

DEMOCRATIC BACKSLIDING IN SUB-SAHARAN AFRICA

HEARING

BEFORE THE

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH,
GLOBAL HUMAN RIGHTS, AND
INTERNATIONAL ORGANIZATIONS

OF THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

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Wednesday, September 30, 2020

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH,
GLOBAL HUMAN RIGHTS, AND INTERNATIONAL
ORGANIZATIONS,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC

The subcommittee met, pursuant to notice, at 10:15 a.m., in room 2172 Rayburn House Office Building, Hon. Karen Bass [chairwoman of the subcommittee] presiding.

Ms. BASS. The Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations will come to order. Without objection, the chair is authorized to declare a recess of the subcommittee at any point, and all members will have 5 days to submit statements, extraneous materials, and questions for the record subject to the length limitation in the rules.

To insert something into the record, please have your staff email the previously mentioned address or contact full committee staff. I see that we have a quorum and I will now recognize the ranking member for his opening statement.

Mr. SMITH. Thank you. Thank you very much, Chairwoman Bass, for convening today's very important hearing on a very disturbing topic, the backsliding we have seen to sub-Saharan Africa when it comes to democracy and governance.

And I thank you for the courtesy of letting me go first. I am also the ranking member on the China Commission and we have a hearing at 10 o'clock on Tibet and I have opening comments there I need to make, so I am going to go and come back. So I do thank you for that courtesy. It is very kind of you.

Madam Chair, according to the metrics put out by the Economist Intelligence Unit earlier this year, democracy in sub-Saharan Africa has been on the retreat, declining between 2018 and 2019, when its Democracy Index recorded its lowest total since 2010. With postponements of elections in 2020 attributed to COVID-19 and subsequent lockdowns serving sometimes as a pretext for stifling dissent, I fear that 2020 may see an even greater decrease in democracy on the continent.

Today's hearing is also timely as elections are approaching next month in Tanzania and the Ivory Coast, both countries which appear to be on a downward trajectory in terms of governance in respect for civil and political rights. And I want to note that Chairwoman Bass has introduced legislation with respect to Tanzania and I am very proud to be a co-sponsor of it and I thank her for that leadership.

We also see the role of outside actors facilitating a downward race to the bottom. In particular, China, which seeks to export its

bad governance model throughout Africa, but also the Gulf States, Turkey, and even African countries such as Rwanda, which has had a sustained disruptive impact on its neighbors for many years, particularly in the DRC.

I suspect we will hear about the U.S., what the U.S. is doing to promote democracy and good governance throughout Africa, and we have as one of our witnesses, our distinguished witnesses, Dr. Chris Fomunyoh. Thank you for your work at NDI. And along with its sister organization, the IRI, they have dedicated much of their work to promotion of democracy in sub-Saharan Africa. I also hope that we will take a closer look at our missteps as well. For example, it is quite obvious to outside observers in the DRC that the declared winner of the latest Presidential election held in late 2018, Felix Tshisekedi, received less votes than Martin Fayulu. Because of a corrupt bargain between the outgoing strawman Joseph Kabila, Tshisekedi, the Constitutional Court packed by Kabila, declared him to be the winner.

What happened next was troubling, as our State Department issued a statement that said, and I quote, "The United States welcomes the Congolese Constitutional Court certification of Felix Tshisekedi as the next President of the DRC," which was apparently driven by a handful of diplomats including our Ambassador.

I believe this sent a terrible message, with ramifications not only within the DRC but beyond as well. For example, elections in Nigeria were first postponed by sitting President Buhari and marred by irregularities in advance of the election day, including arson attacks on the Independent National Electoral Commission offices in opposition strongholds and Buhari's removal of Supreme Court Justice Walter Onnoghen.

Nonetheless, there has also been progress too and we should note that. Namibia is developing toward a stable democracy. During the last elections in Namibia, we saw an incumbent president win reelection with a reduced vote and a robust opposition winning enough votes to deny the ruling party SWAPO its supermajority in the legislature. Botswana is another example of a country which is developing good democratic habits. While there is room for improvement in both countries, the overall trajectory is positive.

We also welcome with guarded optimism developments in Sudan following the ouster of longtime dictator Omar al-Bashir. Yet at the same time, we need to temper our appraisal given the continued role of people such as Hemetti and Abdel Fattah al-Burhan, the real powers behind the throne. Both have been implicated in past atrocities in Darfur and both must ultimately be held to account for that.

Before Sudan is delisted as a State sponsor of terrorism, I also believe there must be justice for all victims of its past bad acts including the victims of 9/11, many of whom live in my own State of New Jersey and in my district.

Ethiopia has made fitful progress since Prime Minister Abiy assumed power. There was initial euphoria as he released political prisoners in the free media. When Chairwoman Bass and I met with him in August 2018 in Addis, he was riding a wave of optimism. Since then, however, ethnic and religious tensions have roiled Ethiopia with targeted attacks against ethnic and religious

minorities in certain States. Elections have been postponed on account of COVID crisis and the government response to violence has been mixed. Arrest of political opponents, some of whom have themselves fomented violence, is worrisome.

My personal view is that the Prime Minister is trying to advance a pan-Ethiopian vision which transcends ethnicity and religion, but he is also facing very strong headwinds. Respect for democracy also demands that opposition figures behave responsibly as well, in addition to the government which wields these levers of power.

Finally, I want to note that in my position as past chairman and now current ranking member, I have met many African leaders as has our distinguished chairwoman, including some with whom I took to task for offenses against democracy, including Bashir when I met with him in 2005 in Khartoum, and former President Meles. But there are others who have stood out in a very positive way, including former President Benin whom I met at the General Assembly 1 year ago and with whom we had a very, very good exchange.

Unfortunately, his successor, President Patrice Talon, has not preserved the gift that he was given. He has cracked down on free speech, imposed restriction on political organizing, shot demonstrators, and even detained for nearly 2 months his predecessor who subsequently had to flee the country. I grieve for Benin and its people and as I do, as we all do, for many in Africa who have not realized the dream of democracy to which they are entitled. I thank the chairwoman and yield back.

Ms. BASS. Thank you very much, Representative Smith.

As a reminder to members, please keep your video function on at all times even when you are not recognized by the chair. Members are responsible for muting and unmuting themselves and please remember to mute yourself after you finish speaking. Consistent with H.R. 965 and the accompanying regulations, staff will only mute members and witnesses, as appropriate, when they are not under recognition, to eliminate background noise.

Thank you for attending today's hearing on Democratic Backsliding in Sub-Saharan Africa which we believe is timely as other parts of the world, including here, suffer similar challenges. I want to thank our distinguished witnesses today who will provide deeper insight into the dynamics contributing to the erosion of democracy in sub-Saharan Africa and the impact this seemingly global trend will have on democratic governance, economic growth, and improved access to health and education resources.

We are here today because several countries across the African continent are retreating from core democratic principles which we refer to as democratic backsliding. Democratic backsliding includes, but is not limited to, the degradation of free and fair elections, infringement on freedom of speech, impairment of political opposition to challenge the government or hold it accountable, the weakening of the rule of law such as limiting the autonomy of the judiciary, and the manufacturing or overemphasizing of a national security threat that allows the government to malign critics.

These actions singularly or collectively lead to State-organized debilitation or elimination of political institutions that can look like actions taken to uphold our strength and democracy. Flawed elections remain an issue in most of Africa with leaders manipulating

laws, freedoms, and elections to retain power. Most concerning is the situation in Tanzania, which I recently addressed in House Resolution 1120, where current leadership is repressing the opposition and basic freedoms of expression and assembly in a blatant attempt to retain power.

We see similar patterns in Cote d'Ivoire as the executive branch legalizes the deviation and democratic institutions to codify non-democratic actions. We have similar concerns about Guinea and are going to be very watchful of upcoming elections there, and in Burkina Faso, the Central African Republic, Chad, Gabon, Ghana, Niger, and Somalia. The actions of these governments to suppress freedom of expression, including social media, to exclude opposition participation in the electoral process and to use police and military resources against protestors, undermine democracy and jeopardize the rights and very lives of their citizens.

There are many sub-Saharan countries of concerns and I look forward to hearing which countries we should monitor closely and the witnesses' recommendations for how we can support them. What concerns me most is that democratic backsliding is not limited to Africa and we seem to be in a place of retreat from democracy that I only hope is an anomaly.

In Europe, we see the egregious behavior of Belarusian President Alexander Lukashenko who claimed success in a disputed August 9th election and sought support from extra-national resources such as Russia to justify his claim to power. Thousands of Belarusians openly protested against the election results for more than 50 days, suffering multiple incidents of police brutality. This democratic backsliding comes approximately 1 year after the U.S. and Belarus agreed to exchange Ambassadors after a 15-year pause as a result of significant democratic progress of the Belarusian Government.

Other European countries experiencing democratic backsliding include Hungary, Lithuania, Poland, Slovakia, Serbia, and Turkey, to which we must continue to lend our support and protect the dignity and rights of their citizens. In Asia and Latin America, we have to be extremely vigilant to help strengthen democracy in some of the largest and most populous countries in the world such as Brazil, India, the Philippines, and Thailand.

In Brazil, President Bolsonaro is challenging the autonomy of the judiciary and Congress to investigate the excessive presence of the military in civil public services. President Duterte of the Philippines is accused of lawfare or weaponizing the law to deter or defeat freedoms, personalities, and establishments that promote human rights, press freedoms, and rule of law, while also cracking down on individual freedoms.

These countries have experienced erosion in democratic institutions and human rights exemplified by the imposition of tighter State control over multiple political institutions that result in more authoritarian forms of government and increased human suffering. I have only mentioned a few, but there are other nations suffering from democratic backsliding, or democratic failure. In these countries, human suffering and poverty correlate directly to authoritarianism and corruption.

Now, finally, in our own country, the United States is witnessing an erosion of democracy as various institutions are misused to so-

lidify power. The threat of a non-peaceful transition of power and other electoral irregularities such as delegitimizing the use of mail-in ballots during a global pandemic, the use of rhetoric to instill fear and disunity among the citizenry, threatening to send people to the polls to intimidate voters while also expediting the appointment of a new supreme court justice to support the incumbent in case of a contested election, these are only a few examples of democratic backsliding in the United States.

And as the global champion for democracy, the U.S. cannot allow these actions to continue or prevail. It is of paramount importance that the United States set the highest example and use our democratic institutions such as the Constitution, freedom of expression, assembly and association, and fair and free elections to preserve and advance democratic leadership around the world. The world is watching us and we can, if we are not careful, conveniently become an excuse for others' backsliding.

Although backsliding is not new, we notice a particular pattern of change also caused by COVID-19 global pandemic that has led to subtle, incremental, democratic erosion as some sitting leaders use safety measures to prevent the spread of the virus to debilitate freedom of expression and infringe upon human rights. Tanzania offers a stark example of this behavior by denying the existence of COVID-19 in the country and suppression of information related to the pandemic that places citizens' health at risk and violates citizens' freedom of speech and right of access to information.

We also have been guilty of mishandling the COVID-19 pandemic through misinformation, politicizing public health guidance, and the failure to develop a national strategy and participate in international efforts to eradicate the disease. Most alarming is the President's attempt to discredit the election process by threatening not to accept defeat and alleging election fraud should he lose, and by challenging the legality of mail-in ballots which are extremely important during a global pandemic that requires sheltering in place.

The impacts of global democratic backsliding are severe and threaten the very foundation of human advancement as we have seen its extreme forms in Mali, Hungary, the Philippines, and Venezuela. Clearly, our work is cut out for us, but we can be hopeful in the fact that democracy is an enduring institution that has survived for centuries.

According to the International Report on the Global State of Democracy, addressing the ills and reviving the promise democracy is a resilient form of government and remains in strong demand around the world. Eighty-one of the ninety-seven democracies have enjoyed uninterrupted democratic status since their democratic transitions. The report further notes democratic nations enjoy a higher level of gender equality and human development and lower levels of corruption, ideals for which we must unceasingly strive to be enjoyed by all peoples of the world.

I look forward to hearing the views, perspectives, and recommendations of the panel of witnesses we have here today. Without objection—Mr. Sherman is coming? Okay.

All right—let me move to introduce our witnesses.

Our first witness is Dr. Chris Fomunyoh, is the senior associate for Africa and regional director at the National Democratic Institute. He has led international election observation missions and supervised democracy support programs in various African countries. He is an adjunct faculty at the Africa Center for Strategic Studies and a former adjunct professor of African politics and government at Georgetown University.

Our second witness is Dr. Dorina Bekoe, is a research staff member with the Africa program at the Institute for Defense Analyses. Previously, she was an associate professor of conflict prevention, mitigation, and resolution at the Africa Center for Strategic Studies. She is the editor of *Voting in Fear: Electoral Violence in Sub-Saharan Africa*. Her areas of expertise include Africa's political development, conflict resolution and peacebuilding, peace agreements, electoral violence, and institutional reform.

Dr. Jon Temin is the director of the Africa program at the Freedom House. From 2014 to 2017, he was a member of the U.S. Department of State Policy Planning Staff, providing strategic guidance and long-term thinking to the Secretary of State. He also served as director of the U.S. Institute of Peace Africa Program, leading the Institute's effort to help end conflicts and prevent new violence.

Our final witness, who will be online, is Joshua Meservey, is the senior policy analyst for Africa and the Middle East at the Heritage Foundation. He studies African geopolitics and counterterrorism. He is a returned Peace Corps volunteer who served in Zambia before joining a refugee settlement organization based out of Nairobi, Kenya.

I would like to welcome Dr. Fomunyoh.

STATEMENT OF DR. CHRISTOPHER FOMUNYOH, SENIOR ASSOCIATE FOR AFRICA, NATIONAL DEMOCRATIC INSTITUTE FOR INTERNATIONAL AFFAIRS

Dr. FOMUNYOH. Chairman Bass, Ranking Member Smith, and distinguished members of this subcommittee, on behalf of the National Democratic Institute, I appreciate the opportunity to discuss democratic backsliding in sub-Saharan Africa and issues of institutional fragility, freedoms, and human rights. NDI has over three decades of technical assistance to, and support for, democratic institutions and processes in Africa, and currently runs active programs in 20 countries.

On a personal note, I have served with the Institute for over 25 years and remember NDI's first initiative in Africa, a conference on multipartism held in Dakar, Senegal in 1985. A few years ago, after that Senegal conference on multipartism, the Berlin Wall came down, the Soviet Union collapsed, and the anti-apartheid hero Nelson Mandela regained his freedom in South Africa.

And that began a cascade of events in the late 1980's and early 1990's that jump-started a wave of democratization across the entire continent. By Freedom House's ratings, Africa then went from two-thirds of the countries classified as "not free," and only two countries, Botswana and Mauritius, "free" in 1989, to two-thirds of all African countries classified as either free or partly free by 2009.

Unfortunately, regrettably, by 2019, democratic trends reversed, and there are now fewer democracies in Africa than was the case 20 years ago. Notably, West Africa, previously commended as a trailblazer region, has seen serious backsliding as Mali experienced a military coup and major controversies have arisen about candidacies of incumbent presidents in Guinea Conakry and Cote d'Ivoire.

The Central Africa region remains stuck, with the highest concentration of autocratic regimes with the three longest-serving presidents in the world in that sub-region, notably, Equatorial Guinea, 41 years; Cameroon, 38 years; and Congo-Brazzaville, 38 years. In Southern and East Africa, continued persecution of political opposition and civil society activists in Zimbabwe, and similar worrying signs or patterns in Tanzania since 2016, seriously diminish citizen participation in politics and governance, and also stymie prospects for much needed reforms.

The COVID-19 pandemic has not helped, as it has slowed or impeded election preparations and generated fears that in some countries with national elections scheduled to take place before the end of the year, incumbents would use emergency powers to limit freedoms of expression and assembly and further shrink political space.

In my written testimony, I go into much more detail about the domestic or internal ingredients of backsliding as well as the external vectors that contribute to backsliding. I also list in more detail the link, the linkage that I see between constitutionalism or the lack of respect for constitutional term limits, and authoritarianism, by taking a more detailed look at the specific case of Cameroon, where an incumbent president forced through a constitutional amendment in 2018, so that even now at age 87 and after 38 years in office he could continue to run for president for the rest of his life.

This fight—sorry, Madam Chair. Building a firewall against democratic backsliding in Africa requires a combined effort amongst Africans and democracy advocates, practitioners, and champions worldwide. Below, I have a few recommendations that could contribute to that collective endeavor.

The U.S. should revamp its Africa policy with a view to consolidating investments made over the past three decades in building democratic institutions and especially targeting that assistance toward the generation that is 35 years or younger that I term the “democratization wave generation,” which constitutes 75 percent of Africa’s population.

The international community at large should amplify public diplomacy on measures that strengthen democracy and provide avenues within the United Nations system, including the United Nations Security Council, to discuss issues that pertain to gross human rights violations and atrocities on the African continent that shock the world and humanity’s conscience.

Africans themselves should also intensify building synergistic national and regional networks of democracy advocates and champions to foster peer-to-peer review, support, and encouragement.

[The prepared statement of Dr. Fomunyoh follows:]



Facing Democratic Backsliding in Africa & Reversing the Trend

Presented at
"Democratic Backsliding in Sub-Saharan Africa"
House Foreign Affairs Committee,
Subcommittee on Africa, Global Health,
Global Human Rights, and International Organizations

Submitted by
Christopher Fomunyoh, Ph.D
Senior Associate & Regional Director for
Central and West Africa

30 September 2020



Chairman Bass, Ranking Member Smith, and distinguished members of this Subcommittee, on behalf of the National Democratic Institute (NDI), I appreciate the opportunity to discuss democratic backsliding in Sub-Saharan Africa, and issues of institutional fragility, freedoms and human rights.

NDI has over three decades of technical assistance to, and support for democratic institutions and processes in Africa, and currently runs active programs in 20 countries. On a personal note, I have served with the Institute for over 25 years, and remember NDI's first initiative in Africa -- a conference on multi party politics held in Dakar, Senegal, in 1985 -- at a time when the topic was considered so controversial that the event needed to be pre-approved by the Senegalese Head of State at the time, President Abdou Diouf. Since then, NDI has conducted programs with political and civic leaders and activists from close to 50 of the continent's 54 countries. We have done our work thanks to sustained bipartisan support in Congress, including from this Subcommittee, for which we are deeply grateful. We also highly appreciate the personal commitment of the Chair who, in recent years, led international election observation missions with NDI to Kenya in 2017 and to Zimbabwe in 2018.

OVERVIEW OF BACKSLIDING PHENOMENON

A few years after that 1985 Senegal conference on multipartism, the Berlin wall came down, the Soviet Union collapsed, the anti-apartheid hero Nelson Mandela regained his freedom in South Africa; and so began a cascade of events in the late 1980s and early 1990s that jump-started a wave of democratization across the entire continent. By **Freedom House** ratings, Africa then went from two thirds of the countries classified as 'Not Free' and only two countries - Botswana and Mauritius - 'Free' in 1989, to two thirds of all African nations classified as either 'Free' or 'Partly Free' by 2009. In the last two years, we have seen positive developments in countries such as Sudan, where a 30-year autocratic regime under General Omar Al-Bashir was ousted after sustained peaceful protests led by women, civil society activists and representatives of professional associations; and Malawi, where the Supreme Court nullified a poorly conducted 2019 presidential election and ordered a rerun which was successfully conducted in July 2020, leading to a peaceful transfer of power. Democratic advances were particularly strong in West Africa, a subregion in which, by early 2020, only one of 15 presidents - Faure Gnassingbé of Togo - had been in office for more than two terms.

Regrettably, by 2019, democratic trends reversed, and there are now fewer democracies in Africa than was the case 20 years ago. Notably, West Africa, previously commended as a trailblazer region, has seen serious backsliding as Mali experienced a military coup, and major controversies have arisen about the candidacies for reelection of incumbent presidents in Guinea Conakry and Côte d'Ivoire. The Central Africa subregion remains stuck with the highest concentration of autocratic regimes with the three longest-serving presidents in the world in Equatorial Guinea (41 years), Cameroon (38 years), and Congo-Brazzaville (38 years). In Southern and East Africa, continued persecution of political opposition and civil society activists in Zimbabwe, and similar worrying patterns in Tanzania since 2016, seriously diminish citizen participation in politics and governance, and also stymie prospects for much needed reforms. In the Horn of Africa, early hopes of broadening political space and rights in Ethiopia when the current government came to power in 2018, are now under threat as human rights activists and

journalists are harassed and detained, and the country struggles to maintain its unity and find consensus over the legal framework and timeline for national elections.

The COVID-19 pandemic has not helped, as it has slowed or impeded election preparations, and generated fears that in some countries with national elections scheduled to take place before the end of the year, incumbents would abuse emergency powers to limit freedoms of expression and assembly and further shrink political space. Presidential elections are scheduled to take place in Burkina Faso, the Central African Republic, Côte d'Ivoire, Ghana, Guinea, Niger and Tanzania, while parliamentary elections initially scheduled for this year in Ethiopia have been postponed indefinitely.

African democrats face a growing, complicit and dangerous web of internal and external conditions and actors that aggressively seek to thwart their democratic aspirations in favor of authoritarian opportunism.

