof. Wanyama** also deplored the fact that the Memorandum of Understanding on Cooperation in the Area of Peace and Security between AU and RECs is ambiguous, as the MOU does not give the AU the upper hand in terms of UCG. As a result, there have been conflicting and contradictory positions on the approach to UCG which creates ambiguity in the approaches to UCG. The Protocol that establishes the PSC makes it clear that the primary responsibility for promoting peace, security in Africa is vested in the AU. In his opinion, the MOU should be revised to bring it in tandem with the Protocol that establishes the PSC which mandates the AU to take precedence in matters of peace and security in Africa. In international law, the principle of hierarchy of international norms should apply so that AU takes precedence.

He added that various forms of UCG constitute a grave danger to the political stability and democratisation of Africa, and the resurgence of UCG has led to authoritarianism and the AU, RECs and MS ought to come up with bold and innovative solutions to strengthen and enable institutions to act in a coordinate, firm, decisive and consistent manner.

In his initial remarks, **Mr. Marcel Akpovo** answered the moderator's question about his perspectives on the response of the AU vis-à-vis UCG. He began by noting that UCG is usurpation of power by people that have not been mandated to represent the people. He made the following key observations with regards to the African Union response to UCG.

According to him, it is worth pondering over why UCG is becoming a normalised governance and democratic choice, and it is imperative to reframe the response by the AU as the AU laws and response on UCG have been inadequate. The response from AU has been to provide normative frameworks but this is not sufficient to address the root causes of UCG. In addition, he remarked that the in AU response,

double standards are being applied. He mentioned the approach of the AU with regards to UCG that have occurred in Chad versus the approach for UCG that happened in Burkina Faso, Mali, Guinea. In his view, this double standard in applying the political solutions to address UCG could create more challenges.

**Mr. Marcel** also deplored the fact that there is an increasing disconnect between the people and governing institutions. He called for more attention to be placed on the duty of States in the occurrence of UCG, because UCG proceeds from all sorts of accumulated human rights violations, exclusionary practices, poor governance and non-compliance by states with the governing laws.

Furthermore, he observed that the temptation of UCG as normalised governance and democratic choice, with the sentiment by populations that seizing of power through unconstitutional means is acceptable is a worrying trend within African countries, but could be spurred by the increasing awareness and ownership of what should be the governance architecture versus what prevails in Member States. As a result, there is the need for a sustainable response to UCG, one that places emphasis on accountability of governments to their people and revising the AU response.

He called on Member States to promote a human rights and governance culture at the national level by facilitating the genuine independence of human rights organs and provide them with adequate resources to operate, to ensure that beyond the ratification of normative frameworks by Member States, the culture of obedience and strict adherence to the rule of law becomes a reality.

On his part, **Dr. Andrews Atta Asamoah** urged the AU to deploy more efforts to prevent coups by addressing bad governance and attempts by presidents to extend their terms. According to him, coups have been prevalent on the continent, with over 90 occurring between 1951 and mid-2020. During those years, only 30 incumbent leaders were peacefully removed from power by their political opponents in elections.

He noted that the African Union has exercised its power of suspension in relation to coups 14 times since 2003. He deplored that fact that in less than 13 months from 18 August 2020, four coups have occurred. He was of the view that the Lomé Declaration went further than military coups and other violent power seizures as a trigger for suspension from the AU. An unconstitutional change of government, he explained, could also include “the refusal by an incumbent government to relinquish power to the winning party after free, fair and regular elections.” According to him, the AU’s 2009

Ezulwini Framework for enhancing implementation of the Lomé Declaration’s measures against unconstitutional changes of government had gone further still. It stipulated that “the constitution shall not be manipulated in order to hold on to power against the will of the people” and granted the African Court of Justice and Human Rights the jurisdiction to prosecute coup makers.

Atta-Asamoah commended the African Union for setting clear norms and establishing the principle of zero tolerance for coups. He however noted that the frameworks for preventing unconstitutional changes of government were reactive rather than preventive. In his view, rather than addressing the grievances that sparked the coup, the AU and RECs’ post facto interventions often went against the will of the people in the street, especially when the AU and RECs insisted on restoring the old regime. He concluded by urging the AU and RECs to use their power preventively, focusing more on sanctioning what he described as unconstitutional preservation of power by some African leaders.

