

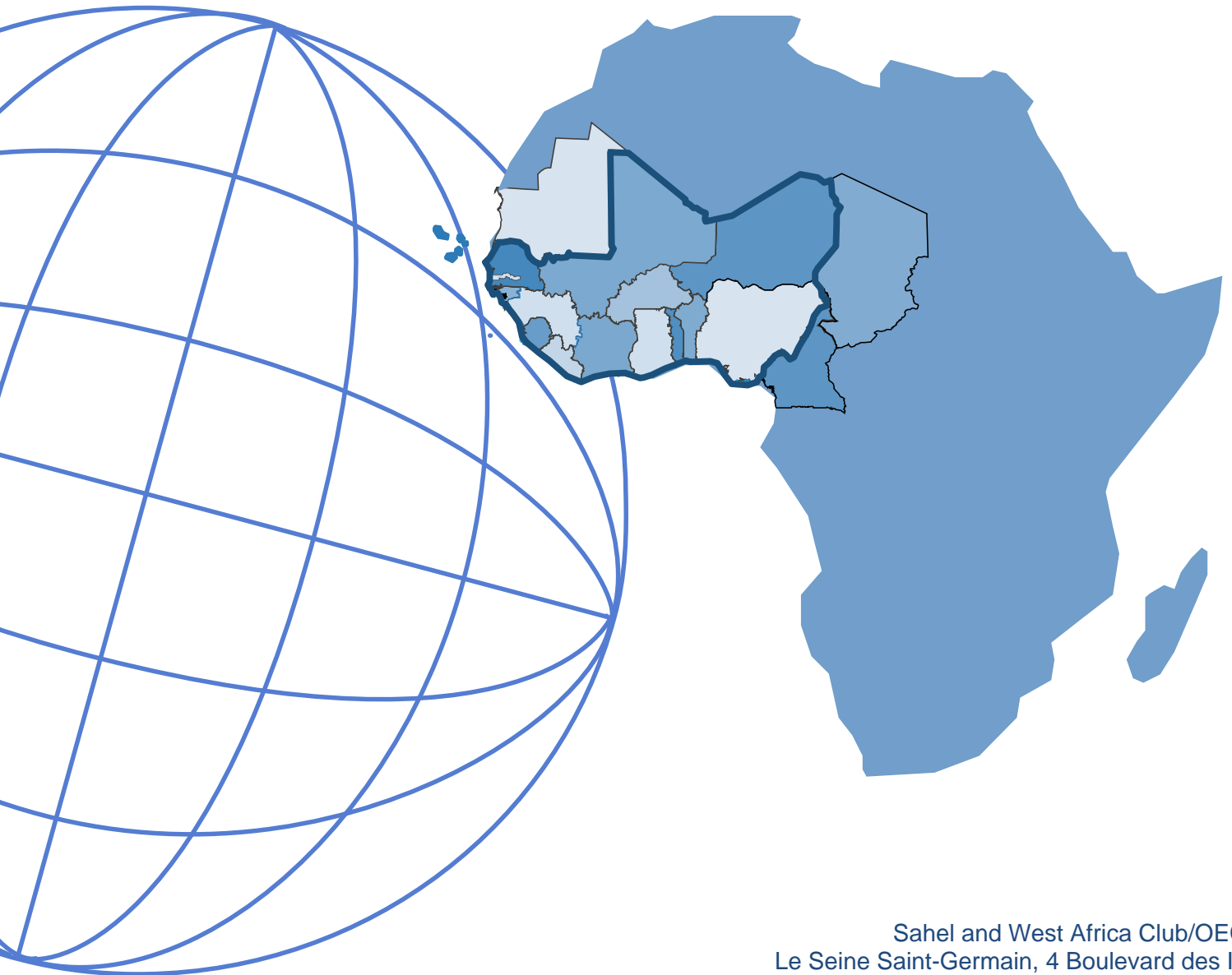


SAHEL AND WEST AFRICA CLUB / OECD



*Analysis of the 2007 Election Year
in West Africa*

Democracy's Challenge



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Democracy's Challenge

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A High Tension Election Year

Many important elections were held in West Africa in 2007. More than 10 countries, of which 9 are in the ECOWAS zone, held legislative or presidential elections: Mali, Mauritania, Nigeria, Senegal and Sierra Leone held presidential elections; Benin, Burkina Faso, Cameroon, the Gambia, Mali, Nigeria, Togo, Senegal and Sierra Leone held legislative elections. Despite reports in 2008 of legislative elections in Guinea and presidential elections in Côte d'Ivoire lacking conditions conducive for elections to take place, elections were held as scheduled on the appropriate dates with some exceptions due to logistical arrangements.

