Consideration of Mid-year report of the Chairperson of the Commission on elections in Africa: January to June 2024

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Tomorrow (25 July), the African Union (AU) Peace and Security Council (PSC) will convene its 1224th session to consider the mid-year report of the Chairperson of the AU Commission on elections in Africa, covering the period between January and June 2024.

Following the opening statement of the Chairperson of the PSC for the month, Miguel Cesar Domingos Bembe, Permanent Representative of Angola to the AU, Bankole Adeoye, the Commissioner for Political Affairs, Peace and Security (PAPS), is expected to present the report. Statements are also expected from the representatives of Member States that organised elections during the reporting period and from the representatives of the Regional Economic Communities/Regional Mechanisms (RECs/RMs) that observed the elections. Despite not deploying election observation to Chad due to violation of relevant PSC decisions and AU norms on non-eligibility of members of the Transitional Military Council (TMC) elections, it appears that Chad is invited, along with Madagascar, Mauritania, Senegal, South Africa, Togo and The Union of Comoros, to make a statement on the presidential election held on 6 May 2024.

The Chairperson's mid-year report on elections in Africa is in line with the PSC's decision at its 424th session of March 2014 to receive regular briefings on national elections in Africa. The last time the Chairperson presented the half-year report was during PSC's 1194th session held on 24 January 2024, covering elections held between July and December 2023. As with the previous report, tomorrow's briefing on the Chairperson's report will provide an update on the electoral process and the conduct of the elections held during the reporting period, while also providing a snapshot of elections planned for the second half of 2024. The report is also expected to highlight emerging governance trends during the period under review, as well as positive practices and areas of concern.

During the first half of 2024, seven Member States organised presidential and parliamentary elections, namely The Union of Comoros, Senegal, Togo, Chad, South Africa (where the AU Commission also deployed a pre-election assessment mission in April), Madagascar, and Mauritania. The AU Commission deployed Election Observation Missions (EOMs) in the elections in all these countries, except the Presidential elections in Chad.

The Presidential and gubernatorial elections of the Union of the Comoros held on 14 January, in which the incumbent was declared to have won the presidential election by 57.2 per cent, saw varying levels of turnout for the two elections held on the same day. The elections were marred by political tension and protests over allegations of irregularities.

On 24 March, Senegal held presidential elections following a turbulent electoral season. Deadly protests erupted following Macky Sall's decision to postpone the originally scheduled 25 February 2024 election. The Constitutional Council rejected both the law passed by parliament delaying the election until December and the 2 June proposed election date by the National Dialogue Commission. Consequently, Sall's government was

compelled to set a new election date before his term expired on 2 April. The vigilance of the Senegalese youth-led mass movement gave the Constitutional Council the conducive context for it to play its critical role in safeguarding Senegal's democratic process. Bassirou Diomay Faye from the opposition PASTEF party emerged victorious with 54 per cent of the vote.

On 29 April, Togo convened legislative elections alongside its inaugural regional elections, with a voter turnout of 61.76 per cent, following the adoption of a controversial constitutional amendment that changed the country's system of government from presidential to a parliamentary system. The ruling party amassed 108 out of the 113 contested seats. The opposition criticised the constitutional reform as an 'institutional coup', claiming that this would pave the way for the incumbent President Faure Gnassingbé's prolonged rule if his party maintained an assembly majority, effectively circumventing previous term limits.

The other election held during the period under review is the presidential election in Chad held on 6 May. The Constitutional Council declared Mahamat Idriss Déby Itno, who led the TMC that unconstitutionally seized power following the death of his father Idriss Déby Itno, the winner with 61 percent of the votes.

Déby's candidacy and eventual victory in the election clearly disregarded the AU's anti-coup norms and the <u>decision</u> of the PSC on 14 May 2021, which expressly demanded that the chairman and members of the TMC do not take part in the election at the end of the transition. Amani Africa's 'Ideas Indaba' published on 9 April warned that 'If the PSC is unable to enforce the rule on non-eligibility concerning Chad, it would be the end of any future application of this rule as well. And most immediately, this would also mean that the AU would have no standing to apply this rule for stopping any of the military leaders in the six other countries (Burkina Faso, Gabon, Guinea, Mali, Niger, and Sudan) from becoming candidates for

elections.' The invitation of Chad to make a statement during this session without the PSC reaffirming its decision on noneligibility for election may constitute another instance of the PSC enabling disregard of its own decisions and the applicable AU norms it is meant to safeguard.