## **SESSION 2: DEMOCRATIC ELECTIONS IN AFRICA IN LIGHT OF UCG AND COMPLEX SECURITY DYNAMICS**

This session sought to discuss and analyse the emerging challenges to democracy and electoral systems on the continent as well as examine the complexity of the security sector in managing political transitions by identifying gaps and lessons learned at policy and structural levels.

**Moderator: Dr. Linda Darkwa**, TFP Programme Coordinator.

Panellists:

- **Amb. Calixte M’bari**, Head of Division of Democracy, Governance, Human Rights, and Elections;
- **Lieutenant General Lamas Xavier**, Chief of Staff of the African Standby Force (ASF); and
- **Mr. Ahmed Abdou**, Head of Research and Analysis, CISSA.

**Dr. Linda Darkwa** began by emphasising that democratic elections are a key element of governance. According to her, the fact that governance is becoming more challenging has negatively impacted our democracies. She urged EMBs to put in more effort to protect and safeguard governance processes in Africa.

**Amb. Mbari Calixte** focused his intervention on the significance of elections. He explained that an election is a process, and this process ought to be in line with the electoral laws and structures of a

country. He remarked that in some African countries, political compromises have taken place and one of the outcomes of that is that in the administration of the state, there is a skewed application of the law between the opposition and incumbent supporters and leaders. He opined that when the fundamental processes and regulations regarding electoral processes are breached, elections are poorly organised. This leads to dissatisfaction and is a cause of UCG.

**Mr. Ahmed Abdou** observed that security issues are critical on the continent. According to him, poorly managed security issues hinder elections, give way to terrorism and violent extremism, illicit financial flows and transnational organised crime. The security environment impacts on election outcomes and on the organisation of free and fair elections, as poorly organised elections can lead to UCG. African governments, he stressed, ought to create an environment that is conducive for the holding free fair and credible election in line with the national laws.

Mr. Ahmed Abdou explained that UCG happen for a multiplicity of reasons, and can even be rooted in attempts to flout financial laws. When the beneficiaries of a coup have a vested agenda, he stated, they would make sure that UCG takes place.

He urged for the creation of initiatives that can boost patriotism among citizens of African countries. Patriotism, he noted, involves respect for the country, believing in the culture, the practices and the success of the country and wanting that country to succeed.

He stressed that sanctions affect the ordinary person. Rather than focus on imposing sanctions, efforts should be geared towards addressing the root causes of UCG.

On his part, **Lieutenant General Lamas Xavier** touched on the drivers of UCG. In his view, a key driver of UCG is the claim by those who unlawfully take up power that security issues are not well handled by a sitting government. He called for greater emphasis to be placed on the nature of civil-military relations, as the relationship between the military and civic is difficult, particularly in a post-coup environment.

He noted that it is important to assess a coup in the context of its environment because a coup is only the last part of the event. The initial problems, he explained, would have started long before a coup takes place. He observed that most often, the leaders of the coups are not generals who are high ranking in the army, but rather junior officers that are closer to happenings on the ground.

### **Plenary Discussion**

A delegate was of the view that perpetrators of UCG usually exploit the lack of information and awareness of ordinary people. He called for increased civic education on the importance of democratic governance so that citizens can understand that coups are not the solution.

Another delegate called for lessons to be drawn from African countries that have been relatively stable and not experienced coups for several years. He further mentioned the Ibrahim index of African Governance (IIAG) as a tool that can be useful in the prevention of coups, as it provides a framework and dashboard to assess the delivery of public goods and services and public policy outcomes in African countries. According to the delegate, the IIAG constitutes the most comprehensive dataset measuring African governance, providing specific scores and trends at African continental, regional, and national level, on a whole spectrum of thematic governance dimensions, from security to justice to rights and economic opportunity to health.

### **SESSION 3: BUILDING STRATEGIC PARTNERSHIPS AND ALLIANCES FOR DEMOCRATIC CONSOLIDATION**

This session aimed to look at how to strengthen partnerships, build synergy and collaboration in the fight against UCG through social-economic development, diversity management, promoting E-governance and building resilient institutions.

Moderator: **Mr. Cheick Lamine Conde**, Principle Political Affairs Officer, UN-AU

Speakers:

- **Priscilla Ankut**, team leader of EU African Governance Support Project
- **Mr. William Carew**, Head of ECOSOCC Secretariat
- **Dr. Sibusiso Nkomo**, External Partnerships Manager, Afrobarometer

**Priscilla Ankut** expressed appreciation to the organisers for the opportunity to talk about UCG. She focused her intervention on the significance of strategic partnerships are essential. According to her, democracy, despite the challenges experienced on the continent, remains a panacea to economic inequalities, as it strengthens the space and rights of women and vulnerable groups to contribute to innovative financial reforms.