DOMESTIC OR INTERNAL INGREDIENTS OF BACKSLIDING

Fragility of instruments of governance. Opinion surveys by reputable organizations, such as Afrobarometer, continue to show that an overwhelming majority of Africans believe in democracy as the best form of government -- even as they disapprove of the performance of their leaders. In other words, demand for democracy remains high on the African continent, while its supply is on the decline. In an elaborate survey of over 45,000 respondents in 34 African countries conducted between 2016 and 2018, Afrobarometer found that only 34 percent of respondents felt they live in a democracy and are satisfied with how democracy works in their countries, while a full 68 percent think that democracy is the best form of government. Many countries in Africa are falling short in their efforts to consolidate constitutional rule, particularly with regards to the respect of presidential term limits, and other instruments of governance such as laws on elections, civic space and political party activity.

Since the early 2000s, about a dozen Sub-Saharan African countries have modified or removed constitutional term limits, adopted during the democratization wave to facilitate the peaceful and orderly renewal of political leadership. The weakening of constitutionalism, always organized by regimes for the benefit of the incumbent president, has in most cases been shrouded in controversy. It has led to excessive fragmentation and polarization of the polity, and, in some cases outright violence, and the further shrinking of political space. In Uganda, a constitutional amendment in 2018, would allow the current president who would have been in power for 35 years by the next election in 2021, to run for reelection. Similar amendments in countries such as Rwanda, Chad and Cameroon would allow long-serving, often old presidents to remain in office for life.

Correlation between disregard of constitutional norms and authoritarianism. The abrogation of presidential term limits or manipulation of constitutions for personal or partisan gain tend to be warning signs of more alarming democratic backsliding, indicating an erosion of checks and balances, and a further undermining of other tenets of democracy such as the independence of the judiciary to rule without bias, the power of legislators to exercise oversight,

or of journalists and human rights advocates to safeguard the rights of citizens. Moreover, leaders that push through constitutional amendments to shrink political space or perpetuate themselves in power feel emboldened to extend that same wanton impunity into other spheres of governance.

In one notable example, in 2008, in Cameroon, incumbent president Paul Biya in his 26th year in office, forced through a constitutional amendment to eliminate term limits so he could stay in power. In the street protests that followed, over 140 youth were killed by security services, acting with total impunity. Eight years later in 2016, when English speaking lawyers and teachers in the otherwise bilingual country protested the marginalization of Anglophones or natives of the former British Southern Cameroons, the government resorted to the same use of force that worked in 2008, instead of addressing the genuine political grievances of that population. That response from the government caused what began as civil complaints to degenerate into an armed conflict with major consequences for the country and the subregion. Today, the conflict has led to the loss of thousands of lives, hundreds of villages razed, tens of thousands of refugees across the border in neighboring Nigeria and hundreds of thousands of internally displaced persons in other regions of the country. The United Nations estimates that millions of Anglophone Cameroonians are now at risk of famine because of the conflict. To many Cameroonians from the affected regions, this conflict has become an existential threat to them and future generations, and with every new day of killings and atrocities, demands to opt out of the current state only grow louder. Similarly, after the 2018 presidential election, the outcome of which was contested by one of the main opposition candidates, Maurice Kamto of the Cameroon Renaissance Movement, the government has resorted to the same strong arm tactics to muzzle political opposition, journalists and all manner of dissent. Today, after 38 years as president, 87-year-old Paul Biya hangs on to power and can seek reelection for the rest of his life while the country burns and risks falling apart.

Lack of renewal of political leadership and state capture. Fragile constitutional frameworks undermine accountability and prevent renewal of leadership. The loss of accountability mechanisms that accompany term limit evasions is a major contributing factor to state capture by political elites who then seek a monopoly of access to economic power through patronage, prebends and corruption to maintain the status quo. State capture therefore severely restrains economic growth, inhibits the participation of larger segments of society in the country's economy, and undercuts the emergence of a viable private sector. It is no surprise that most of today's autocrats were already in positions of power or influence in the 1960s and 1970s when one party states or military rule were commonplace across the continent; with the advent of democratization they changed their stripes and now pay lip service to democracy without necessarily backing up their verbal utterances with democratic performance.

New crop of pseudo-democrats. African efforts at democratization have been stifled in a number of cases by leaders who, though elected democratically, proceeded, once in office, to revise the rules of the game or use other levers of power to shrink democratic space and maintain themselves in power. In this regard, leaders in countries such as Tanzania, Benin and Senegal, erstwhile democratic success stories, were only rated 'Partly Free' by Freedom House in 2019. In Tanzania, a series of draconian laws and regulations enacted since 2016 imposed unwarranted

restrictions on political parties, civil society and journalists, while in Benin (downgraded from 'Free' in previous years), a new electoral code was hastily adopted in the months leading up to legislative elections in April 2019, subsequent to which all opposition parties were impeded from participating in those polls. Similarly, in Senegal, two leading opposition candidates were excluded from the presidential election following their conviction in politically controversial corruption cases. Moreover, the number of active duty military officers or former rebel leaders turned politicians remains disconcertingly high, three decades into democratization efforts across the continent.

EXTERNAL VECTORS OF DEMOCRATIC BACKSLIDING

In a throw back to the old days of the cold war, illiberal forces from outside the continent are amplifying negative internal dynamics in a number of countries. Various extremist groups are seeking to undermine and further weaken already fragile states, while foreign powers such as China and Russia, in pursuit of their own political and economic interests, present alternative social models that do not inspire the embrace of democratic values.

Violent extremism. Weak state presence and porous national borders in the Sahel and the Horn of Africa have led to heightened activity by extremist groups, many of which originated from outside of the continent but have gained a strong foothold in the region. The initial foray of jihadists fighters into Northern Mali were remnants of various rebel fighters from Algeria, Libya and parts of the Middle East who easily found refuge in large swaths of ungovernable spaces in the Sahel. Overtime, these groups have found allies in local groups with grievances against the central government. Today, in the tri-border region between Burkina Faso, Mali and Niger, also called the Liptako-Gourma, domestic and regional terror groups, some of which are affiliates of the "*Islamic State*" or *Al Qaeda* now work hand-in-hand to generate financial resources and seek to dominate local communities through the trafficking of drugs, cigarettes, humans, weapons and other goods. Similarly, in the Horn of Africa, Somalia continues to struggle to combat Islamic terrorism as Al-Shabaab seeks to undermine various incarnations of the Somali government since 2009. Al-Shabaab has also attempted to strike outside of Somalia, and has inflicted casualties among civilian populations in Djibouti, Ethiopia and Kenya. In response, the countries have had to bolster their military and defense spending, often at the expense of education, health and other citizen services. The inability of governments to deliver human security and basic services to citizens has diminished citizens' faith in the 'democracy dividend,' which many Africans had hoped to see upon successful democratic transitions. Moreover, under the guise of fighting terrorism, especially beginning in the early 2000s, autocratic regimes in countries such as Zimbabwe, Tanzania and Cameroon have enacted stringent anti-terrorism laws that have been used to curb the rights of citizens, impede political party activities and suppress the press and other forms of dissent or contestation of government actions.

China. Although China has engaged strategically with African governments, ruling parties and liberation movements for several decades, its newest foray onto the continent is both bullish and assertive. China carries an apparent 'no strings attached' approach in its bilateral relations with African countries, with an emphasis on infrastructural development, financial aid and loans, and access to raw materials; it does, however, expect in return political support in forums such as the

United Nations and for its 'One China Policy.' For example, after Burkina Faso recognized China instead of Taiwan in 2018, the Chinese government pledged a contribution of \$44 million to the G5 Sahel Joint Force, of which Burkina Faso is a partner. Tiny eSwatini (Swaziland) is now Taiwan's only remaining bilateral mission in Africa. Over 95 percent of China's raw materials imports are from Africa, and include oil, minerals and timber.

Since launching the Forum on China and Africa Cooperation in 2002, China has hosted a summit for African heads of state or government every three years, chaired by the Chinese president. It has also strengthened its citizen exchanges with Africa, going from 40,000 African students who received scholarships to study in China from 2012 to 2016, to 80,000 in 2020. In comparison, only 40,000 Africans are currently studying in the U.S. China has a network of about 60 Confucius Institutes on African university campuses. There are approximately 20,000 Chinese medical personnel in Africa. The Chinese government-run news agency, Xinhua, is the largest foreign news source in Africa with more than 20 bureaus across the continent, and China Radio International, and China Television Global Network (CTGN) broadcast in English, French and major local languages to a growing African audience. The Chinese Communist party regularly invites groups of African journalists on study visits to China. Chinese soldiers are part of the United Nations Peacekeeping Missions in Sudan and in the Sahel; and the country has a military base in Djibouti.

Chinese engagement in Africa is relevant to this hearing as the country and its very influential Chinese Communist Party (CCP) present an alternative narrative to political and economic development that does not place a premium on pluralistic democratic values and processes. For example, in 2018, China, on behalf of the CCP, launched a US\$45 million dollar project in Tanzania to construct a party institute for the country's ruling party and former liberation movements that are now ruling parties in South Africa, Zimbabwe, Angola, Namibia and Mozambique -- countries that have all embraced multipartism and more open political space. That same year, China and the CCP hosted a two-day high profile conference in Dar-es-Salaam, Tanzania for leaders from 40 ruling parties across Africa to discuss opportunities for deepening collaboration.

Russia. In October 2019, Russian president Vladimir Putin and Egyptian president Abdel Fattah el-Sisi co-hosted the first Russia-Africa summit for 43 African heads of state and government. Russia declared Africa a foreign policy priority and pledged political and diplomatic support, defense and security assistance, economic development, health care advice and education and vocational training. Russia's engagement in the defense sector in Africa is growing rapidly. Since 2015, military cooperation agreements have been signed with over 20 African countries. In 2017 and 2018, Russia signed export agreements for military equipment with Angola, Nigeria, Sudan, Mali, Burkina Faso and Equatorial Guinea, which include the delivery of Russian fighter jets, combat and transport helicopters, anti-tank missiles and engines for fighter planes. In the Central African Republic, Russia has deployed mercenaries to allegedly support the government in its fight against a broad array of rebel groups.

Today, Russia seems eager to revive its engagement in Africa by restoring Soviet-era type ties with countries across the continent. Like China, Russia strives to benefit from the continent's

raw materials such as manganese, bauxite and chromium; in the process, showing no regard or interest in supporting democratic reforms or practices, such as government oversight, freedom of speech and the press and the protection of human rights. In one notable example in January 2019, as the president of Guinea Conakry contemplated elongating his term of office contrary to the country's constitution, then Russian ambassador to Guinea publicly praised President Conde and openly backed the anti-constitutional move. A few months after ending his tour of duty as ambassador, the said individual returned to Guinea Conakry to head the Russian aluminium firm Rusal that runs an important bauxite concession in the country. In another example of interference in African political processes for economic gain, as widely reported by the *New York Times*, Russia actively financed the campaigns of almost all candidates to the presidential election in Madagascar, starting with the former President Rajaonarimampianina in his bid to win reelection in 2019, and quickly spreading money around to other candidates as it became apparent that Rajaonarimampianina was losing the race. That effort was geared at helping Russia maintain control of its chromium mining operations in the country.

Media reports have also surfaced, including as recently as March 2020, about Russian efforts to sow disinformation in social discourse including a CNN report on an alleged Russian 'troll factory' in Accra, Ghana. More ominous for nascent, fragile democracies in Africa, it is worthy of note that some leaders of the Malian military that toppled a democratically elected president in August 2020, had just returned from a year of military training in Russia. Although the Kremlin may not have actively supported the coup, Russia has been quick to establish friendly relations with the military junta, and the Russian ambassador in Bamako was one of the first foreign dignitaries to meet with junta leadership within days of the coup. Russia is generally viewed positively in Mali, as seen by protesters waving Russian flags and pro-Russia posters during a pro-coup demonstration.

THE WAY FORWARD

Despite these significant challenges, there are reasons for hope, and prospects for democratic gains in Africa are within reach, especially if synergies are developed and sustained across multiple sectors of pro-democracy advocates and champions.

Democratic aspirations of a majority of 1.4 billion Africans. As stated earlier, surveys by the well respected Afrobarometer research institution consistently indicate a preference among Africans for democratic rule over all other types of government. In its [2019 survey](#) of respondents in 34 countries, Afrobarometer found that more than two thirds (68 percent) of Africans say that democracy is the best form of government. Even higher percentages are opposed to various forms of authoritarianism with 78 percent opposed to dictatorship, 74 percent opposing one party rule, and 72 percent opposing military rule. Although for the 20 countries with data going back to the early 2000s, the preference for democracy has declined in some countries over time, in a majority of countries, it has increased. Support for presidential term limits is strong across the continent, and particularly high in Guinea (76 percent) and Côte d'Ivoire (78 percent), two countries facing presidential elections in October with surrounding controversy over the third term issue. In Uganda and Zimbabwe, two countries that do not currently have term limits, support for the introduction of such limits is similarly high -- a

staggering 85 percent in Uganda and 74 percent in Zimbabwe, according to Afrobarometer data from 2011/2013. In Nigeria, when President Obasanjo in 2006 tried to revise the constitution so he could stand for a third term, he was successfully opposed by his own legislative majority. In 2001, President Chiluba of Zambia similarly had to abandon efforts at removing constitutional term limits when members of his own party in response pressed for impeachment proceedings against him.

Demographic asset. According to United Nations statistics, Africa has the largest concentration of young people in the world. People aged below 35 make up 75 percent of the population, and constructive positive engagement with this youthful population in reinforcing their commitment to democratic values and practices would augur well for a more prosperous democratic future.

Youth and technology. Youth have been at the forefront of a rising number of protest movements against democratic backsliding and bad governance across the continent, pushing back against violations of democratic norms and deftly using the tools of new technologies and social media platforms to organize and communicate, including across national borders, when necessary. In Senegal in 2012, when former President Abdoulaye Wade tried to elongate his term of office by seeking a third presidential term, a youth-led civil society movement *Y'en a Marre* sprang up and successfully mobilized voters to counter Wade's efforts. Inspired by the Senegalese success, a similar youth-led civil society movement *Balai Citoyen* emerged in Burkina Faso in 2014, and was instrumental in forcing former President Blaise Compaoré, who had been in power for 27 years, to step down and not change constitutional term limits to perpetuate himself in power. Similarly, young civic leaders in the Democratic Republic of Congo (DRC) organized the movements *Lucha* and *Filimbi* which, through street protests, pressured then President Joseph Kabila to abide by constitutional term limits and step down in January 2019. The successes of these movements bear testament to the power of citizen engagement and resilience in countering efforts by authoritarian-leaning leaders to manipulate existing legal frameworks and perpetuate themselves in power.

Women and access to political power and decision-making. Women constitute approximately 51 percent of the continent's population, although their full weight has still to be felt in policy-making and political processes. Increasingly though, women's leadership and representation is progressing, and more women are playing important roles at the forefront of political movements in countries as diverse as Burkina Faso and Sudan. In the past decade, President Ellen Johnson Sirleaf was twice elected president in Liberia, and two other women served as presidents during multi-year transition periods in Malawi and the Central African Republic. To date, 42 African countries have established gender quotas for public elections varying from a low 25 percent in Niger to a 50 percent gender balance quota in Rwanda and Senegal. In Rwanda, a combination of a 30 percent gender quota and reserved seats for women have resulted in women now holding 61 percent of seats in the Chamber of Deputies. According to the Inter-Parliamentary Union, of 75 legislative bodies in Africa (upper and lower Chambers), 16 are headed by women, including in: Democratic Republic of the Congo, Equatorial Guinea, Eswatini, Ethiopia, Gabon, The Gambia, Lesotho, Liberia, Madagascar, Malawi, Mozambique, Rwanda, South Africa, Togo, Uganda and Zimbabwe. Reforms to promote women's empowerment and gender equality in business will bear dividends, especially as six of the top

reforming economies in the world, as per the World Bank, are in Sub-Saharan Africa -- the Democratic Republic of Congo, Guinea, Malawi, Mauritius, São Tomé and Príncipe and Zambia. Increasing women's political and economic empowerment will contribute to more equitable and responsive government policies in the years and decades to come.

Legal instruments. One of the beauties of today's Africa is that significant progress has been made in terms of adopting continent-wide and regional norms and legal instruments in support of democracy and good governance. The African Union (AU) adopted the Charter on Democracy, Elections and Governance in 2007 as a roadmap to encourage better governance, dissuade militaries from intervening in political processes, and facilitate credible elections and peaceful transfers of power across the continent. The Charter, which entered into force in 2012, identifies best practices and sets out international standards of good governance and democracy in such areas as rule of law and constitutionalism, free and fair elections and healthy civil-military relations. Some subregions such as West Africa already had region-specific protocols on the books. For example, the ECOWAS Protocol on Democracy and Good Governance of 2001, ratified in 2005, was adopted as a mechanism to promote regional convergence toward constitutional government. These legal instruments provide a conducive framework for strengthening democratic institutions and processes across the continent, should new leadership emerge with greater political will and the vision to improve the wellbeing of their fellow citizens than is currently the case in some countries on the continent.

RECOMMENDATIONS

Building a firewall against democratic backsliding in Africa requires a combined effort among Africans and democracy advocates, practitioners and champions worldwide. Below are a few recommendations that could contribute to such a collective endeavor.

To U.S. Policy makers:

- Revamp U.S.-Africa policy with a view to consolidating investments made over the past three decades in building democratic institutions, and fostering governance principles and practices that improve the wellbeing of citizens.
- Envisage the amplified use of incentives, but also punitive measures such as targeted sanctions against regime leaders and political elites that perpetuate gross human rights violations and atrocities against their own people, and hence trigger violence and armed conflict that decimate the material and human capital of their countries.
- Prioritize initiatives that support women, youth and other underrepresented or marginalized groups that are the most vulnerable, and hence most likely to be disaffected by the state and to lose faith in the direct and societal benefits of democracy.
- Calibrate U.S.-Africa engagement to focus intensely on the generation of 35 years and younger as they form the African youth bulge and are, significantly, the generation that has come of age with the democracy wave of the 1990s and beyond.

To the international community at large:

- Amplify public diplomacy on measures that strengthen democracy and good governance, as they also are preventive pillars to global crises such as illegal migration, violent extremism, human trafficking and transnational crime.
- Be consistent in bilateral and multilateral engagements with African countries so as to avoid double standards and elite-driven relationships hampering democratization efforts across the continent.
- Provide access to global platforms within the United Nations system, including the UN Security Council for substantive discussions on the wellbeing of Africans and an end to the gross atrocities and human rights violation that are a plague on the human conscience.

To African democrats:

- Intensify building synergistic national and regional networks of democracy advocates and champions to consolidate best practices and enhance peer-to-peer learning and support in the pursuit of more just and open societies.
- Enhance regional diplomatic cross-sectorial engagements, including with statesmen and women, legislators and regional judicial entities to obtain greater commitments to democratic norms enshrined in regional and subregional charters.
- Invest heavily in empowering youth and women as leaders with the vision, skills and commitment to safeguard and promote greater and better democratic performance across the continent.

CONCLUSION

Thank you again for holding this hearing on this very important subject. With Congress's support, NDI will continue to assist African democrats across the continent as they raise their voices, claim civic and political space and hold their leaders accountable in an effort to consolidate the democratic gains of the past 30 years and counter further democratic backsliding.

Again, I want to thank the Chairman and Ranking Member, and members of this Committee for your support for our work, and for inviting me to testify before you today.

Ms. BASS. Thank you. You will have a little more time during the Q&A.

Dr. FOMUNYOH. Thank you. Thank you, Madam Chair.

Ms. BASS. Sure.

Dr. Bekoe.

**STATEMENT OF DR. DORINA BEKOE, RESEARCH STAFF
MEMBER, INSTITUTE FOR DEFENSE ANALYSES**

Dr. BEKOE. Good morning, Chair Bass and Ranking Member Smith, and distinguished members of the committee. Thank you for the invitation to testify on democratic backsliding in sub-Saharan Africa. I am a research staff member at the Institute for Defense Analyses, as you said—

Ms. BASS. You might want to pull the mic closer. It is hard to understand you.

Dr. BEKOE. My remarks do not represent IDA or any of its government sponsors. My remarks and views are my own, and my testimony will focus on elections and political transition. So today, all countries in Africa except Eritrea hold elections. Africa's experience has been mixed. While there have been notable strides and important innovations, worrisome trends undermine Africa's governance and security.

Many hoped that elections would result in regular, peaceful, predictable changes in government such as reducing the number of coups, and they have, but coups still occur even in the context of the predictability of a democratic government. Mali's 2012 coup took place even though there was a regularly scheduled election just 1 month away. And the coup in August of this year took place despite the fact that in 2018 there was a Presidential election and last year there were legislative elections.

Many hoped that elections would also end authoritarianism by offering opportunities for changes in government. And while 21 countries on the continent have respected their constitutionally mandated two-term limits, 14 countries have modified or eliminated the term limit, and 8 countries have never adopted them. In Africa today, there are ten leaders that have served for 20 years or more and my colleague Chris Fomunyoh highlighted a number of them.

An important aspect is understanding how African citizens themselves rate the quality of their countries' elections and here we turn to Afrobarometer, which is an independent pan-African research institution, and their surveys indicate that 40 percent of Africa's citizens rated their countries as having organized completely free and fair elections, so less than half. And this average has held steady for over two decades, or for the last two decades.

Citizens also communicate by turning out to vote, and research that I have done with Stephanie Burchard showed that reduced voter turnout is one of the many side effects of pre-election violence. And we saw that in Kenya. Low voter turnout also reflects low political engagement and we can look to Mali on this as well. Sustained low voter turnout between 30 and 40 percent has often been cited as an indication of public disengagement, disdain for corruption, and mistrust of the country's democratic institutions, which some analysts feel also facilitated the acceptance of a coup.

