

## Concept Note

### **Threats to regional stability: States on the brink- Senegal & Sudan**

#### **Introduction:**

Twenty years ago, Africa decided to turn to integration and transformation, and away from a divided and fractured continent, where leaders ran their countries like fiefdoms. At the time the Organization of African Unity had little or no credibility to hold heads of governments and states to account, due to its weak and irrelevant mechanisms, that were outmoded in a new world of integration. Africa rose to the challenge, and through bold leadership the Constitutive Act of the African Union was born, at beginning of the millennium.

Central to this evolution was the issue of governance; a concept that aimed to ensure that the African citizenry have the right to demand to be governed well. The premise being that with good governance came everything else- faster economic growth and political stability, a more transparent and accountable leadership, functioning democratic institutions, better service delivery, wider and more deepened culture of rule of law, diverse participation and freedom of expression. This period of rapid transformation of continental policies gave much optimism to a point where the transformation was dubbed the African Renaissance, referring to bold initiatives to provide frameworks that facilitate dialogue between governments and their people, African leaders and the international community, grater convening power for Africa to act as block and safeguard its interests. At least 22 new conventions and treaties were added to another 21 prior to the Constitutive Act, which is now 20 years old. Added to this were also many other treaties that expanded the parameters of governance and political participation, one of which was the African Charter on Democracy Elections and Governance, the most relevant document now, to Africa's adherence to popular participation, credible periodic elections, strong institutions, etc... The plethora of norms aimed to guide us into an era where an Africa is better governed, pointed towards progress and a trajectory where democracy by dialogue was beginning to the cultivated and nurtured as a culture and one of the core principles of Africa's Shared Values.

However, these aspirations have unravelled at an alarming pace over the past decade. Executive power is gradually being increased at the detriment of other arms of government, creating a skewed relationship, and upsetting the concept of separation of powers. Parliaments are increasingly being weakened. State, regional and even continental institutions are being hollowed out and rendered ineffective and incapable to prevent, and respond to crisis. The rise of authoritarians, corruption and poor governance, constitutional tampering, term elongation, election malpractice, to name but a few, has resulted in deep instability and attendant insecurity in the region. There were also 23 attempts to modify or eliminate term limits in: Algeria; Burkina Faso, Burundi; Cameroon; Comoros; Chad; Cote d'Ivoire; DRC; Djibouti; Egypt; Gabon; Guinea; Rep of Congo; Nigeria, Niger, Rwanda; Togo; South Sudan; Uganda. Some of these countries have changed their constitutions multiple times to achieve the aims of elongation of tenure of the respective presidents. There were at least 29 armed conflicts in Africa over the last decade. These conflicts do not include clashes over elections flares, or intra community conflict, and sectarian violence.<sup>1</sup>

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<sup>1</sup> UNITED STATES–AFRICA LEADERS SUMMIT 2022: REINFORCING COMMITMENT TO DEMOCRACY, HUMAN RIGHTS AND CIVIL SOCIETY, OS-Africa, POLICY BRIEF NO. 3 MARCH 2023, Bob Wekesa, African Centre for the Study of the United States, University of the Witwatersrand

**Senegal:** Seen as one of the most stable countries in Africa, and a pillar of democracy and good governance, the country has recently been rocked by protests and political violence. There has been evidence of unprecedented closure of public space, arrests of political opponents, systematic repression of the opposition, intimidation of journalists and activists, and the constant attack on civil liberties. Demonstrations are strictly controlled, (although the ban had not been enforceable), and policing of the public space has been militarized. However, the increasing and continued violation of democratic principles and practices is not new in Senegalese political arena but it is critically intensifying as the country heads towards the end of **President Sall's** second final term- constitutionally- in 2024. This is a crux of the disruption in Senegal- the issue of possible term elongation.

President Sall appears to be pushing for third term through a broad interpretation of Article 27 of Law No. 2001-03 of January 22, 2001 of the Constitution on term limits which states: *"The term of office of the President of the Republic is five years. No one may serve more than two consecutive terms."* The incumbent had a seven years-term from 2012 to 2019 and because of the 2016 constitutional amendment that reduced the term to five years. He was re-elected to serve for 2019 to 2024. Despite the clear provisions in the constitution on term limit, President Macky Sall revealed in the Express interview that: *"When the time comes, I will make my position known, first to my supporters, then to the Senegalese population"* A similar scenario happened in 2012 with Sall's predecessor, **President Wade**, also expressed the will and determination to run for a third term. His candidacy was approved by the constitutional council, in the context of a very tense political crisis that cost the lives of a dozen people. Wade forged ahead with his term elongation ambition and lost at the runoff to Macky Sall. The current political rivalry between Sall and **Ousmane Sonko**, a political opponent that has been embattled with various court cases, many see as politically motivated, is increasingly toxic.

The incessant and determine push for a third term, by Sall, has also created a polarized political crisis between pro and anti-third term groups. This can have disastrous consequences for country as well as the region, which is facing critical security issues ranging from military coups and regimes in Mali, Burkina, and Guinea- to insecurity, terrorism, communal and sectarian violence, as well as debt and economic distress, food insecurity and energy crisis.