These elections illustrate the democratic transformation underway in the region. The 2005 UNECA¹ report governance's progress on the continent also applies to West Africa. Today no group is excluded from politics in West Africa and populations participate in the development of local and national policies. Civil society and the media, which have noticeably developed over the last years, have contributed to this evolution. Furthermore, the setting up of an independent Electoral Commission in most States is a step forward although its independence and power is still contested. The year 2007 will have been a turning point for politics in Togo despite fraud and dysfunction reported notably by the European Union Electoral Observation Mission. This is the first time since its independence that all political parties were able to participate in an election where they could gauge their influence at the national level. As François Soudan remarked in *Jeune Afrique*² : *"Elections in Africa are indeed overall more transparent (or less and less murky), better controlled and increasingly credible. All the authorities know now that a landslide victory of 95% is unseemly and inevitably thwarts the desired result."* Elections are thus no longer landslides for the winner like they used to be.

While violence occurred during the electoral campaign notably in Nigeria, causing 200 deaths, in most countries of the region there were no major crises linked to elections. However, irregularities were observed in almost all the countries despite which the results of the election were not called into question; to the great chagrin of opposition parties or independent Electoral Commission members such as in Benin where several members resigned upon announcement of the results. Irregularities and fraud led to numerous appeals to authorised courts but the overall election results were confirmed. This casting doubt is good news for democracy as it shows that political parties and civil society are observing the democratic process and can do so without almost any hindrance.

Although these elections were denounced in some countries as fake democratic terms, they were good enough to reassure donors, that there is a certain democratic momentum in the region and that democracy is relatively functioning in most of these countries. These elections also indicated that elections rather than *coups d'état* are today the process of choice for political changeover. And while holding elections does not constitute a democratic system, it is nonetheless a prerequisite.

Democracy's foot-hold varies from one country to another. Countries engaged in a democratic process since the beginning of the 1990s, at the time of the National Conferences, are now at different stages of democracy. As underscored by Professor Bathily in his appraisal of democratisation³, West Africa is a specific case within Africa: *"West Africa is going through a particularly bumpy democratic transition (...) Apart from the Great Lakes region with the genocide in Rwanda, the democratisation process has been more turbulent in West Africa than anywhere else on the African continent."*

¹ *Striving for Good Governance in Africa*, Summary of the 2005 African Governance Report, for the Fourth African Development Forum, UNECA.

² « *Pourquoi les Africains ne votent plus ?* » (Why are Africans not voting anymore?) by François Soudan, Special Elections Edition, *Jeune Afrique*, 29 July 2007.

³ *Democracy in West Africa: An Appraisal*, Professeur Abdoulaye Bathily, Acts of the *Forum of Political Parties, the Media and Civil Society*, Sahel and West Africa Club (SWAC/OECD), November 2005, Paris.

Indeed, for two decades most West African countries have experienced relatively long and violent conflict (guerrilla, ethnic guerrilla, etc.). These elections are thus part of the democratic stabilisation process with numerous issues⁴.

1. **Elections as a path to exit from crisis:** Some countries use elections as a means to end and exit from crisis. Such is the case of Côte d'Ivoire and Togo.
2. **Elections as a democratic transition stabiliser:** such is the case of Mauritania and Sierra Leone. These elections were the second for Sierra Leone since the end of the war, but the first where there were no United Nations or British troops assuring security.
3. **Elections as a means to revive democracy:** these countries are ready to re-establish democracy with possibilities and chances for change without violence. Such is the case of Benin, Mali, Nigeria and Senegal.

