



ECOSOCC
Economic Social & Cultural Council

**The Voice of the
African Citizenry**

ECOSOCC CITIZENS' FORUM 2022

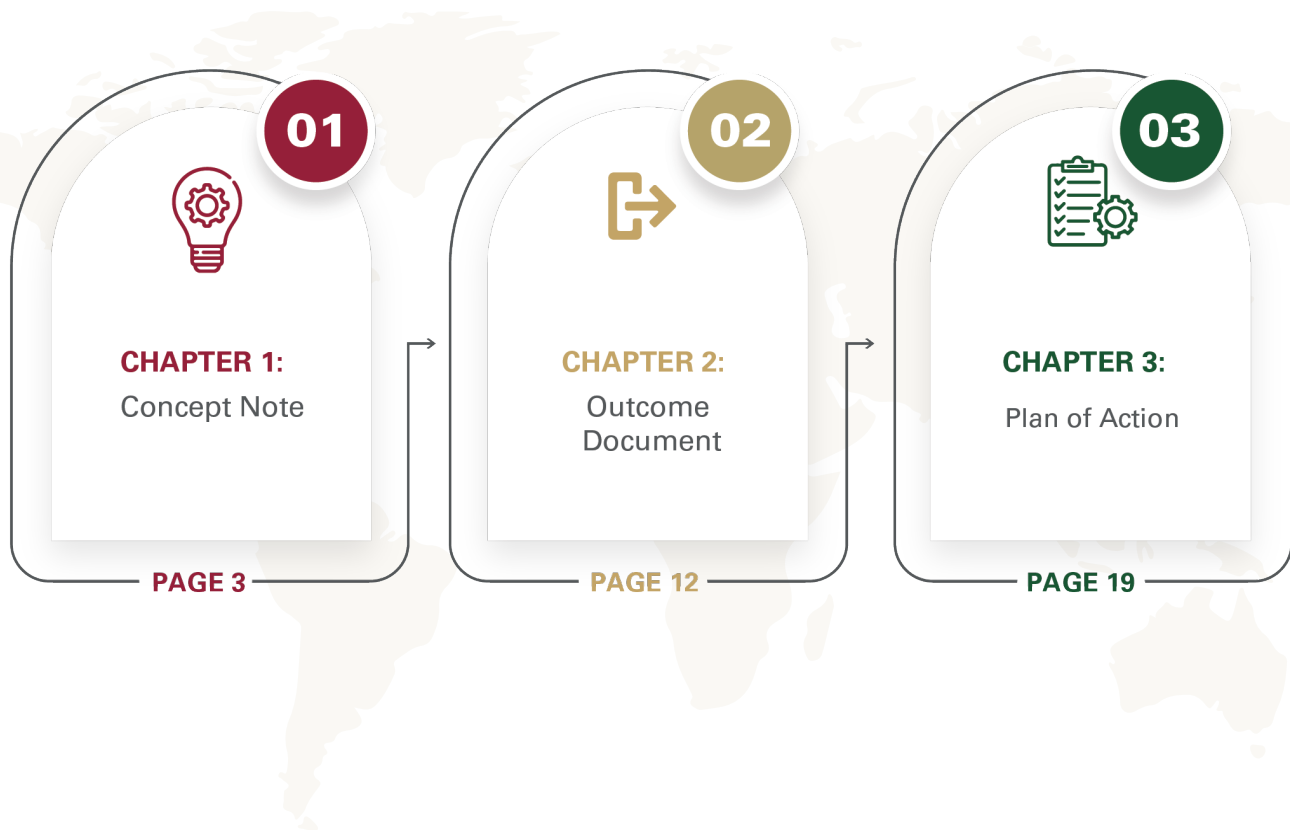
**Democracy and Unconstitutional
Changes of Government in Africa**

An Organ of the
African Union



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CHAPTERS



CHAPTER 1

CONCEPT NOTE

ECOSOCC Citizens'
Forum 2022



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What's in this Chapter:

1. Introduction
2. Background and context
3. Objectives of the Forum



1. INTRODUCTION

The recent resurgence of unconstitutional changes of government (UCG) in Africa has been met with some alarm within regional and continental political institutions, partly out of apprehension about the potential for a contagion effect in a sub-region and continent confronting some of the gravest threats to stability and social cohesion in a generation. This upsurge in UCG incidents, once thought to have been consigned to the pages of history on the continent, pose a renewed and profound challenge to the realization of the AU Agenda 2063, and to the peace, security, democracy, and prosperity, envisaged in its Aspirations. It further represents a worrisome reversal of significant gains recorded over the last few decades in democratic governance across the continent.

At the same time, it has coincided with the emergence of grave and unprecedented challenges to territorial integrity and national cohesion in an increasing number of AU member states, in the form of insecurity driven by violent extremist groups in the Sahel, the Lake Chad Basin, the Horn of Africa and the Indian Ocean Coast. Increased insecurity within communities, coupled with economic and political systems increasingly perceived to be designed to serve a privileged few at the expense of the disempowered many, have created conditions within many countries where military takeovers are perceived by a large percentage of the population as not only an acceptable but necessary antidote to societal ills.

2. BACKGROUND AND CONTEXT

2.1 Challenges of the developmental state in Africa

While significant progress has been recorded across the continent in the years following independence, there remains a constant effort at the level of many governments to ensure an adequate provision of public goods, particularly security, education, and health. These inadequacies, particularly at the level of public security, have sometimes been interpreted by sections of the citizenry as a dereliction of obligation and created conditions favouring contestation of the relevance and legitimacy of some governing authorities. These developmental challenges, coupled with structural frailties including under-developed institutions, stagnant economic growth, and public-sector corruption, have been symptomatic of the social grievances surround the incidence of UCG events on the continent.

In recent times, demographic changes associated with rapidly expanding populations have exerted additional pressure on the resources of countries on the continent. This increased demand occasioned by the so-called youth bulge continues to stretch the capacities of some governments to the limit, especially with regard to youth employment. The youth bulge should represent a major structural asset by which young people are able to bring their energies and skills to the building of the continent. Rather than this anticipated demographic dividend, however, population growth is instead manifesting as a source of volatility on the continent, with many young people unable to access opportunities to create and sustain livelihoods within their national economies. Invariably, a proportion of them fall prey to violent extremist radicalisation, which, oftentimes, remain their most viable path to earning an income. Climate change has further compounded this already complex scenario on the continent.