On 29 May, South Africa held general elections to elect Members of the National Assembly and Provincial legislators. The election was notably competitive, with the ruling African National Congress (ANC) receiving only 40.18 per cent of the votes, losing its parliamentary majority for the first time since the end of apartheid in 1994. This unprecedented outcome forced the ANC to strike a deal with the opposition Democratic Alliance (DA), which came in second with 22 per cent, and other parties to form a 'national unity' government.

Madagascar also convened legislative elections on 29 May. Contrary to last year's presidential election, which was marred by low voter turnout and boycotts, political actors showed interest in the legislative elections, fielding 473 candidates for the 163 parliamentary seats. The ruling party secured 51.53 per cent of the vote. Mauritania also held its presidential election on 29 June, in which the incumbent President, Mohamed Cheikh El Ghazouani, who is also the current chairperson of the AU, was re-elected with 56 per cent of the vote.

The report is expected to preview ten elections scheduled to take place between July and December 2024: Rwanda, Algeria, Tunisia, Mozambique, Botswana, Guinea Bissau, Namibia, Ghana, South Sudan, and Mauritius. On 15 July, Rwandans elected their President, with President Paul Kagame re-elected to a fourth term in office in a landslide victory, securing a provisional result of 99 per cent of the vote.

In Algeria, President Abdelmadjid TEBBOUNE will be seeking a second term in the upcoming election slated for 7 September. Tunisia will hold its presidential election on 6 October,

while in Mozambique, general elections are slated for 9 October, with the ruling party FRELIMO represented by regional governor Daniel Chapo, succeeding President Filipe Nyusi. Botswana's general election is also set to take place no later than 29 October. The legislative elections in Guinea-Bissau are scheduled for 24 November, a year after President Umaro Sissoco Embaló dissolved the opposition-dominated parliament in December 2023. On 27 November, Namibia will hold presidential and legislative elections, while Ghanaians will elect their new president on 7 December, with President Nana Akufo-Addo stepping down as he completes his second term. Mauritian legislative elections are also expected to take place before the end of this year.

South Sudan's general elections—scheduled for 22 December, which will be the first since its independence in 2011—are perhaps the most consequential, warranting closer attention from the PSC. Considering the high stakes of these elections to the peace and stability of South Sudan as well as the wider region, the PSC may explore different preventive measures to ensure that the elections do not re-ignite armed confrontations between different factions. It is worth recalling that during its 1219th session, the PSC made important decisions in relation to accompanying South Sudan throughout the electoral season.

The other aspect of the report is expected to provide an overview of the governance trends. On a positive note, the report is likely to highlight that the majority of the elections during the period under review were conducted relatively calmly. Notably, some of the Member States, such as Senegal and South Africa, were able to consolidate the conduct of free and fair elections, with Senegal avoiding the threat of democratic backsliding.

On the other hand, the report is likely to point out the prolonged political transitions in Member States that

experienced unconstitutional changes of government as a major issue of concern for the continent's governance landscape covering not only countries affected by coups but also others such as South Sudan and Libya.

The expected outcome is a communiqué. The PSC may commend Member States for holding their periodic elections in a relatively calm environment and for the consolidation of democracy in some of the countries. The PSC may also take the express its dissatisfaction with the opportunity to participation of the leader of the Transitional Military Council (TMC) of Chad in the 6 May Presidential election in defiance of the PSC's decision on the non-eligibility of members of the TMC and the AU norm as enshrined in the African Charter on Elections, Democracy and Governance. It may also call on AU member states to expand the civic and political space both to address voter apathy, particularly on the part of young people of voting age and the growing disenchantment with elections on the continent. In relation to countries under political transition, given the complexity of the issue, the PSC may go beyond reiterating the need to strictly adhere to their respective transition agreed timelines, and task the Commission to undertake a comprehensive study with practical strategies on how to expedite the return of constitutional order in these countries in line with relevant AU norms. On upcoming elections, while urging the Commission to continue its support to Member States to hold credible elections, it may particularly emphasise the need to deploy effective mechanisms in relation to the elections in South Sudan, in line with the decisions made at its 1219th session.