Electoral violence is an important indicator of democratic backsliding and some highlights from research tell us that approximately 65 percent of Africa's elections have experienced violence. Most of that violence has been in the form of verbal harassment, discouraging political aspirants, vandalizing election materials, impeding the media. We also know that 95 percent of electoral violence is before the election.

Post-election violence, while it is less frequent, is actually much deadlier, and Africa's worst incidents of electoral violence have occurred afterwards. There are some encouraging signs that I would like to point out, however. One, Kenyan civil society has pioneered electronic platforms where citizens can record incidents of fraud and harassment and that has been replicated many places on the continent.

There are election situation rooms where information is conveyed to a central location and steps are taken to mitigate tension. Parallel vote tabulation is also widely practiced as a check on official results, and other countries like Ghana have developed national peace infrastructure to play an active role in creating a peaceful environment. Judiciaries are also playing an important role in leveling the playing field, but they must be credible and independent.

I would like to just close with three recommendations. One is to focus on the pre-election environment by identifying hotspots of violence and developing mechanisms to reduce tension. Two is to strengthen electoral dispute adjudication, supporting viable and trusted avenues for addressing electoral grievances whether through the courts, negotiations, or other mechanisms. And then, finally, to provide support to independent civil society organizations to enhance their capacity to prevent electoral violence and enhance the quality and credibility of elections.

So I will close with that. Thank you very much for the opportunity to address the committee.

[The prepared statement of Dr. Bekoe follows:]

Testimony of Dorina A. Bekoe
 Research Staff Member
 Institute for Defense Analyses

Hearing on “Democratic Backsliding in Sub-Saharan Africa”
 U.S. House of Representatives
 House Foreign Affairs Committees
 Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations

September 30, 2020

Chair Bass, Ranking Member Smith, and Distinguished Members of the Committee, thank you for the invitation to testify on democratic backsliding in Sub-Saharan Africa. I am a research staff member at the Institute for Defense Analyses, where I am part of the Africa team. I have worked on Africa’s politics and conflict dynamics my entire professional life – and on elections, in particular, for 15 years. My testimony will focus on elections and political transition. It draws on my research on Africa’s elections, politics, conflict dynamics, and governance. My testimony will also be informed by the considerable amount of time I have spent on the ground in several African countries, working with civil society organizations to develop workshops on preventing electoral violence and conducting fieldwork.

My testimony will provide an overview of elections in Africa, insights on Africa’s citizens’ assessment of their own countries’ elections, areas of progress, and persistent and emerging concerns regarding elections in Africa. Given that electoral violence represents a stark example of democratic backsliding, I will also offer recommendations for how the U.S. government could help support fragile electoral environments, to increase the possibility of free, fair, and peaceful elections.

Elections in Africa

As the cold war came to a close in 1990, only a few countries in Africa had experience with regular, multiparty elections. The collapse of the Soviet Union ushered in the “third wave” of democratization: African countries quickly began to transition from authoritarian and military regimes to multiparty politics. By 1997, 75 percent of Africa’s countries had adopted multiparty elections.¹ Today, all countries in Africa, except Eritrea, hold elections. Ideally, elections promise citizens regular changes in government, peaceful political transitions, and a voice. Have Africa’s elections delivered on these promises? Africa’s experience in the last 30 years has been mixed. While there have been notable strides and important innovations, worrisome trends undermine governance and security in some African countries.

There is great variation in Africa’s experience with political transition. Some countries have robust political parties and have experienced peaceful transitions between parties. For example,

¹ Stephanie M. Burchard and Meshack Simati, “The Role of the Courts in Mitigating Election Violence in Nigeria,” *Cadernos de Estudos Africanos*, 38 (2019): 125. <http://journals.openedition.org/cea/4407>.

Ghana has successfully transferred political power between the two major parties three times. Sierra Leone and Liberia have also had similar political transitions. In other countries, political parties are weak or marginalized, resulting in the same party ruling for decades. For example, in Uganda, Rwanda, and Chad, multiparty elections take place regularly. Yet, state harassment, intimidation, and violence has rendered the political opposition weak and enabled the presidents of these countries to stay in power for decades.

Toward Regular Changes in Government

In the decades that followed independence, military and authoritarian regimes defined many countries in Africa. From 1952 to 1990, there were 65 coups d'état in Africa, representing an average of one to two coups annually. The adoption of democratic norms – with their hallmark of regular, free, and fair elections – brought hope that violent political transitions would come to an end. In fact, elections have reduced the frequency of coups: between 1990 and 2019, Africa experienced 24 coups – less than one a year.²

While applauding the reduction in coups, it is important to ask why they still occur. Mali's 2012 coup d'état occurred, even though a regularly scheduled election was just one month away. The coup in Mali in August 2020 took place, despite the presidential election in 2018 and legislative elections in 2019. In my view, the continued use of coups to change governments is less a reflection of generalized backsliding, rather than one of stalled democratization within particular countries in Africa. Most countries in Africa do not experience coups. However, in cases where coups do occur, an explanation may lie in the failure of democratic institutions to deliver on promises of good governance, security, and economic development.

Elections may not only reduce the number of coups, but also guard against authoritarianism, by offering opportunities for regime change. One important defense against authoritarianism is term limits. Presently 21 countries have respected their constitutionally mandated two-term limit, but 14 countries modified or eliminated the two-term limit; 8 countries never adopted term limits. In Africa today, 10 leaders have served for 20 years or more; in Togo and Gabon, the current presidents took over from their fathers, each constituting 53 years of uninterrupted rule by a single family. Notably, most of the attempts to modify or eliminate the two-term limit have taken place in the last six years.³ Elections have failed to deliver on the promise of providing opportunities for regime change.

West Africa, once considered one of the regions with the strongest adherence to the two-term limit, is showing signs of weakening. In 2015, the Economic Community of West African States (ECOWAS) failed to institutionalize the two-term limit among its 15 members. Togo and The Gambia, whose presidents were serving beyond two terms, did not support ECOWAS' proposal to formally adopt such a norm.⁴ Even as Senegal's citizens approved a referendum in 2016 *reducing* the number of years of a term (from seven to five years), Côte d'Ivoire and Guinea

² Center for Systemic Peace, "INSCR Data Page," accessed September 23, 2020, <https://www.systemicpeace.org/inscrdata.html>

³ Joseph Siegle and Candance Cook, "Circumvention of Term Limits Weakens Governance in Africa," Africa Center of Strategic Studies, *Infographic*, September 14, 2020. <https://africacenter.org/spotlight/circumvention-of-term-limits-weakens-governance-in-africa/>

⁴ "West African leaders shelve third-term ban proposal," *BBC*, May 20, 2015, <https://www.bbc.com/news/world-africa-32808685>.

approved constitutions – in 2016 and 2020, respectively – that eventually paved the way for third terms⁵. Later this year, Côte d’Ivoire and Guinea will hold elections in which the incumbent argues that the change in the country’s constitution permits him to re-set the clock on his tenure. The third-term attempt has resulted in violent clashes in both countries. Although incumbents couch arguments for third- (or more) terms within the legal framework of a constitution, eliminating or elongating term limits runs contrary to the fundamental objective of elections.

Citizens’ Perspectives

While the regularity of elections and the opportunity for regime change are a central component of democratic advancement, quality is an equally critical factor. Opposition parties do not always compete on a level playing field with the ruling party. In Uganda, Rwanda, and Niger, opposition party leaders have been marginalized, arrested, intimidated, and physically harmed -- effectively hindering their chances of fairly competing for power. In Côte d’Ivoire, the question of citizenship and eligibility to vote, undermined elections, served as the basis of a brief civil war, and resulted in one of the worst instances of post-electoral violence on the continent. In Kenya, pre-election violence has routinely displaced, discouraged, and eliminated potential voters.

How do Africa’s citizens rate the quality of their countries’ elections? Afrobarometer, an independent, pan-African research institution that has regularly surveyed African citizens on their attitudes on democracy, governance, economic concerns, and social issues, provides a rich source of data. On the question of fairness of elections, opinions have been largely stable since 1999 across the continent: on average, approximately 40 percent of Africa’s citizens rated their countries as having organized “completely free and fair” elections.⁶

At times, the election quality can vary within the same country. For example, during the 2011-2013 round of surveys by Afrobarometer, 40 percent of Ghanaians rated the elections as free and fair, reflecting perhaps a drawn-out contestation of the 2012 election results at the Supreme Court. In contrast, Afrobarometer’s 2016-2018 round of surveys reported that 65 percent of Ghanaians rated elections as completely free and fair, possibly indicative of the 2016 electoral environment, where the electoral commission implemented extensive reforms.⁷ Still, the consistency of low marks across Africa, spanning two decades, suggests a level of stagnation and persistent problems in a number of countries.

Citizens also communicate by turning out to vote. Across the continent, voter turnout has declined slightly over the last 30 years, reflecting a global trend.⁸ In the early to mid 1990s, presidential elections resulted in nearly 70 percent voter turnout on average, more recently, voter turnout averages approximately 60 percent. Turnout for parliamentary elections has been

⁵ “Senegal referendum approves shorter presidential terms,” *BBC*, March 23, 2016, <https://www.bbc.com/news/world-africa-35885465>.

⁶ Afrobarometer, “Online Data Analysis,” accessed September 25, 2020, <https://afrobarometer.org/online-data-analysis/analyse-online>

⁷ *Ibid.*

⁸ Abdurashid Solijonov, “Voter Turnout Trends around the World,” *International IDEA*, 2016: 24-25. <https://www.idea.int/sites/default/files/publications/voter-turnout-trends-around-the-world.pdf>

steadier, averaging approximately 63 percent over the last 30 years.⁹ What message does voter turnout send? My research with Stephanie Burchard on this issue reveals that voter turnout can reflect citizens' intimidation by political parties: reduced voter turnout was among one of the many the effects of pre-election violence in Kenya.¹⁰

Low voter turnout also reflects low political engagement. In Mali, the sustained low voter turnout – approximately 30-40 percent – has often been cited as evidence of the public's disengagement, disdain for pervasive corruption, and mistrust in the country's democratic institutions. Many concluded that such sentiments facilitated the acceptance of Mali's 2012 coup d'état.¹¹ Consequently, low and declining voter turnout can signal decreasing confidence in the electoral process, fear, disinterest in political engagement, and the inability of political parties to connect with citizens.

Creating Conditions for Peaceful Political Transitions

Electoral violence manifests as the clearest signal of democratic backsliding or lack of progress in democratization. While intense electoral violence draws attention, the range of electoral violence is much broader. In addition to fatalities, electoral violence also includes harassment and intimidation of political party supporters and targeted assassinations of political party leaders or operatives.¹² There are gender dimensions to electoral violence, as well. Female political aspirants suffer intimidation, intended to discourage their participation. Women sometimes are subjected to domestic violence, for participating in political activism or supporting particular candidates.¹³

Among Africa's 333 presidential and parliamentary elections, from 1990-2017, approximately 65 percent – or 216 elections – experienced violence, ranging from physical harassment and intimidation to mass fatalities. Most of the violence among the 216 elections – 60 percent – comprises verbal harassment of voters, discouraging political aspirants, vandalizing election materials or promotional items, impeding the media, and riots. Repeated targeting of specific candidates or incidents resulting in a limited number of fatalities occurred approximately in 22

⁹ International IDEA. "Voter Turnout Database," accessed September 25, 2020, <https://www.idea.int/data-tools/data/voter-turnout>

¹⁰ Dorina Bekoe and Stephanie Burchard, "The Contradictions of Pre-election Violence: The Effects of Violence on Voter Turnout in Sub-Saharan Africa," *African Studies Review*, 60, no. 2 (September 2017): 73-92. <https://www.cambridge.org/core/journals/african-studies-review/article/contradictions-of-pre-election-violence-the-effects-of-violence-on-voter-turnout-in-sub-saharan-africa/AAAC0536FBFD4D11E1617B0058D7737>

¹¹ Alexis Arief, "Crisis in Mali," Congressional Research Service, January 14, 2013: 8. <https://fas.org/sgp/crs/row/R42664.pdf>. Baz Lecocq, Gregory Mann, Bruce Whitehouse, Dida Badi, Lotte Pelckmans, Nadia Belalimat, Bruce Hall & Wolfram Lacher, "One hippopotamus and eight blind analysts: a multivocal analysis of the 2012 political crisis in the divided Republic of Mali," *Review of African Political Economy*, 40:137 (2013): 347, DOI: 10.1080/03056244.2013.799063

¹² Scott Straus and Charlie Taylor, "Democratization and Electoral Violence in Sub-Saharan Africa, 1990–2008," in *Voting in Fear: Electoral Violence in Sub-Saharan Africa*, ed. Dorina A. Bekoe (Washington: United States Institute of Peace, 2012): 15-38.

¹³ Gabrielle Bardall, "Breaking the Mold: Understanding Gender and Electoral Violence." *IFES White Paper* (2011). www.ifes.org/publications/breaking-mold-understanding-gender-and-electoral-violence.

percent of elections. Extreme violence, defined as 20 or more fatalities, occurred in 18 percent of violent elections.¹⁴

The timing of electoral violence has implications for its severity. Nearly 95 percent of electoral violence takes place *before* the election.¹⁵ However, post-election violence, while less frequent, is deadlier.¹⁶ Africa's worst incidents of electoral violence have nearly all occurred after the election. These incidents include: Côte d'Ivoire (2010), with approximately 3,000 fatalities and 1 million displaced, and Kenya 2008, with more than 1,100 fatalities and 700,000 displaced.¹⁷

The adoption of regular, multiparty elections was expected to reduce violence in Africa's political transitions. However, electoral violence has shown no distinct pattern of decreasing. Rather, it remains erratic.¹⁸ It regularly occurs in specific countries – such as Kenya and Nigeria. Violence can also vary between elections – with some contexts resulting in more violence than others. The lack of a clear trend of the ebb and flow of electoral violence indicates that some countries have persistently weak institutions to manage political conflict.

Encouraging Signs in Electoral Practices

Emerging practices among civil society organizations and some state institutions provide viable options for preventing electoral violence and stemming electoral decline. The 30 years of democratization has brought innovation in organizing and monitoring elections. Notably, civil society organizations in many African countries have become active partners in ensuring elections proceed peacefully. Domestic organizations are often regarded as less independent than international organizations. In some environments, domestic organizations are weak, easily politicized, and under-resourced. While that may be true in some cases, domestic organizations have distinct advantages, especially when operating in permissive environments. In particular, they understand political networks and nuances, can cultivate trusting relationships, and are on the ground long before and after international organizations.

With the appropriate support and in specific settings, domestic organizations, with international partners, have adopted and developed impressive mechanisms to create conditions for peaceful elections. Kenya's civil society, for example, through the development of *Ushahidi*, pioneered electronic platforms where citizens can record incidents of fraud, harassment, and violence. Today, some form of electronic reporting of conditions on the ground exists in many African countries. Civil society in Nigeria launched "Election Situation Rooms" – now prevalent in many other countries – to monitor and address tension and violence in the electoral process. With an election situation room, observers on the ground send reports to a central office, where

¹⁴ Dorina A. Bekoe and Stephanie M. Burchard, "The Use of Electoral Violence," in *Routledge Handbook of Democratization in Africa*, eds. by Gabrielle Lynch and Peter VonDoepp, (London: Routledge, 2019): 258-272.

¹⁵ Charles F. Taylor, Jon C.W. Pevehouse, and Scott Straus, "Perils of Pluralism: Electoral Violence and Incumbency in Sub-Saharan Africa," *Journal of Peace Research* 54, no. 3 (2017): 397 – 411.

¹⁶ Stephanie M. Burchard, *Electoral Violence in Sub-Saharan Africa: Causes and Consequences*, (Boulder: Lynne Rienner Publishers, 2015).

¹⁷ Freedom House, "Freedom in the World 2012," (2012) <https://freedomhouse.org/report/freedom-world/2012/cote-divoire>; Gabrielle Lynch, "Kenya's Election 2013: An Eye On the Rift Valley," *Democracy in Africa*, July 20, 2013, <http://democracyinfrica.org/kenyas-election-2013-an-eye-on-the-rift-valley/>.

¹⁸ Straus and Taylor, "Democratization and Electoral Violence," 15-38.

analysts evaluate conditions and develop responses to reduce tensions.¹⁹ Parallel vote tabulation, another form of monitoring developed in the Philippines, is a tool employed in many African countries to substantiate official results.²⁰ Finally, a few other countries, like Ghana, have developed a national peace infrastructure, which plays an active role in creating a peaceful environment for elections.²¹

Judiciaries play an increasingly important role in leveling the electoral playing field and resolving electoral disputes. After Ghana's 2012 election, the losing party challenged the results in the Supreme Court. While the results were upheld, the court required the electoral commission to implement 27 reforms to increase transparency and credibility. Kenya's Supreme Court nullified the 2017 election, due to substantial irregularities that undermined the integrity of the polls, requiring the electoral commission to re-run the election. Similarly, Malawi's Constitutional Court nullified the 2019 presidential election, due to severe irregularities, mandating a re-run of the election. In Malawi's case, the intervention by the Court proved even more consequential: the second election reversed the result of the first, bringing the opposition to power.

Appealing to the judiciary can serve to prevent violence, but only under certain conditions. In Kenya's 2007 elections, Raila Odinga, an opposition leader, famously called his supporters to the streets, rather than contest the results through the courts, which he considered biased.²² Over the course of four months of violent responses by security forces, ethnic clashes, and retaliatory violence, approximately 1,100 people died and 700,000 were displaced.²³ The judiciary is most useful in preventing violence when citizens regard it as independent; the mere presence of courts does not necessarily assist in preventing violence.²⁴ In Ghana's case, the leader of the opposition pledged to uphold the decision of the Supreme Court, even before he knew the ruling²⁵ – simultaneously calming a tense environment and demonstrating faith in the judicial process.

Conclusions and Recommendations

Africa's elections appear in the news when there is controversy and violence. The stories that come to our attention describe tense environments where clashes result in hundreds or thousands of fatalities - such as Kenya (2007-2008); Côte d'Ivoire (2010); Nigeria (2011); Togo (2005); Ethiopia (2005); and Republic of Congo (1993-1994). Africa's elections also come to the world's attention when losing candidates refuse to concede defeat. These include many

¹⁹ Amanda Fortier, "From a "Situation Room," Democracy Spreads in West Africa," *Voices*, Open Society Foundations, October 20, 2014, <https://www.opensocietyfoundations.org/voices/situation-room-democracy-spreads-west-africa>

²⁰ The ACE Electoral Knowledge Network, "Election Observation," accessed September 28, 2020, <http://aceproject.org/ace-en/topics/eo/onePage>

²¹ William A. Awinador-Kanyiringe, "Ghana's National Peace Council," *Policy Brief*, Global Responsibility to Protect, August 2014, <http://s156658.gridserver.com/media/files/awinador-ghana-national-peace-council.pdf>

²² "Kenya's Defeated Presidential Candidate Vows to Fight Poll Loss in Court," *The Guardian*, March 10, 2013, www.theguardian.com/world/2013/mar/10/kenya-candidate-fight-poll-courts

²³ Freedom House, "Freedom in the World 2012."

²⁴ Burchard and Simati, "The Role of the Courts."

²⁵ "Akufo-Addo Pledges to Accept Supreme Court Decision," *Modern Ghana*, May 17, 2013. www.modernghana.com/news/464470/akufo-addo-pledges-to-accept-supreme-court-verdict.html

countries with intense post-election violence, as well as others, like The Gambia, that drew in ECOWAS to mediate a peaceful handover.

The intense electoral violence and problematic political transitions may suggest that the continent's democracy and multiparty election processes are failing. Africa's 55 countries offer a more nuanced conclusion: in some countries, electoral institutions are strengthening and predictable; other countries are struggling to advance; and a few have suffered serious setbacks. Still, Africa's citizens remain supportive of democracy,²⁶ providing opportunities for international partners to help improve electoral processes.

The U.S. government, in particular, can play an important role in improving the organization, management, and processes of elections in Africa. Working with partners on the ground and globally, the U.S. government's assistance would be particularly impactful in three areas: the pre-election environment; institutions to adjudicate electoral disputes; and support civil society and regional organizations, where possible.

1. *Pre-election environment*: In most cases, electoral violence is neither inevitable nor unexpected. Elections bring out social cleavages and awaken long-existing conflict drivers in many countries. The data also tell us that nearly all violence occurs months before the election. Therefore, assistance should focus on pre-election processes to identify hotspots of violence and develop mechanisms to reduce tension. Focusing on the pre-election environment is particularly important, as post-election violence is usually deadlier.
2. *Electoral dispute adjudication*: A viable and trusted avenue for addressing electoral grievances can reduce the incentive to use violence, improve transparency of the electoral process, and increase the credibility of the polls. Supporting efforts aimed to mediate electoral disputes – whether through the court system, negotiations through trusted stakeholders, or other mechanisms – could help reinforce environments with weak institutions.
3. *Support to civil society organizations*: Domestic organizations, by virtue of their vested interests in preventing violence, may have distinct advantages over international organizations. Credible and independent civil society organizations have emerged as trusted monitors of elections and mediators to conflict. Providing support to civil society to enhance institutional capacity could serve to prevent electoral violence and enhance the quality and credibility of elections.

²⁶Robert Mattes, "Democracy in Africa: Demand, Supply, and the 'Dissatisfied Democrat,'" *Afrobarometer*, Policy Paper No. 54, February 2019, https://afrobarometer.org/sites/default/files/publications/Policy%20papers/ab_r7_policypaperno54_africans_views_of_democracy1.pdf

Ms. BASS. Thank you.
Mr. Temin.