She explained that AU Normative frameworks, including the Accra Declaration and Malabo all recognise the importance of multi-stakeholder collaboration in strengthening our democracy. She mentioned the EU Support Project as a strategic partnership which helps to unlock the collective resources available in the continent to reach wider constituencies for transformative change, including innovating on strengthening existing partnerships and identifying new and emerging actors that can contribute to the

discussion. She stressed the need to bring in the private sector and use the new media to consolidate democracy on the continent.

**Priscilla Ankut** highlighted the need to continue to leverage on strategic partnerships. She urged partners to come together and create synergies and links with CSOs, academia, think tanks that can prepare policy papers. Most importantly, she explained that building partnerships with CSOs is a way to sustain their capacity to ensure policy change.

She also remarked that although most conversations that provide solutions to the continent's challenges usually take place at the high level, there is a need to reflect on the inclusion of communities. She called for a whole of society approach—which requires being intentional and deliberate with providing resources (technical, financial, human) which are often too little when compared to the enormity of the challenge of strengthening democracy and governance. She urged for increased partnership to pool resources based on jointly identified priorities.

Furthermore, she noted that it was important to reflect on the good examples on the continent, as some countries have given hope with their political transitions. In countries where clear progress has been made such as in Kenya and Malawi, she pondered over whether there was a need to continue to spend time on democracy focusing on democratic processes. Improving electoral processes is good, she affirmed, but called for a shift to rather focus on how governance is being delivered and delivering dividends of democracy. She noted that it was time for dialogue to examine how leaders perform while in office to avoid demographic regression.

**Priscilla Ankut**, in addressing the issue of stakeholders that can help to tackle UCG, touched on the role of national parliaments. Where national parliaments are strong and respond to the needs and aspirations of their constituents, she stressed, they become a tool to get rid of bad leaders. She therefore called for an examination of how national parliaments are performing on the continent, as well as the role of the opposition in mobilising when governments fail to deliver.

Lastly, she called for monitoring the impact of the dialogues around UCG, and defining how progress will be systematically tracked in taking stock of these conversations.

**Mr. William Carew**, Head of ECOSOCC Secretariat called on Member States to recognise that civil society is an essential building block of development and national cohesion, and a strong partner in the implementation of decisions to combat UCG. He further appealed to Member States to acknowledge that actual and meaningful progress in implementation requires shared ownership between governments and

CSOs. He was of the view that civil society plays a watchdog role and should not be seen as a thorn to society but rather an ally.

According to him, there is a desire among CSOs across the continent is to be perceived by governments as partners in development. This means that CSOs must be strategically engaged. He listed the following as the outcome of partnership between governments and CSOs:

- CSOs become an effective early warning and early responsive system that the government can rely on.
- CSOs will go beyond seeking accountability to include a recognised responsibility to intervene through mediation and other processes with a view to address areas of dissatisfaction.
- Promoting public knowledge of UCG by stimulating research and empirical evidence to unpack the causes and patterns of UCG and proposing socio-political reforms through policy briefs and policy advisory documents.
- CSOs will become effective drivers of the continental effort for the ratification of the Accra and Malabo Declaration.

Mr. Carew urged CSOs to employ data and information-driven advocacy to secure the collaboration of governments, identify key actors and be conversant with the law-making processes. He was of the view that combatting UCG requires the youth, women and vulnerable groups, segments of the society which are all part of the multifaceted nature of CSOs. As such, CSOs ensure that all these groups are included and provide opportunities for everyone to participate meaningfully in decision-making processes.

He made the following suggestions about building a constructive relation among governments and CSOs:

- Governments and CSOs should demonstrate commitment to entrench democracy and good governance.
- CSOs should help to ensure that governments adhere to the spirit and letter of the Constitution, and respect for the rule of law.
- Build public awareness.
- Governments should respect the autonomy of CSOs and provide them with the needed support.

Mr. Carew noted that in countries where there are strong CSOs, there has been an opening up of the democratic space. However, challenges arise where there is politicisation of CSOs and mistrust between government and CSOs. He explained that in those cases, CSOs and governments would have to pay more attention on rebuilding trust, which also depends on how CSOs conduct their affairs. He also mentioned

the need to report on gains made by civil society, so that the footprint of CSOs can complement government efforts.