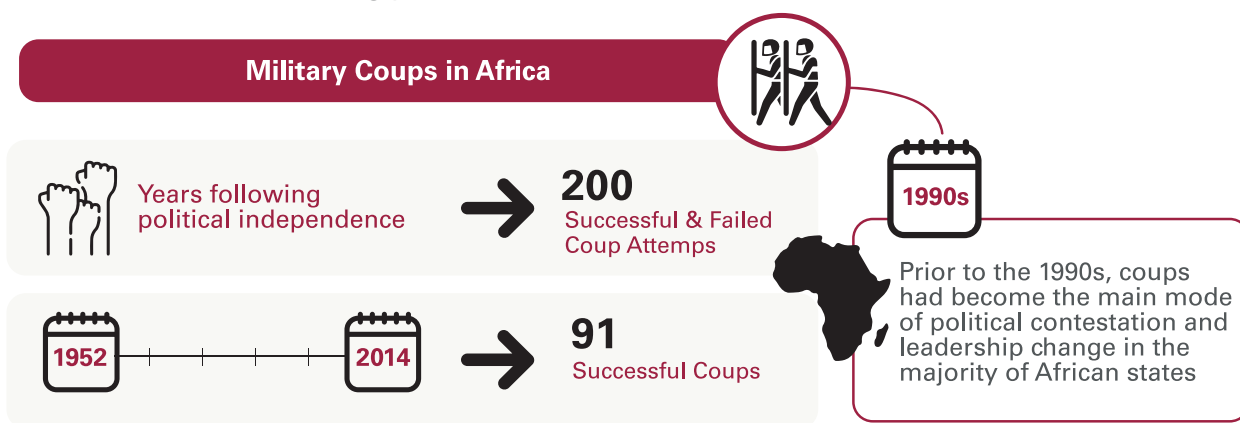
2.2 The agency of the citizenry

A consequence of the societal challenges outlined above is a tendency for the citizenry to feel relegated to the periphery of democratic processes, except when their votes are being solicited by the political elites. With a glut of unemployed youth feeling disillusioned and excluded from the commonwealth of their countries, such contexts become fertile for popular uprisings and support for ideologies and regimes that may favour UCG. In some cases, governments have leaned towards over-policing in response to popular agitation, especially when driven by the youth, leading to a perceived curtailing of the civil liberties of the citizenry. The perception and regulation of social media represents a particular paradox. With social media platforms now readily available to vast segments of the population, ordinary citizens now have an unprecedented ability to provide instant and sustained feedback to political and policy decisions in a manner that was inconceivable only two decades ago.

This social media feedback loop provides a tremendous opportunity for governments to engage, sensitize and interact with citizens and thereby entrench citizen participation in governance in a way that has never been possible. Regrettably, some governing authorities have sometimes tended to regard social media as a tool for agitation or subversion, and have instituted measures to constrain it, instead of deploying it foster closer engagement with their constituents.

2.3 Historiography of UCG In Africa

In the years following political independence, the continent of Africa has experienced in excess of 200 military coups, counting both successful and failed coup attempts¹. Between 1952 and 2014 there were 91 successful coups in Africa, and prior to 1990s, coups had become the main mode of political contestation and leadership change in the majority of African states². Notably, the number and frequency of coup d'états on the continent have been on a sharply downward trajectory in the last few decades.. Regrettably, since the start of 2021, a string of military takeovers in West and Central Africa, in Chad, Mali, Guinea and Burkina Faso, as well as a recent attempted coup in Guinea-Bissau, has seemingly turned back the clock³.



2.4 Typologies of UCG in Africa

The Lomé Declaration of 2000 defines the following situations that could be considered as unconstitutional changes of government (UCG):

- military coup d'état against a democratically elected Government;
- intervention by mercenaries to replace a democratically elected Government;
- replacement of democratically elected Governments by armed dissident groups and rebel movements;
- and the refusal by an incumbent government to relinquish power to the winning party after free, fair and regular elections.

There are however other categories not covered in the Lomé Declaration. Examples of such include popular risings against regimes that would have been voted out but subsequently reneged on their commitments to hold elections, as well as manipulation of constitutions by incumbent leaders to award themselves more terms than previously prescribed in the country's national constitution. In January 2007, this omission in the Lomé Declaration was addressed through the enactment of the African Charter on Democracy, Elections and Governance (ACDEG), to include term limits. Article 23 (5) of ACDEG prohibits the 'manipulation of constitutions and legal instruments for prolongation of tenure of office by incumbent regime.'

¹ A coup d'état is a sudden (lasting from a few hours to at least one week), often violent overthrow of a government by a small group of military, police, or security forces. It results in the illegal replacement of the existing government personnel or constitutional relationships, and may radically alter the state's fundamental social and economic policies.

² Dersso, S. A. (2016). Unconstitutional Changes of Government and Unconstitutional Practices in Africa. Summary paper from the program on African Peace Missions, World Peace Foundation, Paper, (2).

³ Institute of Security Studies, <https://issafrica.org/pscreport/psc-insights/exorcising-the-demons-of-coups-detat> (Accessed 16 May 2022).