**STATEMENT OF MR. JON TEMIN, DIRECTOR, AFRICA
PROGRAM, FREEDOM HOUSE**

Mr. TEMIN. Chair Bass, Ranking Member Smith, and members of the subcommittee, it is an honor to testify before you today. I ask that my full written testimony be admitted into the record.

I will start by highlighting several trends we at Freedom House observed in sub-Saharan Africa in the most recent version of our Freedom of the World Report. First, we are seeing lots of volatility in the State of freedoms and democracy. Of the 12 largest score declines globally in our recent report, seven are in sub-Saharan Africa. But of the eight largest improvements, six are in the region.

Second, West Africa, previously considered the democratic leader among Africa's sub-regions, is of particular concern. Of those seven large score declines, five are from countries in West Africa. Third, freedom and democratic governance is enjoyed by far too few Africans. Only 9 percent of people in sub-Saharan Africa live in countries that Freedom House categorizes as free.

Citizens bear the brunt of democratic backsliding. They are attacked when they peacefully protest in opposition to the government as in Guinea and Cameroon. They are unable to use the internet when the government restricts access as in Ethiopia and Chad. Civil society groups face excessive limitations on their activity as in Tanzania and Burundi, and journalists are threatened and detained as in Nigeria and Zimbabwe.

Governments are developing new methods to limit citizen activity such as requiring bloggers to meet stringent registration requirements, as in Uganda, and using COVID-19 as a pretext for closing political and civic space, to which I will add that Freedom House strongly endorses H.R. 6986, the Protecting Human Rights During Pandemic Act, which is currently under consideration.

In the interest of time, I will focus the rest of my remarks on recommendations. My first recommendation concerns American messaging. While that messaging is often strongly supportive of democracy, it is inconsistent. This is inevitable as competing American interests will always lead to modulated messaging based on the context. But we need to strive for greater consistency across countries and regions in how we speak about democracy. To cite one example, the United States and much of the rest of the world has rightly criticized the undemocratic change of power in Mali, a textbook example of a coup.

But when leaders in Guinea and Cote d'Ivoire and in Rwanda, Chad, Uganda, and elsewhere before them sought to change the rules of the game to extend their time in office, amounting to an undemocratic extension of their tenure, the American voice has been muted. This contradiction does not go unnoticed among Africans and contributes to a sense that the United States places security interests above democratic concerns and pulls punches when issues involve our perceived allies.

Second, in building on my first recommendation, the United States should consider changes to term and age limits that allow incumbent leaders to extend their time in office as essentially a

coup against the constitution and respond accordingly. These moves by leaders who have already served two terms are an usurpation of power that deny the country and its citizens the many benefits of leadership rotation. Most important, they are broadly unpopular with citizens.

Polling by Afrobarometer consistently demonstrates that approximately three-quarters of Africans favor two-term limits for their leaders. Legislation requires that when a military overthrows a duly elected government, many forms of assistance to that country are suspended. As a matter of policy, the United States should adopt a similar approach when a leader changes the rules to benefit himself or herself.

That move should trigger an automatic, across-the-board review of all assistance to the country, and elements of that assistance that benefit the executive and upper echelons of government should be suspended. Congress should consider institutionalizing this policy through legislation. That way, leaders will know that if they choose to change the rules to benefit themselves, they will automatically face consequences. This policy should apply globally, not just to Africa.

Third, countries where citizens are bravely seeking to move past decades of authoritarianism deserve rapid and substantial support from the United States. Opportunities to buttress successful citizen-led movements for democracy are rare. In Sudan, the long overdue process of removing the country from the list of State sponsors of terrorism may soon conclude, but that is not enough. The United States needs to support the civilian component of Sudan's transitional government every step of the long road toward democracy and do all that it can to revive Sudan's economy.

In Ethiopia, there are deeply concerning signs that the government is reaching for tools of repression that many hoped were relegated to history. Nonetheless, Ethiopia remains on a tentative path to democratic elections that can be transformative. In this context, the decision by the United States to withhold development assistance from Ethiopia in a quixotic and counterproductive effort to influence Ethiopia's negotiating position concerning the Grand Ethiopian Renaissance Dam is bad policy that should be reversed. Now is not the time to curtail support to Ethiopia's more than one hundred million citizens and inhibit their efforts to democratize. Similar to Sudan and Ethiopia, nascent democratic transitions in the Democratic Republic of the Congo, the Gambia, and Angola also call for strong U.S. support.

Permit me to conclude with a broader observation. The ability of the United States to advance democracy around the world, including Africa, is directly tied to the strength of our democracy at home. The United States remains broadly popular in the eyes of Africans, but many of them are closely watching the strength of our institutions and how we manage our differences through peaceful, democratic processes.

Thank you and I look forward to answering any questions you may have.

[The prepared statement of Mr. Temin follows:]



SUPPORTING DEMOCRATIC GROWTH IN AFRICA

Written Testimony by Jon Temin

*Director, Africa Program
Freedom House*

Committee on Foreign Affairs
Subcommittee on Africa, Global Health, Global Human Rights and
International Organizations
Democratic Backsliding in Sub-Saharan Africa
September 30, 2020

Chair Bass, Ranking Member Smith, and members of the subcommittee, it is an honor to testify before you today. I ask that my full written testimony be admitted into the record.

I will start by highlighting several trends we at Freedom House observed in Sub-Saharan Africa in the most recent version of our *Freedom in the World* report:

- First, we are seeing lots of volatility in the state of freedoms and democracy: of the 12 largest score declines globally, seven are in Sub-Saharan Africa, but of the eight largest improvements, six are in the region
- Second, West Africa, previously considered the democratic leader among Africa's subregions, is of particular concern: of those seven large score declines, five are from countries in West Africa
- Third, freedom and democratic governance is enjoyed by far too few Africans: only 9% of people in Sub-Saharan Africa live in countries that Freedom House categorizes as Free

Citizens bear the brunt of democratic backsliding. They are attacked when they peacefully protest in opposition to the government, as in Guinea and Cameroon. They are unable to use the internet when the government restricts access, as in Ethiopia and Chad. Civil society groups face excessive limitations on their activity, as in Tanzania and Burundi, and

journalists are threatened and detained, as in Zimbabwe and Nigeria. Governments are developing new methods to limit citizen activity, such as requiring bloggers to meet stringent registration requirements, as in Uganda, and using COVID-19 as a pretext for closing political and civic space

Amidst these challenges, it is vital to recognize progress, which too often evades the headlines. In Malawi, civil society and the judiciary succeeded in resisting a deeply flawed election process, leading to a rerun which saw the incumbent president defeated. They did so through peaceful protest and strict adherence to rule of law by Supreme Court justices. In South Africa, leaders most responsible for the ruinous period of state capture are slowly but surely moving closer to being held to account. Later this year Ghana will hold elections that are not attracting much outside attention, because institutions and democratic processes are widely viewed to be strong enough to withstand political machinations.

In the interest of time I will focus the rest of my remarks on recommendations.

Recommendations

My first recommendation concerns American messaging. While that messaging is often strongly supportive of democracy, it is inconsistent. This is inevitable, as competing American interests will always lead to modulated messaging based on the context. But we need to strive for greater consistency across countries and regions in how we speak about democracy. To cite one example, the United States and much of the rest of the world has rightly criticized the undemocratic change of power in Mali – a textbook example of a coup. But when leaders in Guinea and Cote D'Ivoire – and in Rwanda, Chad, Uganda and elsewhere before them – sought to change the rules of the game to extend their time in office, amounting to an undemocratic extension of their tenure, the American voice has been muted. This contradiction does not go unnoticed among Africans and contributes to a sense that the United States places security interests above democratic concerns, and pulls punches when issues involve our perceived allies.

Second, and building on my first recommendation, the United States should consider changes to term and age limits that allow incumbent leaders to extend their time in office as, essentially, a coup against the constitution, and respond accordingly. These moves by leaders who have already served two terms are an usurpation of power that deny the country and its citizens the many benefits of leadership rotation. Most important, they are broadly unpopular with citizens: polling by Afrobarometer consistently demonstrates that approximately three quarters of Africans favor two term limits for their leaders.

Legislation requires that when a military overthrows a duly elected government, many forms of assistance to that country are suspended. As a matter of policy, the United States should adopt a similar approach when a leader changes the rules to benefit himself or herself: that move should trigger an automatic across-the-board review of all assistance to the country, and elements of that assistance that benefit the executive and upper echelons of government should be suspended. Congress should consider institutionalizing this policy through legislation. That way, leaders will know that if they choose to change the rules to benefit themselves, they will automatically face consequences. This policy should apply globally, not just to Africa.

Third, countries where citizens are bravely seeking to move past decades of authoritarianism deserve rapid and substantial support from the United States. Opportunities to buttress successful citizen-led movements for democracy are rare. In Sudan the long overdue process of removing the country from the list of State Sponsors of Terrorism may soon conclude, but that is not enough. The United States needs to support the civilian component of Sudan's transitional government at every step of the long road toward democracy and do all that it can to revive Sudan's economy.

In Ethiopia there are deeply concerning signs that the government is reaching for tools of repression that many hoped were relegated to history. Nonetheless, Ethiopia remains on a tentative path to democratic elections that can be transformative. In this context, the decision by the United States to withhold development assistance from Ethiopia in a

quixotic and counterproductive effort to influence Ethiopia's negotiating position concerning the Grand Ethiopian Renaissance Dam is bad policy that should be reversed. Now is not the time to curtail support to Ethiopia's more than 100 million citizens and inhibit their efforts to democratize.

Similar to Sudan and Ethiopia, nascent democratic transitions in the Democratic Republic of the Congo, The Gambia and Angola also call for strong U.S. support.

Finally, as Africa grapples with the COVID-19 pandemic on top of challenges to democratic governance, Freedom House strongly endorses H.R. 6986, the Protecting Human Rights During Pandemic Act. This bill, which is up for a vote in committee this week, would provide financial assistance to bolster democratic institutions, civil society groups, and human rights defenders and would require the Secretary of State and Administrator of USAID to develop a strategic plan for how to address global human rights violations that occur during the pandemic.

Permit me to conclude with a broader observation: the ability of the United States to advance democracy around the world, including in Africa, is directly tied to the strength of our democracy at home. The United States remains broadly popular in the eyes of Africans, but many of them are closely watching the strength of our institutions and how we manage our differences through peaceful, democratic processes.

Thank you, and I look forward to answering any questions you may have.

Addendum: Key Findings for Sub-Saharan Africa from Freedom in the World 2020

Democratic backsliding in West Africa accelerated in 2019, a trend that continues in 2020. Benin, previously one of the continent's top performers, held legislative elections from which all opposition parties were effectively excluded. The flawed process, which featured an internet shutdown and violence against antigovernment protesters, contributed to a

remarkable 13-point decline in the country's Freedom in the World score. Senegal's presidential election went forward without two of the country's most prominent opposition figures, who were barred from running due to criminal cases that were widely viewed as politically motivated.

Opposition parties were able to compete in Nigeria's 2019 general elections, but the balloting was marred by major procedural irregularities and a rise in violence and intimidation. The manipulation of online content during the electoral period and the government's increasing hostility toward the media threatens free expression. In Guinea, which is set to hold a presidential election in October, protesters turned out in an attempt to block President Alpha Condé's drive to change the constitution and run for a third term and faced government harassment.

East and Southern Africa present more of a mixed picture. In Tanzania and Uganda, the space for independent civic and political activity continues to shrink as incumbent leaders work to silence dissent as potentially volatile elections approach. Actions by the Zimbabwean government are intensifying human suffering and trampling constitutional rights, including the abduction, torture and sexual abuse of young female activists and arrest on baseless charges of a prominent journalist and opposition leaders.

However, there is notable progress in some authoritarian states as they proceed with tenuous reforms. While it remains to be seen whether the military in Sudan will abide by its power-sharing agreement with prodemocracy protest leaders and cede control to civilian leadership, the Sudanese people have already experienced initial improvements in political rights and civil liberties.

Angola's early progress after a change in leadership in late 2017 was dramatic, but the momentum has slowed, and the results of President João Lourenço's reform agenda, with its emphasis on battling corruption, have yet to be fully realized.

In 2019 Ethiopia made notable strides under Prime Minister Abiy Ahmed, reforming restrictive laws and allowing previously banned political groups to operate openly. But developments in 2020 have been deeply concerning, especially the increasing frequency and intensity of interethnic and religious violence. Postponing nationwide elections in the face of COVID-19 was understandable, but there has been little dialogue with the political opposition concerning a roadmap for rescheduled elections. The government's use of repressive tools in its periodic crackdowns in response to instability—including arbitrarily arresting citizens and shutting down the internet—echoes tactics employed by previous Ethiopian leaders and directly threatens the progress made over the last two years. The polarizing narratives and threats of violence endorsed by some members of the opposition, and even certain parts of the diaspora, are also of grave concern.

FREEDOM HOUSE JOHN TEMIN



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October 5, 2020

The Honorable Karen Bass
Chair
Subcommittee on Africa, Global Health, Global Human Rights, and
International Organizations
House Foreign Affairs Committee
2170 Rayburn House Office Building
Washington, DC 20515

Dear Chair Bass,

Thank you for inviting me to testify in the September 30, 2020 subcommittee hearing you held on Democratic Backsliding in Sub-Saharan Africa. Freedom House is always honored to share our knowledge and expertise with Congress.

I am pleased to follow up on questions you asked during the hearing on Freedom House's scoring methodology for *Freedom in the World*, particularly with respect to race issues. We appreciate these questions and are happy to provide further details about the factors impacting the US score in recent years.

Freedom in the World measures political rights and civil liberties as individuals experiences them in daily life, taking into account both state and nonstate forces that threaten freedom. The methodology is derived in large measure from the 1948 Universal Declaration of Human Rights. It covers 25 indicators in seven categories that capture core freedom issues: 1) electoral process; 2) political pluralism and participation; 3) functioning of government; 4) freedom of expression and belief; 5) associational and organizational rights; 6) the rule of law; and 7) personal autonomy. Given the complexity and global importance of the United States, we have a panel of US democracy experts provide guidance each year. Past advisers have included experts in electoral integrity, corruption and abuse of power, media freedom, the rule of law, and minority rights.

Your questions toward the end of the hearing centered on how issues related to systemic racism, such as voting rights, mass incarceration, and police violence, affect the US score in our report. In recent years many of these issues directly led to score decreases for the United States. In 2016 we downgraded the US's political equality score because of the emergence of a range of measures that make voting more difficult or time-consuming, particularly following the Supreme Court's 2013 invalidation of sections of the Voting Rights Act of 1965. A year before that in 2015, we downgraded the US's due process score

due to fresh evidence of discrimination and other dysfunctions in the criminal judicial system. These changes came on top of declining scores for the US for the indicators on equal treatment and equal opportunity, which reflect racial inequality in this country.

The 2019 United States country report for *Freedom in the World* explicitly notes discriminatory treatment on the basis of race on multiple occasions. For example, the report highlights gerrymandering “as a tool of racial disenfranchisement” and notes that the denial of voting rights to citizens with felony convictions continues to disproportionately disenfranchise Black Americans. While the report states that the United States has a “strong rule-of-law tradition,” it also observes that the criminal justice system suffers from “chronic weaknesses” tied to racial discrimination and “contribute[s] to disparities in outcomes that disadvantage Black and Hispanic people.” The country report goes on to cite the disproportionate incarceration rates of Black and Hispanic people and further states that there is a broad consensus that “the current level of incarceration is not needed to preserve public safety.” Furthermore, the country report observes that many prominent incidents in which police actions led to civilian deaths involved Black civilians and that “only a small fraction of fatal police shootings lead to criminal charges.” On question F4, “Do laws, policies, and practices guarantee equal treatment of various segments of the population?” the US scores only two of a possible four points, noting that “women and some minority groups continue to suffer from disparities on various indicators,” including wages, employment, education, and housing. This score is on par with much weaker democracies and undemocratic states.

I hope this brings some clarity to how US scores are tabulated and what issues are considered during the scoring process. The issues you raised in the hearing are of great importance to Freedom House and we strive to ensure they are addressed in our scoring methodology and our reports. I encourage you and your staff to review the [full US country report](#) as well as the complete explanation of the [Freedom in the World methodology](#). Please do not hesitate to reach out to Freedom House for further clarification or any other assistance we may be able to provide.

Sincerely,

Jon Temin

Digitally signed by Jon Temin
DN: cn=Jon Temin, o=Freedom
House, ou,
email=jon.temin@freedomhouse.org,
c=US
Date: 2020.10.05 17:16:59 -0400

Jon Temin
Director, Africa Program
Freedom House

Ms. BASS. Thank you. Our final witness is Mr. Joshua Meservey and he is online.

STATEMENT OF MR. JOSHUA MESERVEY, SENIOR POLICY ANALYST, AFRICA AND THE MIDDLE EAST, THE HERITAGE FOUNDATION

Mr. MESERVEY. Chairwoman Bass, Ranking Member Smith, and distinguished members of the committee, thank you for the opportunity to testify before you on this important topic. The views I express in this testimony are my own and should not be construed as representing the official position of the Heritage Foundation.

I have been asked to focus my remarks on the role that foreign powers may play in the democratic backsliding happening in parts of Africa. The Chinese government is the staunchest antidemocratic actor in Africa. The antipathy to democratic values is inherent to the Chinese Communist Party's or CCP's ideology which believes in the utter primacy of the Party over all facets of life.

China's communist leadership believes that only complete fidelity to its ideology can help it achieve its goals. Democracy, with its devolution of power to citizens, is a horrifying concept to the CCP. It is an existential threat, in fact. It is unsurprising that the CCP crushes liberty at home and battles it overseas. This manifests with varying levels of intensity and obviousness across the African continent. And while I believe that the Chinese government is deliberately trying to undermine African democracy, some of its other actions can have that same effect even if it is not by design.

Some of the ways the Chinese government threatens democracy are as follows: First, it openly denigrates democracy, claiming that it is a Trojan horse of the West to enable meddling in African affairs. Beijing blames multiparty democracy for bringing chaos and poverty to Africa and spreads the idea that economic rights trump fundamental individual rights that form the core of any successful democracy.

Second, since President Xi Jinping's ascension, Beijing increasingly offers its own model of development, which is some economic freedom with repressive governance, as a solution for African nations. Third, Beijing's supposed no-strings-attached aid policy allows regimes to use that aid to fuel patronage networks that help them stay in power. Fourth, China supplies the technology, training, and expertise for repression in some African countries such as Zambia and Zimbabwe.

Fifth, Beijing provides scholarships and sponsors trips to China for tens of thousands of African students, scholars, politicians, and media professionals who will likely be exposed to heavy doses of Marxism and Maoism. Whether any Africans are persuaded by the ideology during their stays in China needs further study, but it is an obvious risk. And sixth and finally, Chinese economic practices such as the use of bribes to win contracts and general favor or opaque lending and tendering arrangements fuel corruption and are an obvious challenge to accountable governance.

Now China is not the only influential country in Africa that models illiberal governance. Turkey, which has grown increasingly authoritarian under President Erdoğan, has been very active diplomatically, militarily, and economically on the continent, while

State monarchies such as Saudi Arabia, the UAE, and Qatar, all of which we can assume have little love for democracy, are spreading some of their fabulous wealth to parts of Africa as well. These countries and others allegedly spread cash around during Somalia's last electoral process to influence that result, subverting an American goal of having genuine democracy take root in that country.

Finally, Russia with its mercenaries, arms sales, and economic agreements, is becoming increasingly important on the continent. This should concern the U.S. for a number of reasons, including because we care about democracy. The Gulf States and Turkey do not attack democracy with the same commitment that Beijing does; however, there is still the moral example these countries set, and their willingness to tamper in Somalia's electoral process suggest they are willing to do the same elsewhere. There are a number of steps the U.S. can take to try to strengthen democracy in Africa, but I will offer four brief recommendations.

Confidently advocate for American values with the African public and its leaders. Most people yearn for representative government, rule of law, and individual freedom, and the U.S. should unapologetically cheerlead for those values. Two, strengthen civil society in Africa which is critical to the development and maintenance of a responsive and honest government.

Three, prioritize the fight against African government which corrodes all efforts to broaden and deepen democratic governance. And, finally, deepen cooperation on the continent with pro-democracy allied countries. Thank you again for this opportunity to testify and I look forward to any questions you may have.

[The prepared statement of Mr. Meservey follows:]



CONGRESSIONAL TESTIMONY

Democratic Backsliding in Sub-Saharan Africa

Testimony before the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations
House Foreign Affairs Committee
United States House of Representatives

September 30, 2020

Joshua Meservey
Senior Policy Analyst, Africa and the Middle East
The Heritage Foundation

Chairman Bass, Ranking Member Smith, and members of the committee, thank you for the opportunity to testify before you on this important topic. The views I express in this testimony are my own and should not be construed as representing the official position of The Heritage Foundation.

The CCP and Democracy

I am going to focus my remarks today on the potential role that foreign powers are playing in the democratic backsliding we are witnessing in parts of Africa. I am unaware of any comprehensive study that has drawn a direct causal link between a non-African country's engagements on the continent and democratic decline. However, the anti-democratic behavior by a number of outside

powers is well documented, and suggests that those countries are contributing to the problem, though the effect may vary according to specific African countries' circumstances.