**Dr. Sibusiso Nkomo**, on his part, proposed that the outcome of the High-Level Dialogue be converted into a Declaration, as in his view, a Declaration is more enduring in nature. He added that a Declaration will give prominence to the outcomes of the HLD, thereby making it much easier for the recommendations contained therein to be placed on the agenda of policy-makers. The outcome of the HLD, he pleaded, should be taken to the next assembly of Heads of States of the African Union. He further noted that in tracking the success of the HLD, a key indicator should be how many of the recommendations of the HLD receive programmatic response by AU organs in their work plans.

He proposed that a small working group of AGA members could hold brief discussions to identify the key takeaways of the HLD that will be shared with AGA members for implementation.

**Mr. Carew** explained that it's not enough for CSOs to place emphasis on influencing policy change, without understanding the value of leadership accountability which is critical. He deplored the fact that the culture of adherence and compliance is almost non-existent in our governments—when framed purely from an institutional and legal point of view. He noted that a human rights and governance response is required to instil a culture of compliance. “We need robust CSOs that can hold leaders accountable,” he added. This, he stressed, could be achieved through making resources available to ECOSOC.

## **Plenary Discussion**

A delegate took the floor to share his views on the root causes of UCG. According to her, a major cause of UCG is trust deficit between government and the people. She emphasised that citizens are disempowered, disengaged and dissatisfied and as a result, tend to support UCG. To remedy this, she urged governments and CSOs to co-create and jointly implement action plans to prevent and respond to UCG. This, she explained, requires opening the shrinking civic society spaces, the provision of tools to dialogue constructively, and clear process on the approach.

Another delegate mentioned that it was time for Africans to be more observant, and only elect into public office persons of unquestionable integrity, to mitigate the risk of having unconstitutional changes of government.

A delegate noted that most often, populations at the grassroots are more conversant with their indigenous languages as compared to the colonial languages such as French, English, and Portuguese. In view of



this, she urged Member States and the AU to translate and localise policy documents into African indigenous languages to ensure popularisation within countries.

## **PRESENTATION AND ADOPTION OF THE OUTCOME STATEMENT OF THE 11th HIGH-LEVEL DIALOGUE**

The outcome statement of the HLD was presented by the Lead Rapporteur, **Ms. Ady Namaran Coulibaly**

## **CLOSING REMARKS**

**H. E. Amb Bankole Adeoye, Commissioner for PAPS** expressed gratitude to all delegates for their participation in the 11<sup>th</sup> High-Level Dialogue on behalf of H. E. Moussa Faki Mahamat, the Chairperson of the African Union Commission. He began his intervention by noting that the continent has made modest progress with regards to UCG. However, he added, persisting and emerging political, socio-economic as well as security challenges have made the environment more complex and responses more daunting. He expressed the hope that existing normative frameworks and mechanisms would offer an opportunity to address challenges.

He called on African governments and institutions at the local, national, regional, continental and global level to build institutional resilience on anchored and shared values. He remarked that failure to build institutional resilience based on our African heritage values and complemented by best practices from elsewhere will compromise our march to attaining our shared vision.

African citizens, he stressed, expect a lot more from the leadership of the continent, and this realization should encourage leaders to endeavor to do more. According to him, democratic governance can be delivered through the combined efforts of all stakeholders, State and Non-State alike. He stressed that all stakeholders have roles to play that may be different but definitely complementary and mutually reinforcing.

He expressed sincere appreciation to the Government and People of Benin for hosting the meetings and ensuring the successful organization of the 11<sup>th</sup> High-Level Dialogue and its pre-events. He also thanked all the partners for the continued support and partnership. In conclusion, he thanked all the participants for their participation in the meetings.

## OFFICIAL CLOSING

● **H.E. Ambassador Aurelin AGBENONCI**, Minister of Foreign Affairs and International Cooperation of the Republic of Benin took the floor to share a closing statement on behalf of H.E. Patrice Talon, the President of Benin. H. E. Amb. Aurelin Agbenonci thanked the AU and the AGA-APSA platform for the choice of Benin to host the 11<sup>th</sup> High-Level Dialogue.

Amb. Aurelin Agbenonci highlighted that upholding democratic norms and constitutional principles in essential in maintaining political stability. He noted that the devastating consequences of unconstitutional changes of government, such as political instability, violence, and economic turmoil hinder the realization of Agenda 2023 and the Aspiration 3 for an Africa of good governance, democracy, respect for human rights, justice and the rule of law. In view of this, he called on AU Member States to honour their international commitments by respecting and implementing regional and continental frameworks that aim to prevent unconstitutional changes of government.