2.4.1 Manipulation of national constitutions

Democracy prescribes periodic elections where all stakeholders within a polity have equal chance to participate. In such instances, the periodicity of elections and term limits prevent electoral authoritarianism from degenerating into a dictatorship⁴. The logic behind term limits was to discourage government dependency on a few individuals which, in the long run, could hamper the development of strong democratic institutions⁵. Apart from curbing authoritarianism, term limits were meant to promote transfer of power, party turnover, and the rule of law which are critical in the promotion of peace and security. As Reyntjens (2016: 62) puts it, 'incumbency bias is strong across Africa, and transfers of power have been rare—hence, the importance of term limits.'⁶ While the phenomenon of constitutional amendments or reforms to extend term limits had disappeared around the 1990s, it has re-emerged in the last decade. Some of these leaders cite nationalistic interests and obliging to popular sentiments to 'serve their countries'. Critics argue that the manipulation of term limits through changes to specific clauses of the national constitution is a threat to the gains that the continent had made towards multiparty democracy in Africa. In any case, most observers agree that this phenomenon is an important variable in the confluence of factors behind the recent surge of UCG events on the continent.

2.4.2 Popular uprisings

This category of changes in government is still under debate within the AU, giving the example of the popular movements that swept across North Africa during the Arab Spring. What can be learned from the popular protests however is partly the growing alienation of young people who aspire to better living conditions and economic opportunities. In recent times, social media has reinforced the discontent of young people with their socio-economic condition, and fuelled grievances over perceived poor governance, insecurity, and deteriorating economic conditions.

2.5 The AU normative and institutional architecture on UCG

The Constitutive Act of the African Union, as amended in January 2007, can be considered in principle to be a catalyst for building a culture of peace and political stability in Africa. Since the inception of the Constitutive Act, the ethos of democratic and good governance has to a large extent been reinforced in Africa. The Act holds the principle of diminished sovereignty for all its member states by acknowledging in Article 4h, the right of the AU to intervene in a member state, pursuant to a decision of the Assembly in respect of serious circumstances such as war crimes, genocide and crimes against humanity and 'the right of a member state to request intervention from the union in order to ensure peace and security'⁷.

The same Article 4(p) of the Constitutive Act of the AU sets out the prohibition of the UCG as one of the foundational principles of the AU. In fact, it is the only commitment in the Constitutive Act backed by a sanction, which prohibits governments taking power through UCG from participating in the activities of the AU. This prohibition was also included in the Protocol Establishing the AU Peace and Security Council (PSC) under Article 7(g)⁸. Sanctioning of UCG architects is further enforced in Article 23 of the African Charter on Democracy, Elections & Governance. The Charter also prescribes necessary sanctions and rehabilitation processes in cases of contravention of Constitutionalism in Articles 24 - 26 of the same Charter.

As earlier mentioned, the Lomé Declaration of 2000 constitutes part of the normative framework addressing UCG on the continent. The Declaration however did not address all the scenarios which may result in changes in government such as popular uprisings, manipulation of the constitution for elongation of presidential terms by an incumbent and elections that are not free or fair. The Lomé Declaration banned UCG in order to preserve ongoing democratization on the continent and to officially codify that constitutional means were the only acceptable methods of changing governments.

4 Maltz, G. (2007). The case for presidential term limits. *Journal of democracy*, 18(1), 128-142.

5 Streb, J. (1999). Reelection or term limits? The short and the long run view of economic policy. *Estudios de economía*, 26(2), 187-206.

6 Reyntjens, F. (2016). The struggle over term limits in Africa: A new look at the evidence. *Journal of Democracy*, 27(3), 61-68.

7 Ibid.

8 Dersso, S. A. (2016). Unconstitutional Changes of Government and Unconstitutional Practices in Africa. Summary paper from the program on African Peace Missions, World Peace Foundation, Paper, (2).

The Declaration defines what instances are considered UCG and discusses the measures that should be taken when UCG occurs. As outlined above, the instances that are considered UCG in the document include: military coup d'état against a democratically elected government; an intervention by mercenaries against a democratically elected government; a replacement of a democratic government by armed dissident groups and rebel movements; and the refusal of an incumbent government to relinquish power to the winning party after a free and fair election.