The most committed anti-democratic activity in Africa comes from the Chinese government. To understand the threat Beijing poses to political liberalism in Africa, one has to first appreciate the depth of the Chinese Communist Party's (CCP's) commitment to its belief system. The CCP has always been ideological, but under President Xi Jinping, who has a Ph.D. in Marxist legal theory and reportedly admires Josef Stalin,¹ the party has intensified its ideological devotion.²

¹ John Garnaut, "Asian Strategic and Economic Seminar Series, August 2017: Engineers of the Soul: What Australia Needs To Know about Ideology in Xi Jinping's China," Sinocism, <https://nb.sinocism.com/p/engineers-of-the-soul-ideology-in-and-tom-hancock-china-s-selective-version-of-marxist-theory-is-a-puzzle/>, *Financial*

Times, March 14, 2019, <https://www.ft.com/content/c0a449cc-4595-11e9-b168-96a37d002cd3>.

² Javier C. Hernández, "Mao 101: Inside a Chinese Classroom Training the Communists of Tomorrow," *The New York Times*, June 28, 2018, <https://www.nytimes.com/2018/06/28/world/asi>

So what is the ideology? "Socialism with Chinese characteristics," as the CCP prefers to call it, is communism adapted for the Chinese context, meaning it is strongly informed by Chinese history and culture. Socialism, in the CCP's understanding, is the only tool for avoiding the inertia and attenuation that crumbled Chinese dynasties. It is also the only way for China to return to its place as the preeminent world civilization, resurrecting the country from its nadir during the century of humiliation. This project of "national rejuvenation" requires the subordination of every element of government and society to the party; it requires ceaseless struggle to purify and invigorate the party and to protect the revolution it is executing. The type of weakness the USSR demonstrated in renouncing Stalin in 1956, of tacitly admitting that the party failed, is fatal. Its commitment to an authoritarian philosophy is, in short, an existential issue for the CCP.³

The CCP's intensely ideological nature, combined with its obsession with survival, assures its antagonism towards democracy. In fact, for a regime so obsessed with survival, it would be strange not to oppose a system of government like democracy that would mean the end of the CCP's reign if it were adopted in China. Senior CCP leadership believes in the democratic threat

explicitly. As just one example, a 2013 CCP communiqué warned CCP leaders of the danger of "constitutionalism," "universal values," and "civil society," all hallmarks of democracy.⁴

In the CCP view, guarding against the democratic threat means not just smashing liberty at home, but battling democracy overseas to keep the virus from spreading to Chinese shores and ensuring an international system amenable to Chinese foreign policy goals. This campaign, the intensity and openness of which varies across the continent, manifests in Africa in a variety of ways. The manner in which China operates in Africa can also damage liberal governance, though some of that effect may simply be a natural byproduct of Chinese engagement and not by design.

Chinese officials criticizing democracy to African counterparts, claiming that the West's advocacy of it is a Trojan horse to enable meddling in African affairs,⁵ is one method of attack. Chinese officials have also blamed multi-party democracy for bringing chaos and poverty to Africa and cheer what they see as the continent's increasing rejection of democracy.⁶ Chinese diplomats in Africa spread the idea that "economic rights" trump fundamental, individual rights

a/chinese-classrooms-education-communists.html and Hannah Beech, "China's Chairman Builds a Cult of Personality," *Time*, March 31, 2016, <https://time.com/4277504/chinas-chairman/>.

³ Garnaut, "Asian Strategic and Economic Seminar Series, August 2017: Engineers of the Soul: What Australia Needs To Know about Ideology in Xi Jinping's China" and Daniel Tobin, "Hearing on 'A China Model?' Beijing's Promotion of Alternative Global Norms and Standards," testimony before the U.S.-China Economic and Security Review Commission, March 13, 2020.

<https://www.uscc.gov/sites/default/files/testimonies/SFR%20for%20USCC%20TobinD%2020200313.pdf> and Tanner Greer, "China's Plans to Win Control

of the Global Order," *Tablet*, May 17, 2020, <https://www.tabletmag.com/sections/news/articles/china-plans-global-order>.

⁴ ChinaFile, "Document 9: A ChinaFile Translation," November 8, 2013, <http://www.chinafile.com/document-9-chinafile-translation#start>.

⁵ Ian Taylor, "Sino-African Relations and the Problem of Human Rights," *African Affairs*, Vol. 107, No. 426 (January 1, 2008), pp. 63-87, <https://doi.org/10.1093/afraf/adm056>.

⁶ Denis M. Tull, "China's Engagement in Africa: Scope, Significance and Consequences," *The Journal of Modern African Studies*, Vol. 44, No. 3 (Sep., 2006), pp. 459-479, <http://archives.cerium.ca/IMG/pdf/Tull.pdf>.

that form the core of any successful democracy.⁷

Beijing increasingly offers its own model of development—some economic freedom with repressive governance—as a solution for African nations. As early as the 1950s, the Chinese government at times pushed its economic and political model as the one most suitable for developing countries.⁸ Since Xi Jinping's ascension, Beijing has pursued this course more aggressively,⁹ and strengthened its capabilities to make its case.¹⁰

Beijing's supposed no-strings-attached, "demand-driven" aid policy allows regimes to use the aid to fuel patronage networks that help them stay in power. A study from the College of William & Mary found that Chinese aid results in the recipient

government directing a surge of investment to its leader's birth region.¹¹

China has also supplied the technology, training, and expertise for repression in some African countries. Beijing gave "technical support" on issues such as state security to Zimbabwe's repressive ZANU-PF party,¹² and several of its companies reportedly provided equipment to jam independent radio broadcasts¹³ and surveil telecommunications in Zimbabwe.¹⁴ ZTE, the Chinese government-linked telecommunications giant, provided the Ethiopian regime—at the time one of the continent's most oppressive—the technology to monitor its citizens' telecommunications activity.¹⁵ Chinese technicians allegedly helped the Zambian government create a surveillance system targeting political opponents and diplomats as well.¹⁶

⁷ Ian Taylor, "China's Foreign Policy towards Africa in the 1990s," *The Journal of Modern African Studies*, Vol. 36, No. 3 (Sep., 1998), pp. 443-460, <https://www.jstor.org/stable/161792>.

⁸ Rosemary Foot, "Chinese Strategies in a US-Hegemonic Global Order: Accommodating and Hedging," *International Affairs*, Vol. 82, No. 1, January 2006, pp. 77-94, http://www.risingpowersinitiative.org/wp-content/uploads/Foot_Chinese_Strategies_international_Affairs.pdf.

⁹ Aaron L. Friedberg, "Competing with China," *Survival: Global Politics and Strategy*, Vol. 60, No. 3 (June-July 2018), pp. 7-64, <https://www.iiss.org/publications/survival/2018/survival-global-politics-and-strategy-june-july-2018/603-02-friedberg>, and Tull, "China's Engagement in Africa: Scope, Significance and Consequences."

¹⁰ Anne-Marie Brady, "Magic Weapons: China's Political Influence Activities under Xi Jinping," Wilson Center, September 2017, <https://www.wilsoncenter.org/sites/default/files/magicweaponsanne-mariebradyseptember162017.pdf>.

¹¹ Axel Dreher et al., "Aid on Demand: African Leaders and the Geography of China's Foreign Assistance," AidData Working Paper No. 3,

November 2014, http://docs.aiddata.org/ad4/files/wps3_aid_on_demand_african_leaders_and_the_geography_of_chinas_foreign_assistance.pdf.

¹² Alex Vines, "What is the Extent of China's Influence in Zimbabwe?", *BBC News*, November 20, 2017, <https://www.bbc.com/news/world-africa-42012629>.

¹³ "All Communications Can Now be Intercepted under New Law Signed by Mugabe," *Reporters Without Borders*, August 6, 2007, <https://rsf.org/en/news/all-communications-can-now-be-intercepted-under-new-law-signed-mugabe>.

¹⁴ Itai Mushekwe, "China, Russia and Iran helping Zimbabwe to Set-up Own NSA," *Bulawayo 24 News*, March 23, 2018, <https://bulawayo24.com/index-id-technology-sc-internet-byo-131135.html>.

¹⁵ "Ethiopia: Telecom Surveillance Chills Rights," *Human Rights Watch*, March 25, 2014, <https://www.hrw.org/news/2014/03/25/ethiopia-telecom-surveillance-chills-rights>.

¹⁶ *State of Internet Freedom in Zambia 2016*, Collaboration on International ICT Policy for East and Southern Africa, December 2016, https://cipesa.org/?wpfb_dl=244 and "China Media Bulletin: Issue No. 82," *Freedom House*, March 7,

As part of its effort to burnish its international image and build support for its foreign policy goals, Beijing provides tens of thousands of scholarships to African students to study in China.¹⁷ Under Xi, Chinese universities require students to take courses that include heavy doses of Marxism and Maoism,¹⁸ increasing the likelihood that African students in China are exposed to arguments sympathetic to those authoritarian philosophies.

Similarly, Beijing sponsors trips to China for African scholars, politicians, and media professionals. This charm offensive with African intellectual leaders increases the likelihood they will be sympathetic to, and perhaps even advocate in their home countries for, a political system similar to what the CCP has created.

Chinese state-owned or -linked companies frequently bribe African officials and political parties to win contracts and general favor,¹⁹ an obvious challenge to accountable governance. Similarly, the opaque lending

and tendering arrangements that characterize Chinese economic engagement in Africa lend themselves to corruption, and may insulate leaders from being held accountable by their citizens.

Other Countries and Democracy

China is not the only country influential in Africa that models illiberal governance. Under President Erdogan, Turkey has steadily grown more authoritarian, while also expanding its activity and influence in Africa. The number of Turkish embassies in Africa has grown from 12 in 2009²⁰ to 42 today,²¹ and by 2017 Ankara had signed economic cooperation agreements with 45 Africa countries, up from 23 in 2003.²² As president and prime minister, Erdogan has made at least 40 trips to the continent,²³ the stock of Turkish FDI in Africa grew from less than \$100 million in 2003 to more than \$6 billion in 2015,²⁴ and Turkish Airlines, 49 percent of which is government owned, connects to 52 African cities in 34 countries, as of 2018.²⁵

2013, <https://freedomhouse.org/china-media/china-media-bulletin-issue-no-82#5>.

¹⁷ "Full Text of Chinese President Xi Jinping's Speech at Opening Ceremony of 2018 FOCAC Beijing Summit," *Xinhua*, September 3, 2018, http://www.xinhuanet.com/english/2018-09/03/c_129946189.htm.

¹⁸ Javier C. Hernández, "Mao 101: Inside a Chinese Classroom Training the Communists of Tomorrow," *The New York Times*, June 28, 2018, <https://www.nytimes.com/2018/06/28/world/asia/chinese-classrooms-education-communists.html>.

¹⁹ Joshua Meservey, "Chinese Corruption in Africa Undermines Beijing's Rhetoric About Friendship with the Continent," *The Heritage Foundation Issue Brief* No. 4895, <https://www.heritage.org/global-politics/report/chinese-corruption-africa-undermines-beijings-rhetoric-about-friendship-the>.

²⁰ Akihiro Sano, "Turkey Jockeys with China for Influence in Africa," *Nikkei Asia*, May 12, 2018, <https://asia.nikkei.com/Politics/International-relations/Turkey-jockeys-with-China-for-influence-in-Africa> (accessed September 29, 2020).

²¹ "Turkey Embassies & Consulates," Embassy Pages, September 27, 2020, <https://www.embassypages.com/turkey> (accessed September 29, 2020).

²² "Bilateral Relations," Turkey-Africa Economic and Business Forum, <http://www.turkeyafricaforum.org/bilateral-relations.html> (accessed September 29, 2020).

²³ Yunus Paksoy, "Turkey's Ties with Africa Deeper, Stronger in All Areas," *Daily Sabah*, February 24, 2018, <https://www.dailysabah.com/diplomacy/2018/02/24/turkeys-ties-with-africa-deeper-stronger-in-all-areas>.

²⁴ "Turkey-Africa Relations," Republic of Turkey Ministry of Trade, <https://www.trade.gov.tr/multinational-relations/turkey-africa-economic-and-business-forum/turkey-africa-relations> (accessed September 29, 2020).

²⁵ Sano, "Turkey Jockeys with China for Influence in Africa."

Ankara is also, at least for now, ascendant in Libya as its intervention there saved the Government of National Accord from a challenge backed by Turkish rivals U.A.E., Egypt, and Saudi Arabia. Turkey also has a strong position in Somalia where Turkish companies manage the Mogadishu airport and sea port, and where Turkey has its largest embassy and overseas military base.

In short, Turkey is a major player particularly in North and East Africa. Despite being a part of NATO and an American ally, it is an authoritarian government of the type the US does not want our African partners being influenced by or beholden to.

Other countries with undemocratic systems also have significant influence in Africa. I have already mentioned the UAE and Saudi Arabia, both of which are monarchies we can assume have little love for democracy, at least within their own borders. Neither fare well in global measures of democracy. Both are ranked “unfree” in Freedom House’s

2020 Freedom in the World report,²⁶ and receive the worst possible rating from Civicus, an organization that tracks civic space.²⁷

Both countries have spread some of their fabulous wealth to parts of Africa; in 2018, UAE deposited \$1 billion in the central bank of Ethiopia, arguably East Africa’s most important country, and \$1.4 billion in Sudan’s central bank.²⁸ UAE also has a military base in Eritrea, and its state-owned DP World is rehabilitating Berbera port in Somaliland, and has interests in ports in Algeria, Mali, Mozambique, and Rwanda.²⁹

Saudi Arabia is Sudan’s biggest investor. In 2015, the kingdom deposited \$1 billion in Sudan’s central bank,³⁰ which followed over \$2 billion in support to Sudan between 2015 and 2019 alone.³¹ Riyadh also has large agricultural investments in Ethiopia,³² and in 2016 struck an agreement with Djibouti to eventually put a military base in the country.³³

²⁶ Freedom House, <https://freedomhouse.org/explore-the-map?type=fiw&year=2020> (accessed September 29, 2020).

²⁷ Monitor Tracking Civic Space, <https://monitor.civicus.org/> (accessed September 29, 2020).

²⁸ Justina Crabtree, “United Arab Emirates Gives Ethiopia \$1 Billion Lifeline to Ease Foreign Exchange Crisis,” *CNBC*, June 18, 2018, (updated July 5, 2018), <https://www.cnbc.com/2018/06/18/united-arab-emirates-gives-ethiopia-1-billion-lifeline-to-ease-foreign-exchange-crisis.html> and “Sudan Central Bank Receives 1.4 Bln Deposit from UAE-SUNA,” Reuters, March 13, 2018, <https://www.reuters.com/article/sudan-economy-emirates/sudan-central-bank-receives-14-bln-deposit-from-uae-suna-idUSG6N1M6000>.

²⁹ Richard Wachman, “Business and politics collide in the Horn of Africa for DP World,” *Arab News*, March 19, 2018,

<https://www.arabnews.com/node/1269046/business-economy>.

³⁰ Khalid Abdelaziz, “As Economy Crumbles, Sudan Ditches Iran for Saudi Patronage,” Reuters, January 12, 2016, <https://www.reuters.com/article/sudan-saudi-diplomacy/as-economy-crumbles-sudan-ditches-iran-for-saudi-patronage-idUSL8N14V2WV20160112>.

³¹ Mohammed Alamin, “Saudi Arabia Latest Nation to Offer Help to Crisis-Hit Sudan,” *Bloomberg*, January 24, 2019, (updated January 25, 2019), <https://www.bloomberg.com/news/articles/2019-01-24/saudi-arabia-ready-to-give-sudan-economic-help-minister-says>.

³² Christine Spolar, et al., “The Great Land Rush, Ethiopia: the Billionaire’s Farm,” *Financial Times*, 2016, <https://fig.ft.com/sites/land-rush-investment/ethiopia/>.

³³ “Djibouti Agrees to a Saudi Military Base on its Territory,” *Al Arabiya*, December 4, 2016, <https://english.alarabiya.net/en/News/gulf/2016/12/04/Djibouti-agrees-to-a-Saudi-military-base-on-its-territory.html>.

Another wealthy gulf monarchy, Qatar, is also increasingly important in East Africa especially. In 2018, it signed a \$4 billion deal with Sudan to develop the old port in Suakin Island in the Red Sea, adding to its already-significant investments in the country.³⁴ State-owned Qatar Petroleum owns stakes in hydrocarbon fields in African countries such as Kenya and Mozambique.³⁵ Doha also sends significant aid to Somalia and other African countries, and recently signed, in conjunction with Turkey, a military cooperation agreement with the Libyan government.

The U.S. should also be concerned for multiple reasons about Russian activity in Africa, including that Moscow is yet another influential foreign player on the continent that despises democracy. Russia is the top arms supplier to Africa, and since 2015 has struck more than 20 bilateral military agreements on the continent.³⁶ Russian mercenaries are active throughout the continent, and play a major role in the Libyan and Central African Republic conflicts. Moscow has also been in talks with 15 African countries about cooperating on

nuclear energy,³⁷ and Russian companies have stakes in hydrocarbon deposits in eight African countries.³⁸

An upcoming event of concern where, if history is any guide, the Gulf States are likely to have an undemocratic effect is in Somalia's forthcoming electoral process. The last such process completed in 2017, but not before it had degenerated into a bidding war among rival Middle Eastern powers trying to push their preferred candidate over the finish line.³⁹ The U.S. has spent billions of dollars in Somalia, partly in hopes that a genuine democracy will take root there, and these countries' meddling in the electoral process makes it harder for the U.S.

I have seen no evidence that the Gulf States or Turkey attack the idea of democracy in the way the Chinese government does. However, even if they have a neutral perspective on democracy in their foreign policy, there is still the moral example these countries set, and their willingness to tamper in Somalia's electoral process

³⁴ "Sudan, Qatar Ink \$4 Billion Deal to Develop Suakin Seaport," *Daily Sabah*, March 26, 2018, <https://www.dailysabah.com/africa/2018/03/26/sudan-qatar-ink-4-billion-deal-to-develop-suakin-seaport> and Peter Schwartzstein, "One of Africa's Most Fertile Lands Is Struggling to Feed Its Own People," *Bloomberg*, April 2, 2019, <https://www.bloomberg.com/features/2019-sudan-nile-land-farming/>.

³⁵ "Qatar Petroleum Takes Stake in Mozambique Exploration Block," *Reuters*, March 11, 2019, <https://www.reuters.com/article/us-qatar-eni-mozambique-exploration/qatar-petroleum-takes-stake-in-mozambique-exploration-block-idUSKBN1QS1MM> and Qatar Petroleum, Tweet, July 23, 2019, 8:24 a.m., ("Qatar Petroleum enters into an agreement with Eni and Total to acquire a 25% participating interest in 3 blocks offshore Kenya. #QP #QatarPetroleum #Qatar #Kenya <https://qp.com.qa/en/MediaCentre/Pages/News.aspx>"),

<https://twitter.com/qatarpetroleum/status/1153642041827459073> (accessed September 29, 2020).

³⁶ Diana Stancy Correll, "How AFRICOM Plans to Counter Russian, Chinese Influence in Africa," *Military Times*, January 20, 2020, <https://www.militarytimes.com/news/your-military/2020/01/20/how-afcom-plans-to-counter-russian-chinese-influence-in-africa/>.

³⁷ Variety of sources compiled by author.

³⁸ They are Algeria, Angola, Egypt, Libya, Senegal, South Africa, Uganda and Nigeria 18. Eric Schmitt, "Russia's Military Mission Creep Advances to a New Front: Africa," *The New York Times*, March 31, 2019, <https://www.nytimes.com/2019/03/31/world/africa/russia-military-africa.html>.

³⁹ Jeffery Gettleman, "Fueled by Bribes, Somalia's Election Seen as Milestone of Corruption," *The New York Times*, February 7, 2017, <https://www.nytimes.com/2017/02/07/world/africa/somalia-election-corruption.html>.

suggests they are willing to do the same elsewhere.

The Way Forward

There are a number of steps the U.S. can take to try to strengthen democracy in Africa, but I will offer four brief recommendations:

- **Confidently advocate for American values** with the African public and its leaders. Most people yearn for representative government, rule of law, and individual freedom, and the U.S. should take every opportunity to advocate for democracy as the political system with the best record of protecting individual rights and delivering economic prosperity.
- **Strengthen civil society in Africa**, which is critical to the development and maintenance of a responsive and honest government. Ways of doing so could include facilitating exchange programs for African civil society leaders within

the continent, or to the U.S., to learn from one another.

- **Prioritize the fight against African government corruption**, which corrodes all efforts to broaden and deepen democratic governance on the continent. Ideas for fighting this scourge include promoting economic freedom, leveraging technology and the power of crowds to publicize instances of corruption, and elevating the fight against graft as part of U.S. development assistance.⁴⁰
- **Deepen cooperation on the continent with pro-democracy allies**. There are a number of strongly democratic countries such as the United Kingdom and Japan that are active in Africa, and the U.S. should seek opportunities to partner with them on pro-democracy initiatives.

Thank you again for this opportunity to testify, and I look forward to any questions you may have.

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⁴⁰ Joshua Meservey, "The Impact of Corruption on Economic Development in Sub-Saharan Africa," in James M. Roberts and William T. Wilson, eds., *2017 Global Agenda for Economic Freedom*, Heritage

Foundation *Special Report* No. 188, <https://www.heritage.org/international-economies/report/2017-global-agenda-economic-freedom>.

Ms. BASS. Thank you. We will now move to questions and each member will have 5 minutes. I now recognize myself.

I wanted to begin by letting Dr. Fomunyoh—you were getting ready to offer recommendations, and if you would like to continue. And then I also want to ask, after he is finished with his recommendations, from our other panelists, if you could provide some examples of which nations do you feel on the continent are the strongest at maintaining their democracies and have not participated in backsliding.

Doctor?