He remarked that promoting good governance, transparency, and the rule of law is a preventive measure against unconstitutional changes of government. He shared some key initiatives carried out by the government of Benin in a bid to promote good governance and prevent UCG. In his view, international cooperation is key in supporting democratic processes, elections, and civil society organizations.

In conclusion, Amb. Aurelin Agbenonci reiterated need to preventing unconstitutional changes of government for peace, stability, and development in Africa. He thanked participants for their contribution to the success of the 11<sup>th</sup> High-Level Dialogue.

On behalf of AGA-APSA, **Hon. Remy Lumbu**, Chair of the AGP and Chairperson of the ACHPR expressed deep gratitude to His Excellency Patrice Talon, President of the Republic of Benin for hosting the 11<sup>th</sup> High-Level Dialogue. He also thanked the government and people of Benin for the warm welcome and hospitality extended to delegates.

Hon. Remy Lumbu further expressed gratitude to all the representatives of the United Nations agencies, the diplomatic corps, the Regional Economic Communities, the Member States, civil society, the speakers and all the participants for taking the time to attend the 11th High-Level Dialogue on Democracy, Human Rights and Governance, despite their busy schedules. He observed that their participation in this important event is proof of their recognition of the governance deficits and

challenges facing the continent and of their commitment to finding solutions to unconstitutional changes of government.

He expressed appreciation to the AGA Platform and the Secretariat for the excellent preparation of the Dialogue which has allowed for frank, open and inclusive deliberations by AU political organs and institutions, regional economic communities and other stakeholders, including policy-makers, civil society, the private sector, the media and academia.

For almost a week, he added, delegates engaged in intensive exchanges during the Continental Youth Consultation, the Gender Pre-Forum, and the High-Level Dialogue. These events included sessions on the Legal Framework, Elections and Democratic Transitions; Partnerships and Strategic Alliances; Transformation Strategies and the Role of Regional Economic Communities in the Promotion of Good Governance and Democracy in Africa.

He remarked that from the insightful and enlightening discussions over the two days of the 11th High-Level Dialogue, it was clear that the continent continues to face challenges related to governance deficits and democratic regression. “The resurgence of unconstitutional changes of government compels us, as stakeholders and policy-makers, to rethink, refocus and redefine policies and measures to strengthen our systems of democratic governance in order to mitigate the growing threat of UCG,” he stressed.

According to him, it was important to focus on how to tackle the root causes of UCG; how to silence the evils of governance deficits and how implement the Accra and Malabo Declarations. In his view, there was a need to effectively tackle the current and emerging threats of governance problems on the continent and to strengthen the existing early warning systems within the various structures at national, regional and continental level.

He noted satisfactorily that the deliberations over the past two days have been very interesting and relevant, highlighting some of the gaps and challenges at both the political and structural levels, while proposing recommendations for addressing the UCG.

Hon. Remy Lumbu noted that while appreciating the contributions of all participants, it is essential to understand the importance of achieving Agenda 2063, the roadmap for creating a prosperous, peaceful and integrated Africa. He expressed that hope that Member States, civil society, RECs, academia, international agencies and all other relevant stakeholders will join hands to strengthen democratic

governance and sustainable peace in Africa.

He once again expressed gratitude to the Government of the Republic of Benin, H.E. Aurélien Agbénonci, the Minister of Foreign Affairs of the Republic of Benin, Mrs Lindiwe Khumalo, the Executive Secretary of the African Commission on Human and Peoples' Rights and Chairperson of the African Governance Platform, Ambassador Salah Hammad, the Head of the AGA-APSA Secretariat, and the Secretariat for organising the 11th High-Level Dialogue.

He also thanked all the partners for their continued support, namely the European Union (EU), Expertise France, Training for Peace (TfP), the Institute for Security Studies (ISS), the Swiss Agency for Development and Cooperation (SDC), GIZ, International IDEA, and UN-OHCHR.

Hon. Remy Lumbu reiterated the AU's commitment to the fight against UCG and assured delegates that the deliberations and recommendations of the 11th High-Level Dialogue will be presented to the AU Summit of Heads of State and Government in February 2023. On that note, he declared the 11<sup>th</sup> High-Level Dialogue duly closed.