**Sudan:** Tensions between **Gen. Abdel Fattah al-Burhan**, who is the military commander of the Sudan's Armed Forces (SAF) and has for years been the de facto leader of Sudan, and **Gen. Mohamed Hamdan Dagalo, (Hemetti)**, leaders of the Rapid Support Forces (RSF), reached boiling point and erupted into full blown war on 15 April, 2023. Despite regular warnings from civil society, grassroots political leaders, and political parties, that the situation would unravel, after the second coup took place on 25 October 2021. The fighting is a struggle over control of the security sector, exercise of power and access to resources of the state. The timing and sequencing of the integration of the RSF forces in the SAF has been one of the main sticking points. RSF maintain that reforms for a more inclusive, professional military are needed before its forces integrate. Its leader, Hemeti, also wanted to maintain his own paramilitary as a security guarantee up the elections (which have not been agreed to and finalized). Contrarywise, the SAF expressed fears that the proposed reforms could hollow out the military and leave it open for the RSF to over power and dominate it. Other issues also point to a major trust deficit between al-Burhan and Hemetti, as well as the growing role and influence of external actors such as Egypt, Libya, UEA, Saudi Arabia, Eritria and Ethiopia, who have all taken sides in the conflict.

More than a million citizens are displaced, with tens of thousands flocking to neighbouring countries. The diplomatic and consular corps as well as UN/INGO political and humanitarian workers have also left the country, (ostensibly Khartoum, where the war is most fierce. However, hundreds of thousands of Sudanese citizens remain trapped in the urban war. In addition, up to 100,000 refugees in Sudan have been forced to flee back to their countries of origin, including 60,000 who have fled to Chad, while others have attempted to return to Ethiopia (currently only allowing foreigners to cross the country), and South Sudan. The country is also experiencing fighting in other parts of the country. *Almost 16 million people are estimated to need humanitarian assistance across the country in 2023 because of a complex crisis, up from 14.3 million in 2022. A socioeconomic crisis characterised by high inflation rates and currency depreciation, and food insecurity affecting nearly a quarter of the population. Intercommunal clashes and violence in some areas of the country, especially in Darfur and Kordofan regions, also contribute to the high numbers of internal and cross-border displacements. A severe flooding season between May–September 2022 (typically between June–September) also affected 16 out of 18 states in Sudan.*<sup>2</sup>

This event interrogates the country situations of the two AU member states through the lens of the nationals of the respective countries. It seeks to elicit solidarity with the citizens of the countries being discussed, proffer policy options on the uniquely different challenges (former being trapped in term an elongation project for political dominance by a head of state, whose term is running out, and deploying methods of suppression of popular participation and good governance; and the latter spiralling into total chaos and conflict that has witnessed mass deaths and exodus of refugees). Yet, both countries actions have a very possibility of plunging their respective neighbourhoods into total disarray and regional instability. The event will bring together HRDs attending the 75<sup>th</sup> Session of the ACHPR, as well as diplomatic and consular corps based in The Gambia, and government officials, as well as media.

**When:** Thursday 11 May 2023

**Venue:** African Princess Hotel

**Time:** 15H00- 17H00

**Press Conference:** 17H30- 18H00

**Reception – Cocktail:** 18H00- 19H00

### Speakers

#### **Senegal:**

Alioune Tine, Afrikajom Center

Seydi Gassama, Director Amnesty, Senegal

Prof. Mabassa Fall, International Federation for Human Rights (FIDH)

#### **Sudan:**

Amir Muhammed Suliman Muhammed

Abdelbagi Jibril

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<sup>2</sup> <https://www.acaps.org/country/sudan/crisis/complex-crisis>

## **About the Organizers**

### **The African Commission on Human And Peoples' Rights (ACHPR)**

The African Charter established the African Commission on Human and Peoples' Rights. The Commission was inaugurated on 2 November 1987 in Addis Ababa, Ethiopia. The Commission's Secretariat has subsequently been located in Banjul, The Gambia. In addition to performing any other tasks, which may be entrusted to it by the Assembly of Heads of State and Government, the Commission is officially charged with three major functions: the protection of human and peoples' rights; the promotion of human and peoples' rights; the interpretation of the African Charter on Human and Peoples' Rights. The Commission consists of 11 members elected by the AU Assembly from experts nominated by the State Parties to the Charter. Their mandates are for six years, renewable. The Commission will host the 73rd Ordinary Session.

### **The African Centre for Democracy and Human Rights Studies (ACDHRS)**

The African Centre for Democracy and Human Rights Studies (ACDHRS) is independent, non-profit regional human rights NGO based in Banjul, The Gambia. It was set up in 1989 by an Act of Parliament of the Republic of The Gambia. However, 1995, the African Centre was re-launched, thereby repealing the Act, and thus making the Centre a truly independent, autonomous and pan-African NGO. The Center will host the CSO Forum on the margins of the 73rd Ordinary Session of the Commission.

### **Open Society–Africa**

Open Society–Africa is a regional entity of the Open Society Foundations' and aims to deepen people-centered democracy, accountable governance, and inclusive development in Africa through strategic grant making, convening power, investment in African knowledge production and people centered advocacy, focused on promoting open societies, accountable governance, human rights, sustainable development and just climate transitions in Africa.