Dr. FOMUNYOH. Thank you very much, Chairman. And my prepared remarks have got more elaborate recommendations. But the three most important recommendations I thought the committee should consider would be, first, address to U.S. policymakers the need for them to revamp U.S.-Africa policy and collaborate such engagement intensely on what I term “the democratization wave generation,” which is this generation of Africans 35 years or younger who constitute 75 percent of the 1.4 billion people who live on the African continent.

Second, that the international community at large should open up global platforms within the United Nations system, including within the United Nations Security Council, and take actions for substantive discussions on Africa and actions that can help put an end to the gross atrocities and human rights violations that we see on the continent in undemocratic regimes that shock the conscience of humanity.

And that third, I have recommendations for Africans themselves, that Africans themselves need to build synergies of national and regional networks or actors to consolidate best practices and enhance peer-to-peer learning and support and also invest intensely, or heavily, in empowering women and youth as leaders to safeguard and promote greater and better democratic performance.

Ms. BASS. Thank you.

Dr. FOMUNYOH. Thank you, Madam Chair.

Ms. BASS. Dr. Bekoe.

Dr. BEKOE. Thank you. In terms of which nations are the strongest, I would point to five that come to mind right away. One is Ghana. They are getting ready to hold their eighth election since 1992 and they have had three changes between the political parties and so you have a lot of predictability there. Senegal, in fact, in 2016, the Senegalese citizens approved a referendum to reduce the number of years within the terms from five to seven. Mauritius, Botswana, and South Africa—those leap to mind right away in terms of strong institutions.

Ms. BASS. Thank you.

Mr. Temin.

Mr. TEMIN. Thank you. And I would agree with Dr. Bekoe’s assessment, although I would caveat on Senegal. We are concerned in our observations at Freedom House on their trajectory. Two prominent opposition politicians were not allowed to compete in the last election and that was very concerning, and in fact, Senegal has gone from our category of free to our category of partly free.

But Dr. Bekoe is correct. I would add, many of the island nations do quite well—Seychelles, Cape Verde, Mauritius, Sao Tome, and

Principe. Let me also mention one really good story from this last year, which is Malawi, which had a deeply flawed election process but there was a lot of resistance from civil society, and the supreme court there played a very strong, consistent role respecting rule of law that led to a rerun of the election where the opposition was victorious. That is a real bright spot and Malawi could join these other countries in doing quite well.

Ms. BASS. Mr. Meservey.

Mr. MESERVEY. Yes, I agree with what my colleagues say. I am not sure if Namibia was mentioned in their remarks, but I would certainly add that country. And I echo Jon's comments about Malawi. That was really, frankly, inspiring and surprising, the outcome of that. So hopefully they can consolidate those victories.

And then on the concerning side is Benin. Part of what makes what is happening there so sad is that Benin was actually a previous success story. It was the first country that—where an incumbent was defeated at the polls, so I will add that on the worrisome side.

Ms. BASS. Thank you. Does anybody have an opinion about ECOWAS, what ECOWAS's intervention in Mali, which is a little problematic considering ECOWAS is not consistent.

Dr. Bekoe, are you—

Dr. FOMUNYOH. Madam Chair, ECOWAS has had a highly rated reputation in terms of respecting its protocols because ECOWAS has got on the books the protocol on governance, good governance and democracy that was adopted in 2001. And in a number of countries, ECOWAS has come through in terms of representing the interests of people and their commitment to democratic governance.

Unfortunately, in recent weeks—sorry, in recent months, it has been challenged by the military intervention in Mali and has tried to muddle through a compromise solution in finding a retired military officer who is now considered a civilian and accepting that that civilian could govern Mali while the country goes through a transition of 18 months.

So our hope is that Mali will be able to get back on the democratic track with ECOWAS's support, but of course there are concerns with regards to ECOWAS's standards in terms of constitutional, respectful constitutional term limits.

Ms. BASS. It played a great role in the Gambia, but now we will see what happens with Mali.

You, actually, are just in time, Mr. Ranking Member, if you would like to ask questions.

Mr. SMITH. Can I defer to Mr. Burchett?

Ms. BASS. Sure. Sure, sure.

Mr. SMITH. Thank you.

Ms. BASS. Mr. Burchett.

Mr. BURCHETT. Chairlady, if the ranking member would like to go, I will yield to his wisdom and age.

Ms. BASS. He just yielded to you.

Mr. BURCHETT. Okay, great. We are very diplomatic on this committee. I really dig that, Chairlady. Thank you so much. And thank you all for being here. It is not in my notes, but sometimes I get popped from some people back home on the internet and they say,

“Burchett, what does any of this have to do with the second congressional district?”

Well, dadgummit, it has a whole lot to do with it. Freedom. Freedom is something we should all cherish and for good folks in Africa that are trying to get it, and it ticks me off when people try to take it from you all, and I appreciate every one of you all being here and your testimoneys. And you all got that one for free. It was not in my notes.

But I heard that some of the officers who took part in the Mali coup d’etat had recently returned from Russia. Additionally, I heard reports that some of the coup supporters were spotted waving Russian flags after President—how do you say his name, Chairlady, is it Keita? Is that how you say—President Keita was deposed. What, if any, was the role of Russia in this military coup?

Any of you all want to take that is fine with me.

Dr. FOMUNYOH. Congressman, you are right. We have seen those reports and we saw images in Bamako of demonstrations after the coup of people waving the Russian flag. And also the fact that the Russian ambassador in Bamako, the first Ambassador, foreign Ambassador to meet with the junta. However, we have not been able to trace any direct linkages in terms of Russia’s role, but that is certainly something that needs to be watched very closely.

Mr. BURCHETT. Yes, sir. I suspect if they are carrying AK-47s and waving Russian flags that is pretty evident of what the heck is going on. Thank you.

How is the resulting political turmoil in Mali affecting the security situation in the Sahel?

Dr. FOMUNYOH. Unfortunately, Mali has turned out to be the weak link as countries in the Sahel ranging from Niger Republic, Burkina Faso, and countries that are part of the G5, Sahel, which is a combination of Chad, Mauritania, Burkina Faso, Mali, and Niger Republic, fight to curb the expansion of violent extremists in the Sahel. As we all know, northern Mali has been in turmoil since 2012, and so to have the government in Bamako be undermined further aggravates what is already predicting risk for the country that could be further realized by violent extremism.

It is important that the Government of Mali regain its feet and regain its commitment to democratic government, and professional military that can help working with the partners, for example, the French with the Operation Barkhane, and other United Nations peacekeeping forces to curb this spread. Because if Mali falls, if any one of the countries in the Sahel falls, then the coastal countries along the West African coast are going to be immediately hit and that would mean—that would be very catastrophic for the rest of the continent.

Mr. BURCHETT. Okay, thank you so much.

Mr. Meservey, you published a report recently where you documented that Chinese companies have built around 190 African government buildings including over 20 houses of African heads of State. Combine that with the reports that Huawei technology is used during construction, and we are looking at the Chinese having ample opportunities for spying and intelligence gathering operations.

What more should we be doing to highlight the Chinese Communist Party's attempt to undermine democratic governance and support for authoritarian regimes?

Mr. MESERVEY. Yes, it is a challenge. I think that one of the best things we can do, and it is a longer-term solution but I also think it is the most effective chance we have here, is to buttress civil society organizations in Africa. A number of them have actually been effective in shining light on some Chinese activity going on, so they have been able to expose deals that were not to the benefit of the country. They were able to stop projects that were going to be environmentally disastrous.

So they have had a surprising amount of success and I think the U.S. should double down on its support of those sorts of organizations. That includes journalists. The Chinese Government has made a very concerted effort to co-opt African journalists all across the continent, so I think the U.S. needs to launch sort of a counter-movement, if you will, where we, you know, support independent, ferocious journalism on the continent.

So I, really, I always come back to civil society. I think that is a critical part of what we need to be doing on the continent.

Mr. BURCHETT. Okay.

Chairlady, thank you. I have gone over my time. Thank you for your courtesy. I have to go to the Small Business Committee. I apologize. Thank you, ma'am.

Ms. BASS. No problem. Thank you for being here.

Mr. BURCHETT. Thank you.

Ms. BASS. Let me go to Representative Phillips.

Mr. PHILLIPS. Thank you, Chairwoman Bass, and greetings and gratitude to all of our witnesses today in this important hearing.

Strengthening democratic institutions—

Ms. BASS. Can you get closer to your laptop?

There you go.

Mr. PHILLIPS. Okay. Is that a little better?

Ms. BASS. Yes.

Mr. PHILLIPS. Okay. Thank you, everybody.

Strengthening democratic institutions and exposing democratic backsliding is terribly important work and a distinct priority of mine in Congress. The United States is not perfect. We all see what is happening in our very own country right now. But what is important is that we are constantly working to improve, to strengthen, and to encourage free and fair elections all around the world including in our own country, and to use our voices powerfully, but also peacefully.

I would like to start to talk about—my question will be, first, about Ethiopia. While Prime Minister Abiy advanced a vision of national unity early in his term by releasing political prisoners and unbanning certain political parties and promising free and fair elections, it has become very clear that there is a lot more work to be done relative to his reform agenda. So I have heard a lot of concerns from my constituents in Minnesota regarding restrictions on civil liberties, violence perpetrated against civilians by State and non-State actors, arrests of human rights activists in the smaller region of Ethiopia, and detention of political opposition leaders.

So my first question is for you, Mr. Temin. What can Abiy's government do to mitigate ethnic incitement in religious conflict and hate speech without restricting civil liberties, and going forward, how can the government more effectively respond to ethnic and religious tensions in the country?

Mr. TEMIN. Thank you for the question and for raising some very concerning issues in Ethiopia. There are no easy answers to these questions. One of the most important steps is that the Abiy government really seek to consult with the political opposition and politicians across the spectrum, and they have not been very good at doing that so far.

The decision they made to postpone elections was probably the right one given COVID and logistical challenges, but they did that in a vacuum without consultation and that has led to a lot of the grievance that we are seeing now. Elections are now supposed to happen in 2021, so the government needs to start now a real process of consultation with the entire political spectrum to talk about the road between here and those elections and how those elections can be as free, fair, and transparent as possible. Those elections really can be transformative, but the government simply has to stop reaching for these tools of past repression that we really thought were relegated to history. And they need to be called out on that, frankly.

The U.S. and the rest of the world should not be in the business of celebrating Prime Minister Abiy—that probably happened a little bit too much, a little bit too quickly even given some of the remarkable early steps—but we need to be in the business of strengthening Ethiopian institutions and Ethiopian civil society and those who are investigating and highlighting the abuses that are going on.

The ethnic violence is substantial and it is hard to contain. I will note that there are voices that are fanning this ethnic animosity across the spectrum, many of them Ethiopian in Ethiopia. Some of them are outside of Ethiopia too, and we do need to keep an eye on those voices including in the diaspora who do sometimes fan the flames of ethnic tension.

Mr. PHILLIPS. Thank you, sir.

And, you know, we also have elections coming up in Cote d'Ivoire, October 31st, I believe. Of course, it is clear that the country is at risk as well for large-scale violence against civilians. According to the U.S. Holocaust Memorial Museum, early warning signs of mass atrocity are already visible and certainly warrant attention. I just introduced House Resolution 1150 which highlights this important issue and urges the government of Cote d'Ivoire, opposition leaders, and all citizens to respect the democratic principles, refrain from violence, and hold free and fair and transparent elections this October.

Dr. Bekoe, regarding Cote d'Ivoire, what can the United States and our embassy in particular do to support transparent and peaceful elections in October and, for that matter, in Ethiopia and Somalia? What can be done to create conditions for those same free and fair elections next year in 2021?

Dr. Bekoe.

Dr. BEKOE. Yes. Thank you for that question. Yes, the upcoming elections in Cote d'Ivoire are quite worrisome because the violence has already started. We have seen that with opposition forces or opposition supporters being attacked. The important way to support civil society is to support efforts that help civil society track what the State is doing, how to substantiate results to make sure that there is inclusion in voter registration.

Those are things that kind of fuel the violence, although the underlying reason for the violence is the fact that the incumbent is seeking to run for his third term. And so that is the real issue that is fueling a lot of this violence.

Ms. BASS. Thank you.

Dr. BEKOE. And adhering to term limits is one way that that will stop.

Ms. BASS. Thank you.

Mr. Smith.

Mr. SMITH. Thank you very much, Madam Chair. I did just leave a hearing on China. As I mentioned before, I am ranking member of the China Commission. And the discussion was on the 70 years of Tibetan oppression by the Chinese Government made much worse more recently by Xi Jinping, as he has done to the Muslims in Xinjiang, the Uyghurs.

I am concerned and I have been concerned, and as the chairwoman knows, I have chaired a number of hearings when I was chairman of this subcommittee on China's malign influence on Africa, its ability to buy votes particularly at the United Nations, its ability to build a soccer stadium or do something else in order to gain benefits that are very tangible. There is no foreign corrupt practices act, so when it comes to trade, bribes help facilitate the deal.

But the biggest concern, I think, most of us are having, I have as well, is China's bad governance model. And I am wondering if you might speak, any of you who would like, about this. You know, in 2019, the African leaders pledged to use the Belt and Road to build a Sino-Africa Community of Common Destiny. A China-Africa Institute was established to develop new models in mutual learning and to facilitate policies, synergy, and alignment in bringing this about.

Kenya's Vision 2030, Rwanda's Vision 2050, Uganda's Vision 2040, and South Africa's National Development Plan of 2030 are examples of this strategic African blueprint that incorporate elements of the Chinese government's model and envision ongoing Chinese inputs as key catalysts, and I am wondering if you would speak to this.

We know that in Zimbabwe the Chinese were providing Mugabe with all kinds of help. There is very high profile—Bashir found and Khartoum had found that China was a very willing assistor and enabler of their terrible deeds for all those years. But now we have, I think, this all-out effort to sanction the kind of governance that China does to its own people each and every day and that is cruel repression of the Han Chinese, the Tibetans, the people of faith, the Falun Gong, and the Muslim Uyghurs and others.

So could you speak to that? I mean how do we undo this malign influence that I think is in ascendancy throughout the world, not

just in Africa, as China—I mean look at the impact they are having at the U.N. Human Rights Council. They are barely held to account for anything that they do including this ongoing genocide against the Muslims in Xinjiang.

So your thoughts on that because, you know, there are always people in governments who want to do the right thing and that is certainly, you know, with exclamation points what we know so many people in Africa want to do. But then you get these affiliations with people who say oppression works, secret police works, jailing dissidents works—and that is the Chinese model. So if you could speak to that I would appreciate it.

Mr. TEMIN. Thank you for the question. Let me just make a brief point which is that in democracies Chinese misbehavior is more likely to be scrutinized, and that is all the more reason for the entire topic of the conversation today which is American investment in democracy promotion and advancing democracy in Africa.

In democracies, civil society organizations are more likely to dig into what China is doing. In democracies, the government is probably more willing to dig into that as well. And to reiterate an important point that Josh made earlier, building that capacity to better scrutinize Chinese activity is really important and that is both within civilian society across Africa and within African governments as well, to fully understand the deals that they are signing up for, the long-term consequences of those deals.

Josh also made a really important point which I will reiterate on investigative journalism. You know, I think there is no better bang for the buck than investments in investigative journalism and supporting those brave journalists across the continent to really dig into Chinese activity.

Ms. BASS. Thank you very much.

Representative Omar.

Ms. OMAR. Thank you, Chairwoman. Can you hear me?

Ms. BASS. I can.

Ms. OMAR. Thank you, Chairwoman, for this important committee hearing and grateful to our witnesses. I want to start with Dr. Fomunyoh. In your testimony, you discuss the massacres committed in the Anglophone region of Cameroon. Did the United States provide training, funding, or arms to the Cameroonian security forces who committed those massacres?

Dr. FOMUNYOH. Thank you very much, Congresswoman, for your question. That has been an issue of concern, because prior to the Anglophone crisis in Cameroon in 2016, Cameroon was a partner with the United States and a number of other countries in fighting Boko Haram in the extreme north of the country around the Lake Chad basin countries in collaboration with Nigeria, Chad, and Niger Republic.

But what we have seen in recent years, especially in the last 2 years, has been that some of the resources that were initially donated to the government of Cameroon to help the fight against Boko Haram in the extreme northern part of the country have moved both in terms of materiel and personnel into the Anglophone regions of the country where there is an ongoing armed conflict.

And that is extremely worrying, because we are beginning to see some of the tactics and gross violations of human rights in the

Anglophone regions of Cameroon that had been recorded in incidents happening in the extreme north of the country and that is something to be watchful about.

I should just remark briefly that the United States had been forced, the State Department had been forced to reduce some of its assistance, military assistance to Cameroon as a recognition that some of the units that may have been trained to fight Boko Haram in the extreme north had been involved in human rights violations as well.

Ms. OMAR. All right. So I assume that that would be sort of a yes. So did the Malinian military officers who led the recent coup, Assimi Goita, receive U.S. military training? And if you could just say yes or no, because I have a few more questions and we have limited time.

Dr. FOMUNYOH. Well, I do not have specific information on that point, but there have been reports of capacity building for Malinian military as it has been fighting the violent extremists in the northern and middle part of the country and that some of those soldiers or units may have trained alongside U.S. forces in the Sahel.

Ms. OMAR. I appreciate that. Thank you so much.

Madam Chair, I would like to introduce into the record an article from the Washington Post about the U.S. military training that Colonel Goita received.

Ms. BASS. Yes, thank you.

[The information referred to follows:]

[The Washington Post article mentioned above from Representative Omar was not available at press time]

Ms. OMAR. The article includes a quote I will read here: "Helping the Nation's troops fight rapidly spreading extremism is critical for regional stability," U.S. military official said."

That quote stood out to me because last year we cutoff security aid to Cameroon and we suspended security aid to Mali this year. Yet, U.S. military officials are quoted in this article saying that our counterterrorism policy is critical for regional stability. And this trend of supporting militarized brutality in the name of counterterrorism in the continent is widespread in the continent. I have mentioned Cameroon and Mali, but I could easily mention Somalia, Mozambique, Kenya, or a number of other countries in the continent.

Dr. Fomunyoh, you were quite right to say that violent extremism is a threat to democracy in Africa, but I would also like to ask, is it time we start wondering if our militarized counterterrorism strategy is also a threat to democracy in Africa?

Dr. FOMUNYOH. Thank you very much, Congresswoman. That is a very excellent point and that is a point that NDI and our sister organization IRI, the International Republican Institute, that we continue to make to our partners that whether it is our funders or the African countries in which we work, that counterterrorism has to be a holistic approach that involves not just a militaristic technical assistance or building the capacity of the military, but also working with civilian institutions, parliaments to exercise oversight, civil society to engage in healthy relations with the executive and legislative branches of government.

And I would cite as an example a country that you know well, Congresswoman, in terms of Niger that is really in the middle of a very difficult neighborhood but that is managing very well to bring to the table all of the levers, the instruments of governance that range all the way from the military to legislators and civil society in its efforts against counterterrorism. And fortunately for Niger Republic it seems to be holding its own and doing relatively well in a very difficult neighborhood, so your point is well taken.

Ms. BASS. Thank you.

Ms. OMAR. Appreciate that. Thank you.

Ms. BASS. Representative Houlahan.

Ms. HOULAHAN. Thank you, Madam Chair.

And thank you to all of you all for being here today. I really genuinely would love an answer to this question, a legitimate answer, because it is very concerning to me. And I will start with some data that we prepared before last evening's debate and then a conversation about our debate here in our Nation last night, and then a genuine question that I would love to hear from you all on.

The Freedom House's global freedom score for the U.S. is 86 out of a hundred, so I think that is about a B, and is number 52 on the Freedom House rank of free countries. Finland, Norway, and Sweden fill the top three spots, each with scores of a hundred. Last evening, in our own debate here in this country, our President, our commander-in-chief, would not denounce white supremacists and he would not commit to a peaceful transition of power.

How does all of this play into how we are seen and respected as leaders and beacons in democracy? I am genuinely interested in what has happened over the last several years in terms of our standing and our credibility in this particular area, particularly in Africa.

Mr. Temin, is it? Perhaps we could start with you.

Mr. TEMIN. Sure. And thank you for the question. It hurts our standing and it hurts our ability to support the American values of democracy that we seek to enhance around the world. I think many of us who have watched Africa for some time and have been outspoken in our critique of anti-democratic moves in countries on the continent are seeing some of those things come to pass in our own country and are deeply concerned by that.

I would also say though that there are a lot of lessons from around the world in how to respond when these threats happen and we would do well to listen to people who have pushed back against these kinds of threats to democracy and ask ourselves if some of their experience and some of their lessons applies to what is happening here. Because we have a lot to learn in how to respond to these things as we also seek to help the rest of the world learn on democracy promotion.

Ms. HOULAHAN. And what specific lessons learned might we benefit from from other nations that have struggled with this?

Mr. TEMIN. We have seen in other countries the vital role of journalists in holding government to account, in exposing corruption and other misdeeds. We have seen the vital role of civil society in staying strong and being a voice for people who feel like they are not represented by the government, if not targeted by the government. We have seen the vital role of human rights defenders who

put their lives on the line in many places in defense of the values that they hold dear.

There is nothing unique about Africa or any other part of the world in what makes these segments of society so important and I would think they apply to the U.S. as well.

Ms. HOULAHAN. I would love to hear from the other members of the panel as well, if you have something to add.

Doctor.

Dr. BEKOE. I think—

Ms. HOULAHAN. Thank you.

Ms. BEKOE [continuing]. One message is that democratic progress does not have an endpoint. It is a constant struggle and it also requires, you know, all stakeholders to play their role, to be vigilant, to kind of move the process along. And we do not get to a place where we say, you know, this is the end and we can rest on our laurels.