The declaration goes further to outline measures to be taken in the event of UCG include:

- Condemnation of the act;
- Suspension from continental institutions and the imposition of a six-month timeline to restore constitutional order;
- Imposition of limited and targeted sanctions if after six months constitutional order has not been restored.

The promulgation of the African Charter of Democracy, Elections and Governance paved way to setting up of new mechanisms to respond to the erosion of democratic conditions and perpetrators of unconstitutional changes of government. These mechanisms provided for by ACDEG entailed that:

When a situation arises in a State Party that may affect its democratic political institutional arrangements or the legitimate exercise of power, the Peace and Security Council shall exercise its responsibilities in order to maintain the constitutional order in accordance with relevant provisions of the Protocol Relating to the Establishment of the Peace and Security Council of the African Union (Article 24).

In addition, Article 25 of ACDEG outlines the institutional procedures to be activated through the Peace and Security Council of the African Union in the event of an unconstitutional takeover of power in a member state:

- When the Peace and Security Council observes that there has been an unconstitutional change of government in a State Party and that diplomatic initiatives have failed, it shall suspend the State Party from the exercise of its right to participate in the activities of the Union, in accordance with the provisions of articles 30 of the Constitutive Act and 7(g) of the Protocol. The suspension shall take effect immediately.
- The suspended State Party shall continue to fulfil its obligations to the Union, in particular with regard to those relating to respect of human rights.
- During the period of suspension of the State Party, the Union shall still maintain diplomatic contacts and take any initiatives to restore democracy in that State Party.
- The perpetrators of unconstitutional change of government shall not be allowed to participate in elections held to restore the democratic order or hold any position of responsibility in political institutions of their State.
- Perpetrators of unconstitutional changes of government may also be tried before the competent court of the Union.
- The Assembly shall impose sanctions on any Member State that is proved to have instigated or supported unconstitutional changes of government in another state in conformity with article 23 of the Constitutive Act.
- The Assembly may decide to apply other forms of sanction on perpetrators of unconstitutional changes of government, including punitive economic measures.
- State Parties shall not harbour or give sanctuary to perpetrators of unconstitutional changes of government.
- State Parties shall bring to justice the perpetrators of unconstitutional changes of government or take necessary steps to effect their extradition.
- State Parties shall encourage conclusion of bilateral extradition agreements as well as the adoption of legal instruments on extradition and mutual legal assistance.

2.5.1 Agenda 2063 as a programmatic framework in addressing UCG

The achievement of Africa's Agenda 2063 with its vision to 'build an integrated, prosperous and peaceful Africa, an Africa driven and managed by its own citizens and representing a dynamic force in the international arena' is dependent on a plethora of variables.

One of them is an enabling environment for progress to take place. In most cases, UCG impede progress and causes developmental regression. Aspiration 3 of the Agenda envisages an Africa that shall be a continent where democratic values, culture, practices, universal principles of human rights, gender equality, justice and the rule of law are entrenched. The aspiration opines to have capable institutions and transformative leadership in place at all levels. It further inscribes a prosperous, integrated, and united Africa, based on good governance, democracy, social inclusion and respect for human rights, justice, and the rule of law as the necessary pre-conditions for a peaceful and conflict free continent⁹. Aspiration 4 envisions a continent that is peaceful and secure, conflict-free and with harmony among communities at the lowest level¹⁰.

To actualize these aspirations, the AU created the African Peace and Security Architecture (APSA) and adopted the above mentioned instruments to curb UCG. One of the most recent efforts is the Silencing the Guns initiative. Further to this initiative, the African Union, through the Peace and Security Council (PSC), embarked on several efforts to operationalise the APSA and there has been gradual progress in doing so¹¹. The APSA was established as a platform for promotion of interaction between stakeholders who work on promoting good governance and strengthening¹² democracy in Africa, and further strengthening efforts towards realizing the objectives of the legal and policy pronouncements in the AU Shared Values.