Analysing these different elections led to a number of widely-shared findings to be raised through these various situations which are challenges for democracy in West Africa:

- **A decrease in participation** in most of the countries. Overall, election participation has diminished especially during the legislative elections.
- **A missed opportunity for gender-balanced elections.** Parity remains wishful thinking in Parliaments and only one woman ran for President in Mali.
- **Abundance of political parties or “political scattering”** which muddles the democratic process.
- **Elections marred by irregularities and fraud.** All of the elections were contested more or less violently. All the same, no election was cancelled.
- **Quasi-lack of political change-over:** with the exception of Sierra Leone and Mauritania, no election resulted in a genuine political change-over.
- **Continued single party system** despite a multi-party system which is more or less a concentration of power by the winning party.

⁴ Interview with Mr. Massaër Diallo, Head of the SWAC/OECD's Governance, Conflict Dynamics, Peace and Security Unit for the “Débat africain”, broadcast by Madeleine Mukamabano RFI, 11 March 2007.

Reduced participation

Whereas in its 2005 Report on Governance⁵ UNECA commended the high rate of electoral participation in Africa (60%), there was a drop in participation in most 2007 West African elections except in Togo (85%) and Sierra Leone (75%), where citizens traditionally attach great importance to elections.

In countries cited as examples of burgeoning democracy, such as Senegal, participation in the legislative elections of 3 June 2007 was the lowest in political history: only 35% of registered voters submitted their ballots compared to 67% in the previous elections. According to observers, this low participation rate was partly due to a boycott launched by the opposition parties within the Front Siggil Senegal.

Fewer voters participate in legislative elections than presidential elections. Voters often consider the National Assembly of their respective country as a chamber in which Presidential decisions are passed without discussion and thus do not see the need to go out to vote in order to support this situation. In the Gambia, only 42% participated in legislative elections compared to 59% in the presidential elections which were held a few months earlier. In Mali, only 33% of registered voters voted. The April presidential elections were hardly any better with 36% participation. In Burkina Faso, where comparatively, participation is above average, there was a fall-off in participation. For the April 2007 presidential elections, participation fell seven points as compared to 2002 going from 64% to 57%. In Nigeria, the April 2007 presidential elections, which was the first change-over between two civilian candidates the participation rate would have reached a little more than 50%, according to the independent Electoral Commission which did not publish the official numbers. Cameroon is an exception although there was a slight drop in participation between the 2004 presidential elections (82%) and legislative elections (62%). There are many reasons for this lack of voter participation in West Africa which is also observed in "old democracies".

➤ *The influence of the younger generation*

West Africa has experienced a demographic explosion resulting in a significantly young electoral body. Adults over 59 years of age represent only 3% of the population compared to 45% for those younger than 15 years of age. This demographic data implies that an election involves very few votes. The example of Cameroon sums it up. While the 62% participation rate in legislative elections is acceptable, in absolute terms, it only represents 3.5 million voters in a country of 17 million inhabitants, or a slightly less than 20% of the population.

With a little less than half of the population over the legal voting age, usually 18 years of age or 21 years of age, the West African electoral body is reduced to a very small portion. Beyond percentages, this indicates that the majority of the West African population was not alive during the period of the National Conferences, and an even greater percentage during independence, leading to an ideological break between the younger generation and those who vote in elections.

This situation is reflected in studies carried out by *Afrobarometer*⁶. It confirms that indeed the older generation are more likely to submit their ballots than the younger generation.

⁵ UNECA ; *ibid.*

⁶ *Afrobarometer* carries out surveys in 18 African countries of which 6 are in West Africa (Benin, Cape Verde, Ghana, Mali, Nigeria and Senegal) by researchers in social sciences during various periods (1st series: July 1999 to June 2001 in 12 countries; 2nd series: May 2002 to October 2003 in 15 countries; 3rd series: March 2005 to February 2006 in 18 countries; 4th series: February to December 2008 in 20 countries). The surveys are coordinated by the Center for Democratic Development (CDD Ghana) and Michigan State University. The surveys are carried out over several years through a representative sampling of voting age citizens.