Ms. HOULAHAN. No, I think that is very, very fair. It is very precious and that we definitely need to protect it.

Doctor, do you have anything to add?

Dr. FOMUNYOH. Yes. I would just add to what has been said by my co-panelists that Africans—the world has become a global village and Africans themselves are also following very closely what happens with other democracies, established democracies, around the globe, and that back in May when we had the George Floyd murder in Minnesota that in a number of African countries people were actually astonished that incidents like those could occur in the United States.

But what we saw also was a number of U.S. embassies on the African continent issuing statements to clarify for the African people what had actually transpired. And I think the hope for African democrats as they look to developments around the world is to see confirmation that in democracies institutions really matter and that democracies have a propensity to self-correct. That, ultimately, when things go wrong and institutions work and people have their voices heard and people organize themselves to have a seat at the table that, ultimately, their voices will count and democracies will self-correct.

Ms. HOULAHAN. I appreciate that. A very hopeful way to end and I yield back to the chair. Thank you.

Ms. BASS. Thank you, Representative.

You know, it is my understanding that all 50-plus nations on the continent registered a protest at the United Nations over police brutality in the United States as an act of solidarity.

Representative Sherman, without objection, we are glad to welcome you here to participate in the subcommittee meeting. Are you ready with questions?

Mr. SHERMAN. I am indeed.

Ms. BASS. Take it away.

Mr. SHERMAN. And, Chairwoman Bass, thank you so much for allowing me to participate in this subcommittee. And I want to build on some of the comments you have made, because I have been somewhat embarrassed in talking to leaders not only from Africa but around the world. Because we are working for democracy, we are sometimes critical of democratic institutions or the lack thereof

in other countries, and it is somewhat embarrassing to have a President who says that he might not accept the outcome of an election. I have seen that happen in Africa. Perhaps one of our witnesses can comment on how a country—and give us an example or two of how countries have been affected when there has been an election, the incumbent has been turned out of office, and the incumbent doesn't want to go.

I will direct it at Dr. Bekoe.

Dr. BEKOE. Well, the country that comes to mind is Gambia. The incumbent did not want to leave office and it required the intervention of the regional economic community to mediate his exit.

Mr. SHERMAN. Well, I hope we do not have to adopt the Gambia model here in the United States. We have much to learn from countries around the world, but hopefully we will not need that learning.

And it is—we are in an ideological contest with China and others who are trying to make the world safe for authoritarianism and their effort is to discredit democracy. Africa is one place where we say that democracy is important and China says the opposite and says that democracy does not work, and I think that what I saw last night on my television screen did not help our argument.

Dr. Fomunyoh, we spend money promoting democratic institutions, government accountability. Can you give us examples of where efforts have been successful, where a country has moved substantially toward democracy and the rule of law and what would be the impact of Trump's proposed 37 percent decrease in that funding?

Dr. FOMUNYOH. Thank you very much, Congressman.

First, if I could just add to my co-panelist, Dr. Bekoe, on the examples where elections have helped to strengthen democracies and where they have been under threat. Cote d'Ivoire is another example to keep in mind and to know that in 2010, because of disagreement over the outcome of the Presidential elections, the country converted into a crisis that left 3,000 Ivorians dead. It has taken 10 years for Cote d'Ivoire to recover from that crisis. Our hope is that going into the 2020 elections, Ivorians will make efforts to not have to repeat the mistakes of the past.

On the other hand, in Africa's largest democracy, which is Nigeria with over 200 million inhabitants, we went through an experience in 2015 that was very heartening in the sense that the incumbent President Goodluck Jonathan lost the elections, and even before the Independent Election Commission could call, make the call on the elections, he picked up his phone and called his opposition, the current President Muhammadu Buhari, and that brought tensions down considerably in Nigeria.

And that phone call that went from President Goodluck Jonathan to President Buhari has helped stabilize Nigeria's democracy up until this point. So there are some happy stories to report. And in a country such as Nigeria, with support from USAID, the International Republican Institute, NDI, CIPE, and Solidarity Center have conducted programs in the past two decades that have allowed Nigeria to make the transition from being ruled by the military up until 1999, to now a functioning democracy for the first

time in Nigerian history that Nigeria has been governed by civilian democratic governments for over 20 years.

Mr. SHERMAN. I thank you. I am going to try to—can I squeeze in one more question?

And thank you for reminding us how important it is that after all the ballots are counted that whoever is the loser in our election acknowledges that and concedes.

The one more question is for Mr. Temin. We, the chairwoman and I and others, have come to know Bobi Wine. We know he has been severely beaten on various occasions. How would you classify the situation in Uganda leading up to the February Presidential election?

Mr. TEMIN. Very concerning and not getting as much attention as it probably should. Uganda is talking about what they are calling scientific elections in response to COVID, which means no physical campaigning for the most part, doing a lot of it virtually, online. I think that this gives significant advantage to the ruling party and it is not clear that the ruling party is willing to stick to all those rules, but they will probably be more strictly enforced with the opposition, I am guessing.

You know, President Museveni has been in power a long time. I do not see much indication of plans for what comes next or for transition, and in any country that is worrisome because I think we have seen in a number of instances the longer some leaders stay in office and the less planning there is for what comes next, the rockier that transition can be.

And I do not know if that transition comes with the next election or later, but I think Uganda is of concern. It is concerning because it has a very young population, one of the youngest on the continent, and I think there is a good deal of frustration amongst that youthful element of the population. So it is one to watch, for sure.

Mr. SHERMAN. Thank you. My time has expired.

Ms. BASS. Thank you. And I believe Representative Omar had some additional questions. I will give Representative Omar another 5 minutes.

And then when we come back before we conclude, Mr. Temin, you made reference, or, actually, Representative Houlahan made reference to the score of the United States on Freedom House, and I wanted you to address that after Representative Omar's questions.

Representative Omar, are you there?

Why do not you go ahead and address that and we will see if we can get Representative Omar back on Webex.

Mr. TEMIN. Sure. What I can say about that is Freedom in the World, which we do every year, rates every country in the world; that includes the United States. The United States' score was decreasing before this administration. We have seen a slow slippage of democracy in America for some time based on our scores. That decrease has accelerated under this administration.

Ms. BASS. But what is it? You know, give me the specifics.

Mr. TEMIN. I do not have the data in front of me. I am sure we can followup on that.

Ms. BASS. Well, you generally know how you do the scoring, so—

Mr. TEMIN. I do. I am deeply involved when we do the Africa scoring and less so with the U.S. scoring. You know, I think part of it has to do with freedom for journalists. I believe there has been some concern there. Part of it has to do with corruption and some of the indications that we have seen of corrupt activity within government.

I will leave it there. We are happy to go dig into that and provide you more detail, and I am sure that when we look at the scores again later this year there will be a robust conversation on the United States.

Ms. BASS. Well, do you, when you consider, I mean I do not know about other countries, but when you consider the United States, do you consider racial issues such as police brutality or systemic racism, or how do you—

Mr. TEMIN. Freedom in the World measures the freedoms that citizens feel across the board—

Ms. BASS. Yep.

Mr. TEMIN [continuing]. In any country. We divide those freedoms into political rights and civil liberties, and within each one of those two categories there is a number of indicators and sub-indicators. Certainly, the freedoms that all people in society and all segments of society are absolutely considered as we do those scores. And that would include freedom from police brutality and excessive force used by security forces.

When we are digging—

Ms. BASS. Incarceration rates, right to vote.

Mr. TEMIN. Again, I do not have all the indicators and the sub-indicators in front of me, but absolutely, the right to vote is a fundamental freedom that is definitely part of our indicators, as is the ability to do so freely and to do so without harassment. And security force brutality certainly comes into our considerations in every country. I have been involved in those conversations in the Africa context and there is no reason that America would be any different.

Ms. BASS. Well, thank you. I will look forward to understanding that. And I am sure incarceration rates have to be a part of that as well, right, I mean the essence of freedom.

Mr. TEMIN. We will followup with you, but I agree with you that that is absolutely a core component of freedom. And I mean the answer is yes, you know, when we have seen political opponents and others jailed in African countries and elsewhere that factors into our scores. And again, that applies globally. It applies to the United States.

Ms. BASS. Thank you.

It looks like Representative Omar will not be with us, so let me just use this opportunity to thank our witnesses. Appreciate your patience, especially with our challenge of how we even conduct hearings in a COVID environment. So thank you very much. And with this, our hearing is adjourned. Thank you.

[Whereupon, at 11:42 a.m., the subcommittee was adjourned.]

APPENDIX

**SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128**

**Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations
Karen Bass (D-CA), Chairman**

September 30, 2020

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations to be held in Room 2172 of the Rayburn House Office Building. Pursuant to H. Res. 965, Members who wish to participate remotely may do so via Cisco WebEx. The hearing is available by live webcast on the Committee website at <https://foreignaffairs.house.gov/>.

DATE: Wednesday, September 30, 2020

TIME: 10:00 a.m., EDT

SUBJECT: Democratic Backsliding in Sub-Saharan Africa

WITNESS: Christopher Fomunyoh, PhD
Senior Associate for Africa
National Democratic Institute for International Affairs

Dorina A. Bekoe, PhD
Research Staff Member
Institute for Defense Analyses

Mr. Jon Temin
Director
Africa Program
Freedom House

Mr. Joshua Meservey
Senior Policy Analyst, Africa and the Middle East
The Heritage Foundation

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202-225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON Africa, Global Health, Global Human Rights, and International Organizations HEARING

Day Wed. Date 09/30/2020 Room 2172

Starting Time 10:17am Ending Time 11:42am

Recesses 0 (___ to ___) (___ to ___)

Presiding Member(s)

Rep. Karen Bass

Check all of the following that apply:

Open Session

Electronically Recorded (taped)

Executive (closed) Session

Stenographic Record

Televised

TITLE OF HEARING:

Democratic Backsliding in Sub-Saharan Africa

SUBCOMMITTEE MEMBERS PRESENT:

See Attached.

NON-SUBCOMMITTEE MEMBERS PRESENT: (Mark with an * if they are not members of full committee.)

Rep. Brad Sherman

HEARING WITNESSES: Same as meeting notice attached? Yes No

(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: (List any statements submitted for the record.)

Rep. Karen Bass, SFR (2)

Rep. Christopher Smith, SFR

TIME SCHEDULED TO RECONVENE _____

or

TIME ADJOURNED 11:42am

Naomia A. Seags-Brigety
Subcommittee Staff Associate

HOUSE COMMITTEE ON FOREIGN AFFAIRS
*SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, GLOBAL HUMAN RIGHTS, AND
 INTERNATIONAL ORGANIZATIONS*
 COMMITTEE HEARING

<i>PRESENT</i>	<i>MEMBER</i>
X	Karen Bass, CA
	Susan Wild, PA
X	Dean Phillips, MN
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CHAIRMAN BASS OPENING STATEMENT

**Ms. Bass' Opening Statement
Democratic Backsliding in Sub-Saharan Africa
AGH Subcommittee Hearing on September 30th, 2020**

Chair: The Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations will come to order. Without objection, the Chair is authorized to declare a recess of the Subcommittee at any point and all members will have five days to submit statements, extraneous material and questions for the record, subject to the length limitation in the rules. To insert something into the record, please have your staff email the previously mentioned address or contact full committee staff.

As a reminder to Members, please keep your video function on at all times, even when you are not recognized by the Chair. Members are responsible for muting and unmuting themselves and please remember to mute yourself after you finish speaking. Consistent with the H.Res. 965 and the accompanying regulations, staff will only mute members and witnesses as appropriate when they are not under recognition to eliminate background noise.

I see that we have a quorum and will now recognize myself for opening remarks.

Pursuant to notice, we are holding a hearing on Democratic Backsliding in Sub-Saharan Africa.

Thank you for attending today's hearing on democratic backsliding in Sub-Saharan Africa, which we believe is timely as other parts of the world, not the least the United States, suffer similar challenges.

I would like to thank our distinguished witnesses today, Dr. Christopher Fomunyoh, Dr. Dorina A. Bekoe, and Mr. Jon Temin and Josh Meservey who will provide deeper insight into the dynamics contributing to the erosion of democracy in Sub-Saharan Africa and the impact this **seemingly** global trend will have on **democratic governance, economic growth, and improved access to health and education resources.**

We are here today because several countries across the African continent are retreating from core democratic principles, which we refer to as democratic backsliding. Democratic backsliding includes, but is not limited to, the degradation of free and fair elections; infringement on freedoms of speech; impairment of political opposition to challenge the government or hold it accountable; the weakening of the rule of law, such as limiting the autonomy of the judiciary; and the manufacturing or overemphasizing of a national security threat that allows the government to malign critics. These actions, singularly or collectively, lead to state-organized debilitation or elimination of political institutions that can look like actions taken to uphold or strengthen democracy.

Flawed elections remain an issue in most of Africa, with leaders manipulating laws, freedoms and elections to retain power. Most concerning is the situation in Tanzania, which I recently addressed in House Resolution 1120, where current leadership is repressing the opposition and basic freedoms of expression and assembly in a blatant attempt to retain power. We see similar patterns in the Ivory Coast (Cote d'Ivoire) as the executive branch legalizes the perturbation of democratic institutions to **codify** non-democratic actions. We have similar concerns

about Guinea and are going to be very watchful of upcoming elections there and in Burkina Faso, the Central African Republic, Chad, Gabon, Ghana, Niger, and Somalia. The actions of these governments to suppress freedoms of expression including social media, to exclude opposition participation in the electoral process, and to use police and military resources against protestors, undermine democracy and jeopardize the rights and very lives of their citizens.

There are many other sub-Saharan countries of concern and I look forward to hearing which countries we should monitor closely and the witnesses recommendations for how we can support them.

What concerns me most is that democratic backsliding is not limited to Africa and we seem to be in a place of retreat from democracy that I only hope is an anomaly. In Europe, we see the egregious behavior of Belarusian President Alexander Lukashenko who claimed success in disputed August 9th elections and sought support from extra-national sources, such as Russia, to justify his claim to power. Thousands of Belarusians openly protested against the election results for more than 50 days, suffering multiple incidents of police brutality. This democratic backsliding comes approximately one year after the United States and Belarus agreed to again exchange Ambassadors after a 15-year pause as a result of significant democratic progress of the Belarusian government. Other European countries experiencing democratic backsliding include Hungary, Lithuania, Poland, Slovakia, Serbia and Turkey – to which we must continue to lend our support to protect the dignity and rights of their citizens.

In Asia and Latin America we have to be extremely vigilant to help strengthen democracy in some of the largest (most populous) countries in the world such as Brazil, India, the Philippines and Thailand. In Brazil, President Bolsonaro is challenging the autonomy of the judiciary and Congress to investigate the excessive presence of the military in the civil public services. President Duterte, of The Philippines, is accused of “lawfare” or weaponizing the law to deter or defeat personalities and establishments that promote human rights civil liberties, press freedoms and rule of law. while also cracking down on individual freedoms and of The Philippines. These countries have experienced erosion in democratic institutions and human rights exemplified by the imposition of tighter state control over multiple political institutions that result in more authoritarian forms of government and increased human suffering. I have only mentioned a few but there are other nations, suffering from democratic backsliding, democratic fragility or democratic failure. In these countries, human suffering and poverty correlate directly to authoritarianism and corruption.

Finally, in our own country, The United States, has since 2017 witnessed an erosion of democracy as various institutions, -are misused by the executive branch to solidify power. The threat of a non-peaceful transition of power and other electoral irregularities (such as delegitimizing the use of mail-in ballots during a global pandemic), use of rhetoric to instill fear and disunity among the citizenry, while also expediting the appointment of a new Supreme Court Justice in attempt to “stack the bench”, are only a few of the examples of democratic backsliding in the United States. As the global champion for democracy, the United States cannot allow these actions to continue or to prevail. It is of paramount importance that the United States set the highest example and use our democratic institutions, such as the constitution,

freedom of expression, assembly and association, and free and fair elections to preserve and advance democratic leadership around the world.

Although democratic backsliding is not new, we notice a particular pattern of change caused by COVID-19 global pandemic that has led to subtle, incremental democratic erosion as some sitting leaders use safety measure to prevent the spread of the virus to also debilitate freedom of expression and infringe upon human rights. Tanzania offers a stark example of this behavior, by denying the existence of COVID-19 in the country and suppression of information related to the pandemic that places citizens' health at risk and violates citizens' freedom of speech and right of access to information.

The United States is also guilty of mishandling the COVID-19 pandemic through misinformation, politicization of masks and the failure to develop a national strategy and participate in international efforts to eradicate the disease. Most alarming is the President's attempt to discredit the election progress by threatening not to accept defeat and alleging election fraud should he lose and by challenging the legality and efficacy of mail-in ballots, which are extremely important during a global pandemic that requires sheltering in place.

The impacts of global democratic backsliding are severe and threaten the very foundation of human advancement as we see its extreme forms in Mali, Hungary, The Philippines, Venezuela and Zimbabwe.

Clearly our work is cut out for us, but we can be hopeful in the fact that democracy is an enduring institution that has survived centuries. According to International IDEA's report on *The Global State of Democracy: Addressing the Ills and Reviving the Promise*, democracy is a resilient form of governance and remains in strong demand around the world. Eighty-one of 97 democracies have enjoyed uninterrupted democratic status since their democratic transitions. The report further notes democratic nations enjoy higher levels of gender equality and human development and lower levels of corruption — ideals for which we must ceaselessly strive to be enjoyed by all peoples of the world.

As we face increasing trends and incidents of democratic backsliding we must work collectively to air grievances, demonstrate peacefully, and uphold democratic institutions through responsible leadership, active voter participation, and respect to human rights and constitutional rights. We should support at-risk governments and their citizens to recognize that their democratic backsliding, particularly in abuses of political institutions and limiting freedoms, can lead to serious national and regional crises. We must hold these governments accountable and remind them and that the international community is watching but it also willing to assist, if allowed.

I look forward to hearing the views, perspectives and recommendations of the esteemed panel of witnesses we have here today.

CHAIR: I now yield to our ranking member, Representative Smith for his opening statement.

CHAIR: Thank you very much, Ranking Member.

ADDITIONAL STATEMENTS SUBMITTED FOR THE RECORD

Democratic Backsliding in Sub-Saharan Africa
Representative Chris Smith
September 30, 2020

I'd like to thank Chairwoman Bass for convening today's hearing on a very important and disturbing topic – the backsliding we have seen throughout much of sub-Saharan Africa when it comes to democracy and governance. According to metrics put out by the [Economist Intelligence Unit](#) earlier this year, democracy in sub-Saharan Africa has been on the retreat, declining between 2018 to 2019, when its democracy index recorded its lowest total since 2010. With postponements of elections in 2020 attributed to the COVID crisis and subsequent lockdowns serving sometimes as a pretext for stifling dissent, I fear 2020 may see an even greater decrease in democracy on the continent.

Today's hearing is also timely, as elections are approaching next month in Tanzania and the Ivory Coast – both countries which appear

to be on a downward trajectory in terms of governance and respect for civil and political rights. (And I do want to note that Chairwoman Bass has introduced legislation with respect to Tanzania which I have cosponsored, and Rep Phillips has also introduced a resolution on the Ivory Coast... Thank you both for that.)

We also see the role of outside actors facilitating a downward race to the bottom – in particular China, which seeks to export its “bad governance model” throughout Africa – but also the Gulf States, Turkey and even African countries such as Rwanda, which has had a sustained disruptive impact on its neighbors for many years, particularly the Democratic Republic of the Congo.

I expect we will hear about what the United States is doing to promote democracy and good governance throughout Africa – we have as one of our witnesses Chris Fomunyoh from the National Democratic Institute, which along with its sister organization the International

Republican Institute has dedicated much of its democracy promotion efforts to sub-Saharan Africa.

I also hope that we will also take a closer look at our missteps as well. For example, it was quite obvious to outside observers in the Democratic Republic of the Congo that the declared winner of the last presidential election held in late 2018, Felix Tshisekedi, received less [votes than Martin Fayulu](#). Yet because of a corrupt bargain between outgoing strongman Joseph Kabila and Tshisekedi, the Constitutional Court packed by Kabila declared Tshisekedi the winner.

What happened next was troubling – our State Department [issued a statement](#) saying that “The United States welcomes the Congolese Constitutional Court’s certification of Felix Tshisekedi as the next President of the Democratic Republic of the Congo,” which was apparently driven by a handful of diplomats, including our Ambassador.

This sent a terrible message with ramifications not only within the Democratic Republic of Congo, but beyond as well. For example,

elections which soon scheduled in Nigeria were first postponed by sitting President Muhammadu Buhari and [marred by irregularities](#) in advance of the Election Day, including arson attacks on the independent National Electoral Commission offices in opposition strongholds and Buhari's removal of Supreme Court Justice Walter Onnoghen.

Nonetheless, there has also been progress, too, which we should note. Namibia is developing towards a stable democracy. During the last [elections in Namibia](#), we saw an incumbent president win reelection with a reduced vote and a robust opposition winning enough votes to deny the ruling party, SWAPO, its supermajority in the legislature. Botswana is another example of a country which is developing good democratic habits. While there is room for improvement in both countries, the overall trajectory is positive.

We also welcome with [guarded optimism developments in Sudan](#) following the ouster of longtime dictator Omar al-Bashir. Yet at the

same time we need to temper our appraisal, given the continued role of people such as Mohamed Hamdan Dagalo, known popularly as “Hemedti,” and Abdel Fattah al-Burhan, as the real powers behind the throne. Both have been implicated in past atrocities in Darfur, and both must ultimately be held to account. Before Sudan is delisted as a State-sponsor of terrorism, I also believe there also must be justice for all victims of its past bad acts, including the victims of 9/11, many of whom lived in my home state of New Jersey and in my district.