2.5.2 State of implementation of the AU norms and efficacy of its institutional architecture

While the normative frameworks in place at both the continental and regional levels are very clear and explicit in its zero-tolerance stance to UCGs, the recent military takeovers reveal a number of strategic and operational deficiencies inherent to AU and REC protocols governing unconstitutional changes in government in Africa. The existing instruments need to be updated and made more specific.

They should consider popular protests against incumbent regimes and how to deal with the legalistic contortions that allow constitutional amendments to strengthen executive powers or extend presidential terms just like the amendments which were made to include more robust and targeted sanctions against coup plotters.

⁹ AU Agenda 2063, Aspiration 3.

¹⁰ African Union, Agenda 2063 Aspiration 4.

¹¹ Ibid.

¹² <https://en.wikipedia.org/wiki/Democracy>

In line with its resolution PSC/PR/COMM.(CCCLX), the PSC needs to strengthen the linkages between early warning and early response, which requires that the relevant AU policy organs operate with the required flexibility and act effectively on the information provided to them regarding potential conflicts and crises. Further, the PSC needs to conduct periodic reviews, at least once every six months, of the state of peace and security on the continent, using horizon scanning approaches, on the basis of updates provided by the continental early-warning systems, relevant AU institutions such as the Panel of the Wise, African and international think tanks, civil society organizations, including faith based organizations, and other stakeholders.

It is against this background on the state of implementation and utilisation of the normative and institutional architecture in addressing UCG that the African Union Economic, Social and Cultural Council (ECOSOCC), in its capacity as the civil society organ of the AU, will convene a Citizens' Forum on Democracy and Unconstitutional Changes of Government in Africa, to provide a platform for deeper citizen engagement in the ongoing discourse on UCG and to formulate an evidence-based policy statement and program of action to achieve the nonrecurrence of UCG events on the continent. The Citizens' Forum will seek to provide follow-up to the Extraordinary Summit on UCG scheduled for May 2022 in Malabo, Equatorial Guinea and will be organized in the lead-up to the Mid-Year Coordination Meeting of the African Union in July 2022 in Lusaka, Zambia.

2.5.3 Transitional Justice and the guarantees of non-repetition

Research¹³ has shown that countries in conflict and crisis, or those emerging from same, are often susceptible to unconstitutional changes in government. This is often because the conflicts and mass atrocities would have collapsed existing social and economic structures and exacerbated existing political tensions, as well as damaged political infrastructure that could be used to prevent unconstitutional changes. In addition, many governments fail to implement recommendations of the mechanisms to help societies transition from conflict to peace. As such, perpetrators of coups or proponents of unconstitutionality use conflict and/or crisis situations as well as their antecedents as excuses for their actions. Majority of the countries that have experienced unconstitutional changes in recent times are either in full blown conflicts or have recently emerged from one (e.g., Guinea, Burkina Faso, Mali, etc).

It is for this and many other reasons that in February 2019, the African Union Assembly of Heads of State and Government unanimously adopted the African Transitional Justice Policy (AUTJP). The AU recognises that transitional justice is crucial for the promotion of human rights and justice, peace and security, good governance and development¹⁴. Transitional justice mechanisms are not just important for dealing with the wrongs of the past and helping societies heal from mass atrocities. They are also crucial for the guarantees of nonrecurrence, for the provision of reparations and remedies for victims of serious human rights violations and abuse, as well as for strengthening national institutions to advance good governance, justice and the rule of law.

It is therefore imperative for the conversation around unconstitutional changes in government to feature key elements of transitional justice as espoused by the 2019 AUTJ Policy framework. The AUTJP provides an Afro-centric guide for all 55 AU Member States on peace-building, democracy-building and reconciliation following protracted violent conflict and/or authoritarian rule.