In 2005, of all of the voters surveyed in 18 African countries, 86% of the older generation participated in the last four national elections compared to 59% of the younger generation. In West Africa, this situation is similar to Cape Verde 86% compared to 43%; in Mali, to a lesser extent, 85% compared to 63%; in Nigeria, 83% compared to 60%; in Senegal, 80% compared to 41%. On the other hand, in Benin, there is less of a gap in the voting between the older and younger generations, 95% and 80% respectively; the same goes for Ghana with 90% and 84% respectively. This difference in electoral participation between the younger and older generations is partly explained by the fact that the younger generation does not believe that their aspirations and demands are taken into account by politicians. The younger generation is also simply not registered to vote out of ignorance or negligence.

The younger generation's lack of participation does not signify however that they are less interested in politics. The World Bank's 2007 World Development Report⁷ focusing on the youth, states that the youth notably in less developed countries are the most interested in politics (2007: 162) and that their interest is increasing. A trend has also been observed by *Afrobarometer* (2nd and 3rd series) where 57% of the younger generation would say that they were "adequately" indeed "very" interested in politics during 2002-2003 compared to 64% during 2005-2006. And to be more specific nevertheless that in West Africa, the youth are not seeking to join political parties but prefer associations geared towards more pragmatic rather than ideological action.

States are also partly responsible for the younger generation's lack of participation in elections. It is the State's role to encourage them to participate in civic issues. It is with this principle that African Union States adopted the African Youth Charter in July 2006. Article 11 of this Charter stipulates: "[...] *States Parties shall take the following measures to promote active youth participation in society [...] a) Guarantee the participation of youth in parliament and other decision-making bodies in accordance with the prescribed laws; b) Facilitate the creation or strengthening of platforms for youth participation in decision-making at local, national, regional, and continental levels of governance; [...]*". Still not very well known, this Charter has not yet been ratified by all of the States.

➤ *The Generation Gap*

The generation gap accentuated by demographic growth is widening between political party leaders, government ministries and the population who brings them to power. The youth cannot identify with the political parties leaders and consider that a voting ballot will not change the situation, end corruption and respond to their needs. Furthermore, they believe that they are often used as an instrument by the political machines which call upon them during pre-election periods with financial support with promises of rewards if they are elected. Very often, the promises go no further than the elections generating new deceptions indeed frustrations.

It is also surprising that one half century after independence and taking into account demographic growth, there are not more youth elected to parliament or even to the presidency. Also the younger generation cannot relate to the presidential candidates as 64 is the average age of the presidents of all of the 18 countries; the youngest being Faure Gnassingbé, 42 years old and the dean, Abdoulaye Wade, 82 years old. This situation cannot simply be explained by the respect of elders in Africa.

⁷ *World Development Report 2007: Development and the Next Generation*, World Bank, 2007.

A Missed Opportunity for Gender-balanced Elections

These elections once again were a missed opportunity to elect women into power. Women's involvement in politics in the region is still a pie in the sky with numerous obstacles to overcome. Women involved in politics are not always well perceived by society. They must be incredibly courageous to launch an election campaign. In some countries they must face family, religious and societal pressure; they are subject to insults even threats. However, as underscored by one representative of the Women's Group of West Africa on this issue⁸: *"Today no viable political regime in Africa can minimise the role and place of women in the management of public and civic issues. Women's participation in elections has become a reality and takes on more and more importance every day. Mobilising these women during elections has become a major issue for every candidate wanting to attain the desired post."* Women are still very often used during electoral campaigns and ignored after the elections.