Ethiopia has made [fitful progress](#) since Prime Minister Abiy assumed power. There was initial euphoria as he released political prisoners and free the media, and when Chairwoman Bass and I met with him in August 2018 in Addis Ababa, he was riding a wave of optimism. Since then, ethnic and religious tensions have roiled Ethiopia, with targeted attacks against ethnic and religious minorities in certain states. Elections have been postponed on account of the COVID crisis, and the government response to violence has been mixed;

arrests of political opponents, some of whom have themselves fomented violence, is worrisome. My personal view is that Prime Minister Abiy is trying to advance a pan-Ethiopian vision which transcends ethnicity and religion, but he is facing strong headwinds. Respect for democracy also demands that opposition figures behave responsibly as well, in addition to the government, which wields the levers of State power.

Finally, I want to note that in my position as past chairman and now current ranking member of this subcommittee, I have met many African leaders, including some whom I took to task for offenses against democracy and the people they governed, such as Sudan's Bashir and Ethiopia's former president Meles.

But there have been others who have stood out in a positive way. One who was especially memorable was the former President of Benin, Thomas Boni Yayi, whom I met at the United Nations General Assembly one year and with whom I held hands and prayed. He was an example

of an African leader who respected democracy, and when his second term ended, stepped down and oversaw the peaceful transition of power pursuant to Benin's constitution.

Unfortunately, his successor, President Patrice Talon, has [not preserved the gift he was given](#). He has cracked down on free speech, imposed restrictions on political organizing, shot demonstrators and even detained for nearly two months his predecessor, President Boni Yayi, who subsequently had to flee the country.

I grieve for Benin and its people, as I do for many in Africa who have yet to realize fully the fruits of democracy and good governance. Democracy and good governance are precious gifts. It is my hope that Africa's leaders and would-be leaders realize that, and strive to share their blessings with their people.

Thank you.



**Statement from Amnesty International USA for
Subcommittee on Africa, Global Health, Global Human Rights and
International Organization's Hearing on
Democratic Backsliding in Sub-Saharan Africa
September 30, 2020
Adotei Akwei¹**

Representative Karen Bass
Chair
Subcommittee on Africa, Global Health, Global Human Rights and International
Organizations
House Foreign Affairs Committee

Rep. Chris Smith
Ranking Member
Subcommittee on Africa, Global Health, Global Human Rights and International
Organizations
House Foreign Affairs Committee

Re: Hearing on Democratic backsliding in Sub-Saharan Africa, September 30, 2020

Dear Chairwoman Bass, Ranking Smith, and Members of the Subcommittee:

On behalf of Amnesty International, we submit the following statement on the erosion of the respect for and protection of human rights in Sub-Saharan Africa for the hearing on Democratic backsliding in Africa.

Amnesty International is a global human rights organization, launched in 1961 with millions of supporters, activists, and volunteers in over 150 countries, including

¹ The testimony was prepared with the help of Alagie Jammeh, 2020 AIUSA Almami Cyllah Fellow

250,000 here in the United States. We advocate for the rights of all as enumerated by the Universal Declaration of Human Rights.

Background

Today's hearing on democratic backsliding in Africa could not come at more crucial time. As 2020 moves on to its final quarter, Congress, US policymakers and human rights advocates must start looking at the events and trends of 2020 and take them into account for the work of 2021.

Madam Chair, human rights are essential for accountability, transparency and respect for the rule of law, even as they are also dependent on them. Adherence to these principles contribute to stability and are arguably core to establishing and sustaining democratic practice. Any discussion of one must include analysis of the other. We hope that this statement brings a spotlight to the erosion of human rights during 2020 and will add to the discussion on how to restart progress in both areas.

At the beginning of 2020, core human rights concerns would have included abuses linked to conflicts such as those ongoing in South Sudan and Sudan; the Sahel region's crisis with armed groups in Mozambique, Mali, Burkina Faso, Nigeria, Chad, Niger, and Cameroon; and ongoing conflict in Somalia and the Central African Republic. It would also have included escalating civil unrest in Cameroon, Ethiopia and in the DRC.

The concerns would have highlighted the trend of closing political space by opportunistic governments in Tanzania, Zambia, Ethiopia and Nigeria. These and other governments have been targeting members of civil society, the independent press and political opposition with increasing aggressiveness for several years usually under the mantle of the so-called war on terror.

And then COVID-19 happened.

The global pandemic generated a series of continent-wide crises impacting health care systems, food insecurity, the collapse of economic activity and livelihoods. It also impacted the delivery of government services, and with court systems shut down for months, impacted the rule of law. The COVID-19 crisis exacerbated Sub-Saharan Africa's human rights challenges, as resources and attention were focused on responding to the virus, and capacity to deal with already existing challenges declined. Further, it became clear that some governments saw an opportunity and took advantage of COVID-19 restrictions to further crush civic space.

Increased Insecurity

The political reforms introduced in Ethiopia by the Abiy government in 2018 raised hopes that the country would break with its past history of extrajudicial killings, torture, enforced disappearance and brutal crackdowns on nonviolent protests. While important first steps were taken, the country has sunk into increasing intercommunal conflict linked to the persistence of [abuses](#) by the security forces in some cases and a failure to protect in others. Amnesty International has serious concerns regarding restrictions on freedom of expression and the re-arrest of several societal leaders, the lack of progress on ensuring accountability for past abuses, the growing level of mistrust in the Abiy government, alarm over elections that are now nine months late and have yet to be scheduled, and a government whose legal mandate expires in under two weeks.

Cameroon also continues to suffer from increased insecurity linked to the government's attempts to crush armed groups and their alleged supporters in the anglophone regions, and as a result of the Boko Haram insurgency and the government's brutal counterinsurgency. Nearly 700,000 people have been displaced, 3.9 million are in need of humanitarian support, and several thousands have been killed. The consistent actor in all of this violence remains the Cameroonian security forces who are responsible for egregious, systematic human rights abuses including torture, extrajudicial executions and arbitrary detention. The September 21st conviction of four soldiers in connection with the brutal murder of two women and two children, captured on video, while welcome, does not address the cases of thousands of victims of abuses or suggest an end to 37 years of impunity under President Paul Biya.

Impunity and abuses by security forces

The role of the security forces is perhaps the most dramatically visible measurement of the status of human rights in a country. Is it professional and properly trained? Is it accountable? Does it protect rights and uphold the rule of law?

Prior to the COVID-19 pandemic, the human rights record of the military and police in several African countries were a concern: in Cameroon the Rapid Intervention Forces (the BIR) have been linked to decades of abuse, including credible reports of torture between 2014 and 2017. To date, the government has not mounted a credible investigation or held anyone accountable.

In Nigeria both the military and [police](#) have been linked to years of egregious and systemic violations, and both have enjoyed total impunity. Torture, extrajudicial executions, assault, intimidation and corruption have been documented by domestic and international human rights groups and the independent media, and the security forces have retaliated. The case of journalist Omoyele Sowere is an alarming illustration of how the Nigerian police are a law unto themselves.

Sowore was detained on August 3, 2019, following a nonviolent rally that he had helped organize. He was detained for three days, after which the Nigerian Department of State Security Services (DSS), under the Nigeria Anti-Terrorism Act, asked the court to hold him for 90 days. The courts granted detention for 45 days.

On the 20th of September, the DSS asked for him to be detained for an additional 20 days, which was then dropped as the charges against him were filed. On September 26, after the charges had been filed, Sowore's lawyer requested he be released on bail, which the court granted. The DSS ignored the court order and kept Sowore in detention. On October 4, a new judge also granted Mr. Sowore bail, which was again ignored. On November 6, as the trial began, the Judge postponed the proceedings and signed a court order for Sowore to be released. The DSS refused to comply with the order until December 5. On December 6, DSS attempted to re-arrest Mr. Sowore while he was appearing before the judge, resulting in the judge having to flee her own court room. Omoyele Sowore remains out of prison on bail but under such restrictive conditions that he can no longer work as a journalist.

What little oversight and authority the Nigerian courts have had over the police has been severely weakened by the COVID-19 pandemic. The result is that, armed with the authority to enforce preventative measures free of a court system that has been shut down for all but the most critical cases, the police are accountable to no one and have acted like it.

In April, the Nigerian National Human Rights Commission [said](#) it had received and documented "105 complaints of incidents of human rights violations perpetrated by security forces" in 24 of Nigeria's 36 states and Abuja.

Similar [reports](#) came from Angola, Zimbabwe, Uganda, Kenya and South Africa.

Crackdowns on Journalists and Civil Society Organizations

Despite many of the countries in Africa having ratified the African Human Rights Charter and the International Covenant on Civil and Political Rights, many of them regularly harass, intimidate, assault and/or arrest journalists and civil society leaders.

One of the most alarming [cases](#) was the torture of three female members of the political opposition by the government of President Emmerson Mnangagwa of Zimbabwe.

Joana Mamombe, Cecelia Chimbiri and Netsai Marova, three leaders of the opposition Movement for Democratic Change – Alliance (MDC-Alliance), were arrested at a roadblock in Warren Park guarded by police and soldiers on May 13, following a protest against hunger and the lack of a safety net for poor and marginalized communities caused by the government's COVID-19 lockdown. The three women were taken from the police station by masked men and sexually assaulted over a period of 48 hours before

being returned to the town of Bindura. In a blatant act of intimidation, the government then decided to charge the women with participating in a gathering with intent to promote public violence, and breaches of the peace or bigotry as defined in section 37 of the Criminal Law (Codification and Reform) Act, among others.

Likewise, as these hearings take place, the government of Cameroon has not credibly answered for how journalist Samuel Waziz died in police custody—just days after being detained in August 2019—and why it took almost a year for them to inform his family or the public the news of his death. Dozens of other journalists are have been targeted, with some also jailed and others forced into [hiding](#).

Since 2017, media freedom in Somalia has been suppressed by the Federal Government of Somalia's security forces and officials, authorities in regional states, and by the armed group Al-Shabaab. An Amnesty report from February documents allegations of threats, harassment and intimidation of the media. The [report](#) also highlights techniques employed by the authorities to bribe media outlets to engage in self-censorship, and to carry out online harassment, intimidation and social media manipulation.

Similar harassment has also hit the independent media in Mozambique, where on August 23, an unidentified group attacked Canal de Moçambique, a Mozambican independent weekly newspaper that publishes investigative stories of public concern. Since it was launched, [Canal](#) has pursued and investigated cases of graft and injustice in public service and in political life and has come under attack as being an opposition newspaper. The group broke into Canal's offices, poured fuel on the floor, furniture and equipment, and dropped a Molotov cocktail.

Amnesty International has [documented](#) several countries in the southern Africa region who have cracked down on media houses and journalists: In Madagascar, publishing director and journalist at the *Ny Valosoa* newspaper Arphine Helisoa was [arrested](#) and put in pre-trial detention on 4 April after she was accused of criticizing the president's handling of the national response to COVID-19 in an article. In Zambia, authorities [shut down](#) the independent television news channel, Prime TV, on 9 April after cancelling its broadcasting license.

In Zimbabwe, journalists and newspaper vendors have been subjected to [arrests and intimidation during](#) their work in the context of COVID-19. At least eight journalists have faced interference and harassment in the line of their duties. Two journalists, Nunurai Jena in Chinhoyi, and Panashe Makufa in Harare, were accused of working without valid journalism accreditation cards, normally issued by the Zimbabwe Media Commission (ZMC), even though the commission has yet to issue the 2020 accreditation cards to journalists. Both journalists were reporting on the enforcement of the lockdown, including policing.

In Nigeria, Africa's largest democracy, the hopes that the 4th Republic, ushered in under Olusegun Obasanjo in 1999, would lead to increased respect for rights and freedom of expression are fading. Independent media outlets are regularly targeted for harassment and intimidation or subject to prolonged legal proceedings that effectively silence them. Nigerian authorities have carried out consistent [attacks](#) on journalists and media activists through verbal and physical assault, indiscriminate arrest, torture, detention, prosecution through trumped-up charges, and abuse of the Cybercrime and Terrorism laws.

Marginalized and At-Risk Populations

Key additional populations that are highly impacted by poor human protections are those incarcerated in prisons, the internally displaced, refugees and migrants.

Pre COVID-19 Africa was already struggling to grapple with its displaced persons' crisis.

According to [UNHCR](#), the continent has 33,351,7344 displaced persons including refugees, refugee-like, returned refugees, IDPs, returned IDPs, asylum seekers, stateless, and others of concern. This would be the 18th largest country in Africa by population. These people are not just disenfranchised, they are caught in a permanent Limbo, and survive on the strength of the generosity of their host governments and international humanitarian assistance. In South Africa, the failure of the government to hold accountable persons responsible for xenophobic [attacks](#) in 2008 contributed to the repetition of attacks in 2014, 2015, 2017 and 2018. In March 2019, the South African government launched its National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance (NAP). Among the actions the NAP identifies to be taken to combat xenophobia, are creating mechanisms to ensure foreigners receive services they are entitled to, facilitating their integration, and embracing a humane and dignified approach to managing migrants, refugees and asylum seekers. However, until NAP includes steps that could quickly and effectively improve accountability for perpetrators of abuses motivated by xenophobia, and justice for its victims, refugees and migrants will remain at risk because of ongoing economic hardships and a criminal justice system that is not delivering. Adding to this risk are fears and hardships driven by the COVID-19 pandemic.

Also at risk are prisoners who are consistently housed in dilapidated, overcrowded structures and in living conditions that often constitute ill treatment.

In our April 2020 [report](#), Amnesty found that in many countries across the region, a high proportion of those in detention are there just for peacefully exercising their human rights.

Across Sub-Saharan Africa, pre-trial detention remains widely used excessively and as a tool of punishment. As of June 2019, there were 28,045 people detained in prisons in Madagascar, which have a total national capacity of 10,360. More than 75 percent of the 977 boys detained were in pre-trial detention. Children and adults accused of petty crimes in Madagascar are equally forced to stay in overcrowded and [unhygienic prisons](#) for longer than the legal term of pre-trial detention.

In Senegal, before the release of detainees announced in March 2020, the country had 11,547 people held in 37 prisons with a total capacity of 4,224 detainees. Similarly, Burundi, whose prisons have a capacity of 4,194 people, had 11,464 detainees by December 2019, of which 45.5% were in pre-trial detention.

In the DRC, the latest data available from Makala Central Prison showed that in 2016 it held 8,000 prisoners, more than five times its official capacity of 1,500. While about [700 prisoners](#) were released countrywide in 2019, at least 120 detainees died in the same period from starvation and lack of access to clean water and proper healthcare.

Our report also notes how many African governments have political opponents, journalists and dissidents locked up in their prisons.

The journalist [Ignace Sossou](#) in Benin was sentenced on 24 December 2019 to 18 months imprisonment for "harassment through electronic means of communication" for tweeting remarks attributed to the public prosecutor, who spoke at a conference organized by the French Media Development Agency (CFI).

In Burundi, human rights defender [Germain Rukuki](#) was arrested for his work and is currently serving a 32-year prison sentence, while [four journalists](#) working for one of the country's few remaining independent media, Iwacu, were sentenced on 30 January 2020 to two and a half years in jail for attempting to investigate deadly clashes in the country.

In Cameroon, three students, [Fomusoh Ivo Feh, Afuh Nivelie Nfor and Azah Levis Gob](#), were sentenced to 10 years in prison for "failing to report terrorism related information" after texting a joke about Boko Haram in Cameroon. Mancho Bibixy Tse, detained for protesting peacefully against the alleged irregularities during the 2018 presidential election or in favor of economic and social rights in English-speaking regions, was arrested on 9 January, 2017, and sentenced on 25 May 2018 by a military court to 15 years in prison for "terrorism," simply for having peacefully protested marginalization of English-speaking Cameroonians.

In Chad, Martin Inoua, the director of the privately-owned newspaper Salam Info, was sentenced to three years' imprisonment in September 2019 for defamation, slanderous accusation and criminal conspiracy after publishing an article in which a former minister was being accused of alleged sexual assault by a family member. He was initially arrested following the complaint of the minister.

In Gabon, Bertrand Zibi Abeghe, a member of the “Coalition pour la nouvelle republique,” was arrested on 31 August 2016 during demonstrations against presidential results and has since been in pre-trial detention. In September 2018, his pre-trial detention exceeded the legal deadline, and is therefore illegal.

In Mozambique, Ibrahimo Abu Mbaruco, a journalist, was forcibly disappeared on 7 April 2020 after sending a text message to a colleague saying he was being harassed by soldiers near his house in Palma Town, in Cabo Delgado Province in the North. Mozambican authorities are known for arbitrarily [detaining](#) journalists in prison and subjecting them to torture and other ill-treatment.

In Somaliland, President Muse Bihi Abdi pardoned 574 prisoners on April 1 to ease overcrowding in the face of COVID-19, but failed to release freelance journalist [Abdimalik Muse Oldon](#), who was arrested and arbitrarily detained a year ago for criticizing the president on Facebook.

In Congo, four [supporters of the opposition movement](#) “Incarner L’Espoir,” Parfait Mabilia, Franck Donald Saboukoulou Loubaki, Guil Miangué Ossebi and Meldry Rolf Dissavoulou, were accused of endangering state security and have been detained arbitrarily for several months. Political opponents and candidates for the 2016 presidential election, Jean-Marie Michel Mokoko and André Okombi Salissa, were condemned for endangering the internal security of the state in 2018 and have since been in arbitrary detention.

In Tanzania, human rights lawyer [Tito Magoti](#) and his co-accused Theodory Giyani have been in police detention since 20 December 2019, the court adjourning their trial for the ninth time on 15 April 2020. In Uganda, military police arrested writer and law student Kakwenza Rukira on 13 April 2020 over his book “Greedy Barbarians,” which criticizes the country’s first family. He has yet to be charged.

In [Togo](#), the detentions of Kpatcha Gnassingbé, half-brother of President Faure Gnassingbé, Commander Atti Abi, and Captain Dontéma Kokou Tchaa, who were sentenced for crimes against the state and rebellion during an unfair trial in 2011, were described in 2014 as arbitrary by the United Nations Working Group on Arbitrary Detention. As of April 2020, they are still in detention despite authorities’ commitment to fully cooperate with United Nations special procedures.

Conclusions

Members of the subcommittee, the fact is that the trends in Sub-Saharan Africa on respecting human rights and adhering to democratic practices are going in the wrong direction and action is needed to reverse those trends. Congress must continue to play its leadership role in supporting and advancing human rights and democratic practice *together and at the same time*. Robustly funding the International Affairs Budget must

be accompanied by political and diplomatic support for civil society, human rights activists and journalists from Congress and the Executive Branch.

At the same time, Congress must up its oversight game to ensure great transparency around the negative impacts of myopically pursuing the so-called war on terrorism, when it allows governments to eviscerate rights and corrode democratic practice.

Finally, the additional burden of helping countries respond to the economic impact of the COVID-19 pandemic must not be allowed to become another blank check for governments to justify renegeing on their human rights obligations.

Recommendations

Robustly funding the International Affairs Account.

Review US counter terrorism strategy in Africa since 9/11, with a view to prioritizing security initiatives that do not sideline human rights and democratic practices.

Publicly highlight the cases of human right defenders with foreign governments whenever possible.

Ensure transparency and accountability by recipient governments, as well as in the United States, for all US COVID-19 assistance.

Africa COVID-19 Resources from Amnesty International

East Africa: People seeking safety are trapped at borders due to COVID-19 measures

[Trapped at border due to covid-19](#)

Sub-Saharan Africa: Government responses to COVID-19 should guarantee the protection of women and girls' rights

<https://www.amnesty.org/en/latest/news/2020/05/subsaharan-africa-government-responses-to-covid-should-guarantee-the-protection-of-women/>

Southern Africa: Governments must move beyond politics in distribution of COVID-19 food aid

<https://www.amnesty.org/en/latest/news/2020/05/southern-africa-governments-must-move-beyond-politics-in-distribution-of-covid19-food-aid/>

OPEN LETTER TO SADC: RESTRICTIVE COVID-19 REGULATIONS PRESENTING CONCERNING RAMIFICATIONS FOR ENJOYMENT OF HUMAN RIGHTS, INCLUDING LIVELIHOODS

<https://www.amnesty.org/en/documents/afr03/2392/2020/en/>

Southern Africa: COVID-19 a pretext for surge in harassment of journalists and weakening of media houses by states

<https://www.amnesty.org/en/latest/news/2020/05/southern-africa-covid19-a-pretext-for-surge-in-harassment-of-journalists-and-weakening-of-media-houses-by-states/>

Sub-Saharan Africa: Protect detainees at risk of COVID-19, unclog prisons and release prisoners of conscience

<https://www.amnesty.org/en/latest/news/2020/04/subsaharanafrica-protect-detainees-at-risk-of-covid-unclog-prisons-and-release-prisoners/>

Angola: Witnesses describe horrific killings of teenagers by police

<https://www.amnesty.org/en/latest/news/2020/08/angola-witnesses-describe-horrific-killings-of-teenagers-by-police/>

**Unanimous Consent for Rep. Sherman
Democratic Backsliding in Sub-Saharan Africa
AGH Subcommittee Hearing on September 30th, 2020**

“Without objection, we are glad to welcome our Foreign Affairs Colleague, Mr. Sherman to participate in today’s Subcommittee hearing after our Subcommittee Members have been recognized.”