The election of Mrs. Ellen Johnson Sirleaf, the first and only woman President of an African State cannot be a unique example. In the 2007 elections, with the exception of Mrs. Sidibé Aminata Diallo⁹, the first woman to run for president in Mali, there were no women among the Presidential candidates. *"Women are hardly represented in high-level political positions. Those who hold these positions are for the most part considered figure heads or on-lookers doing nothing to improve the living conditions of rural women who are the majority and the least affluent."* On the other hand, they are the most represented in legislative elections; all countries have elected women to Parliament during the 2007 legislative elections. Senegal elected the greatest number of women, 27 in total and an additional 6 were elected to seats vacated with the forming of the Government. Today, the Senegalese Assembly includes 33 women, or 22% of the parliamentarians, the greatest amount for all of the 2007 West African legislative elections. Benin has the least female representation with only 7 women, or 8%. Furthermore, for the first time in Nigeria's history, a woman, Mrs. Patricia Olubnimi Etteh, was chosen by her peers for the high-level post as Speaker of the House of Representatives. But her term was fleeting. In October 2007, six months after her election, she resigned under a cloud of corruption charges. Only one woman now holds this post in West Africa, Mrs Fatoumata Jahumpa Ceesay, elected along with the new legislature in the Gambia in January 2007.

The low rate of women's representation in West African politics led to the debate on quotas; a stimulating subject in discussions among women's organisations involved in governance and democracy issues. Some believe that *"Illiteracy and ignorance are handicaps for genuine female representation which has become a requirement for democracy although this should level out with the institution of significant quotas"*¹⁰. It appears that the institution of quotas helped some countries progress in this area. In Mauritania, for example, the debate on this issue has reached consensus in Parliament in order to provide women a 20% quota during elections which bore results. In 2006, close to 17 women were elected representing 18% of Parliament. In Senegal as in Niger, women believe that the system is useful but not enough. In Benin, on the other hand, an initiative aiming to introduce a law on quotas failed as it was deemed unconstitutional; as one of the Constitution's principles is equality between men and women. Furthermore, Benin remains one of the countries with the least women's representation in Parliament. In Mali, the Government proposed a quota of 30% of women on parties' lists. As explained by the Inter-parliamentarian Union (IPU)¹¹, after a debate led by Parliament,

⁸ The Women's Group of West Africa is a network of women involved in governance, peace and security issues, led by the Sahel and West Africa Club (SWAC/OECD).

⁹ Her candidature brought in only 0.55% of the votes. On 3 October 2007, President Amadou Toumani Touré nominated her Minister of Basic Education, Literacy and National Languages.

¹⁰ Extract from the electronic discussion led by the SWAC in 2006 with the Women's Group of West Africa on the question "Are quotas needed to strengthen women's representation in governance institutions?"

¹¹ The Inter-parliamentarian Union, created in 1889, is an international organisation of parliaments of sovereign states having over 140 national parliaments as members.

the election law was adopted without raising this issue resulting in fewer candidates during the 2007 July legislative elections. Of the 1408 candidates, there were only 227 women of which only 15 were elected, having only 10% representation in the National Assembly. Should there necessarily be a quota system for female representation in order to enable more women to enter African politics?

The abundance of political parties or “political scattering”

Democracy has created its own avatars. Whereas generations fought for a democratic multi-party system, one of the factors undermining African politics’ credibility today is the excessive abundance of political parties in the political arena, which President Diouf called “political scattering¹².” In Burkina Faso, for example, during the last elections in May 2007, approximately 50 parties presented 3 748 candidates for 111 seats and slightly more than 4.5 million voters registered to vote. More generally, it has been observed in West Africa that some parties can be made up of only members of the same family; some political leaders finance opposition parties in order to disperse votes aiming to pick them up in the second round.

In order to abate this phenomenon, some countries have imposed stricter rules regarding election participation. In Togo, for example, the Government decided to institute a deposit of 200 000 CFA Francs to put forward his/her candidature in legislative elections. In Benin, a Charter regulates elections and notably the number of established parties. In Mali, for candidature to be recognised, the candidate must, according to the election law of 4 September 2006, obtain the sponsorship of 10 deputies or 5 community-elected officials in each region and district of Bamako. And each candidate should make a 10 million CFA Franc deposit. These new provisions reduced the number of candidates from 24 in 2002 to 8 in 2007.

The number of parties does not encourage voters to exercise their civic right indeed it discourages the militants who believe in the withdrawal from politics, resulting in the progressive undermining of politics’ and politicians’ credibility as well as discouraging voting. Furthermore, as *Afrobarometer* indicated, African voters give very little credit to politicians’ promises. Only 15% of those surveyed in 2005-2006 believed that political leaders “often” or “always” keep to their word, compared to 38% “rarely” and 44% “never”.

Examining election results , it appears that despite this abundance of political parties, in most cases only two or three parties share 95% of the votes. The issue is thus how to find a balance enabling democracy to be stimulated through a multi-party system without suffocating from their amplitude.

Elections marred by irregularities and fraud

The progress of the democratic process in Africa has not reduced the problem of election fraud which taints West African elections. Of course, this is not unique to African countries, but nonetheless it is a permanent threat to democracy. Today, fraud occurs not only by filling ballot boxes but also becomes operational beforehand when electoral lists are drawn up. This has become a serious issue in elections like in Côte d’Ivoire. As emphasised by Hilaire Kamga, author of a book¹³ on election fraud in Africa: “*Far from diminishing, election fraud in Africa is becoming wide-spread with more modern techniques.*”

¹² Interview with Mr. Massaër Diallo; *ibid.*

¹³ *Les techniques de la fraude électorale en Afrique (Techniques of election fraud in Africa)*, Hilaire Kamga, Ed. Afrique Leadership, 2007.

In a recent interview¹⁴, he not only denounced “technical” fraud which is greatly diversified but also “institutional” fraud which, according to him, involves “independent” observers who provide elections with credibility no matter the conditions under which they are held. By confirming the results, international observers clear the winner. While this human rights activist in Cameroon considers that fraud is not unavoidable, he believes that solutions to this issue can only be sought through the absolute separation of powers and the end to “presidentialist” regimes. Hilaire Kanga encourages voters discouraged by fraud to massively exercise their voting right observing that the more the opposition is stronger in a country the more fraud is difficult to organise, or vice versa.

Democracy is threatened by fraud as it discredits elections vis-à-vis voters. For over twenty years, these voters have been asked, in support of democracy, to participate in elections which are then systematically called into question. Nevertheless there are safety nets. Independent Electoral Commissions have been set up in most countries but they are not yet able to act freely. There is still much to do for this type of structure, one of the main pillars in the election process, to be truly independent to take action not only afterwards but also prior to elections. They should monitor notably the drawing up of reliable election lists, the Gordian knot to the ongoing democratic process prior to conducting presidential elections in Côte d’Ivoire, for example.

The region also has instruments to guarantee the holding of free, transparent and fair elections (Article 1(b) and (d) of the ECOWAS Supplementary Protocol on Democracy and Good Governance). Article 8 of the Protocol requires States to “use the services of civil society organisations to educate and enlighten the public on the need for peaceful elections”. Article 3 demands that “bodies responsible for organising the elections be independent or neutral and shall have the confidence of all political actors”. The Protocol also gives great importance to the need to have viable election rolls. It demands that appeals concerning the election be heard and addressed as soon as possible. But these provisions which should be applied to all States are still far from being effective. ECOWAS’s support notably by providing “independent” observers is diversely accepted. For civil society organisations involved with this issue, ECOWAS needs to demonstrate its ability in this area. It has been harshly criticised by these civil society organisations for its lack of neutrality and determination to denounce irregularities registered in election observations. It also must regain West African voter confidence hard hit after the 2005 presidential elections in Togo.

Civil society has plenty of harsh words for “independent” observers who supposedly guarantee the holding of free and transparent elections. Hence it is also more involved in this area. Furthermore, civil society more than before, has the freedom to denounce fraud and to make appeals to national legal entities, which it could not do in the past. During the July legislative elections in Cameroon, for example, 103 cancellation appeals were filed for irregularities; in Mali, 250 appeals; in Nigeria, several gubernatorial elections were cancelled. For as much, fraud is always the winner in these elections. Despite appeals filed for proven and denounced irregularities by the European Union, in February 2008 the Nigeria Supreme Court confirmed the election of President Yar’Adua. « *When will elections be able to be held in Africa without observers?* », asked West African civil society representatives at a governance workshop held in West Africa¹⁵. Democracy in Africa will have made great strides.

¹⁴ Interview with Hilaire Kanga by Christophe Boisbouvier, RFI, 10 January 2007.

¹⁵ *Workshop on regional governance and conflict prevention instruments*, Dakar, October 2007, organised by the SWAC/OECD.

And what about a political change-over?

The desire to win elections at any price in order to hold on to power pushes politics towards fraud. In addition, there are leaders who have modified the Constitution in order to maintain power and those who have attempted to do so. This was revealed during the 2007 elections. Except for Sierra Leone and Mauritania, not one election resulted in a true political change-over in all of the 2007 elections. In Nigeria, Umaru Yar'Adua was the heir chosen by President Olesum Obasanjo. The terms of two presidents, Amadou Toumani Touré of Mali and Abdoulaye Wade of Senegal, were renewed respecting their national Constitutions.

This lack of political change-over is one of the factors discouraging voters to submit their ballots. Upon examining the classification of those holding the title of Heads of State as a result of the 2007 elections, it was revealed that the majority have been involved in national politics for a very long time, prior to the National Conferences of the 1990s. Thus the 18 countries can be classified in several categories:

- Former military redeployed as civilians: in five (5) countries (The Gambia, Ghana, Guinea Bissau, Mali, Niger).
- Former opposition came to power after years of struggles and imprisonment: in three (3) countries (Cape Verde, Côte d'Ivoire, Senegal).
- Presidents holding office since at least the 1990s or their descendents: in five (5) countries (Burkina Faso, Cameroon, Chad, Guinea, Togo).
- New regime: in five (5) countries (Benin, Liberia, Mauritania, Nigeria, Sierra Leone).

With some exceptions such as Benin, Liberia, Mauritania and Sierra Leone, political change-over is still a challenge for West Africa. Is this a sign of diminishing democracy or is it temporarily running out of steam?

Continued single-party system

Today the trend in some countries is adhere to the multi-party system during elections and once the elections are held to return to the single party system. While the multi-party system is not being called into question, the single party system continues to wield a great deal of power in the management of the State. This drift can be felt all the more as Parliament is in the hands of the ruling party, even plays no role and is less involved. This system can seriously threaten democracy due to lack of opposing powers which could react.

Presidentialist model direct democracy seems the most practiced by current political leaders. It relies on public opinion and disregards elected Parliament's power. This form of democracy brings risks of drifting. The political scientist, Pathé Diagne¹⁶, explained this "presidentialist" trend started during the 1960s which aimed to resolve the problems of unity, integration and national identity but has endured in a democratisation context: "*The democratisation process of the 1980s and 1990s will restore the multi-party system of the colonial period. It will not affect the system where all power is concentrated in the hands of the elected president. It rarely undermines the authority of the Party State, majority due to often election manipulations.*" He also advocates for the separation of powers and four distinct powers (State, executive, parliamentary and judicial). According to him, this is a prerequisite for free and transparent elections and to give meaning to democracy in Africa.

¹⁶ *The Presidentialist Crisis and the Four Power Theory*, by Mr. Pathé Diagne, Political scientist, intervention for the *Inter-generational Forum on Endogenous Governance* organised by the Sahel and West Africa Club (SWAC/OECD) in Ouagadougou, 26-28 June 2006. Document available on the SWAC website: www.westafrica.org.

Conclusion

The 2007 elections confirmed that in West Africa, as elsewhere, democracy is never acquired. It involves a constant process and requires citizens' continuous vigilance.

In light of the changes occurring in West Africa, there is plenty of optimism. As Professor Abdoulaye Bathily wrote: *"At the end of almost two decades, the outcome of the democratisation process still contains sharp contrasts. [...] the deep-rooted dynamics underway seem irreversible. If that is so, they can only lead to strengthening the democratic process."*

While democratic construction process sometimes shows signs of running out of steam or reversing, it is today an accepted principle for the great majority of African actors. The *Afrobarometer* survey indicates that Africans are still very tethered to democracy. More than 4 out of 5 people asked (82%) believe that political leaders should be chosen through regular, transparent and fair elections.

It is up to civil society to fully play its role in order to push democracy ahead, so that each actor within society as a voter becomes a citizen aware of his/her rights, and responsibilities by demanding accountability of political leaders.

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