¹³ https://www.ipinst.org/wp-content/uploads/publications/ipi_epub_peace_justiceafrica2.pdf

¹⁴ <https://www.africaportal.org/features/transitional-justice-and-silencing-guns-africa-today/>

3. OBJECTIVES OF THE FORUM

The overall objective of the Citizens' Forum on Democracy and Unconstitutional Changes of Government will be to provide a platform for an in-depth discussion of the contemporary socio-political contexts surrounding the recent upsurge in UCG incidents in Africa, and the role of civil society in supporting the efforts of continental and regional institutions in achieving non-recurrence.

The specific objectives of the Forum as follows:

3.1 To facilitate the development of a nuanced and shared understanding of the terrain for UCG in Africa.

3.2 To enhance popular understanding of the African Union institutional and normative framework on unconstitutional changes of government and the role of African civil society in its implementation.

3.3 To establish a roadmap by which civil society actors can support the entrenchment of democratic values across the continent.

3.4 To provide a sustainable, relevant, coherent, effective, efficient, impactful and sustainable platform for robust citizen engagement within the continental discourse on democracy and unconstitutional changes of government

3.5 To provide CSOs an opportunity to explore the use of transitional Justice processes and/or mechanisms to advance peace, stability and democracy and to prevent UCGs in Africa.

4. DISCUSSION AREAS

The agenda of the Forum has been structured to address the following thematic areas:

FORUM DISCUSSIONS

Theme 1: Nation and State building in Contemporary Africa

Theme 2: The Deficit of Governance and the Role of Civil Society

Theme 3: State Capture

Theme 4: Terrorism and Insurgency

Theme 5: Governance and Climate Change

5. FORUM PARTICIPANTS

The Forum is designed to provide a unique opportunity for African civil society to pronounce itself on the ongoing continental debate on unconstitutional changes of government. Accordingly, the Forum will see participation from CSO stakeholders from all five regions of the continent working in relevant fields, including academia, media, youth groups, women's groups, advocacy organizations, community-based organisations, non-governmental organizations including faith based organizations, and regional CSO networks.

Participation in the Forum will also reflect other relevant interest groups including member states, regional economic communities, regional mechanisms on peace and security, African Union organs, and international partner organizations.

6. EXPECTED OUTPUTS & OUTCOMES

The Forum will produce two output documents, as follows:

6.1 Policy Statement on Democracy and Unconstitutional Changes of Government in Africa, building towards the outcome of national and regional policies including civil society perspectives in their formulation.

6.2 Program of Action for the Non-Recurrence of Unconstitutional Changes of Government in Africa, building towards the outcome of reduced recurrence of UCG in Africa.

7. DATE AND VENUE

The ECOSOCC Citizens' Forum on Democracy and Unconstitutional Changes of Government will be held



11-13 July 2022



Lusaka, Zambia



CHAPTER 2

OUTCOME DOCUMENT

ECOSOCC Citizens'
Forum 2022



CONTENTS

What's in this Chapter:

1. Context
2. The Forum
3. Commitments
4. Call to Action



1. CONTEXT

The Economic Social and Cultural Council (ECOSOCC), an organ of the African Union convened the inaugural Citizens' Forum on Democracy and Unconstitutional Changes of Government (UCG) in Africa from 11-13 July 2022 in Lusaka, Zambia. The Forum was organized in collaboration and partnership with the African Peer Review Mechanism (APRM), African Union Commission (AUC), African Development Bank (AfDB), and strategic partners.

The platform brought together over 200 representatives from AU organs and institutions, AGA Platform, civil society organisations in Africa, private sector, academic and think tanks, faith-based organisations, media, and strategic partners.

The overall objective of the Forum was to provide citizens a platform for in-depth reflections on social political contexts giving rise to the recent upsurge of UCG in Africa.

Specific aims of the forum included:

- a. Facilitate development of a nuanced understanding of the resurgence of incidents of UCG in Africa
- b. Enhance popular appreciation and awareness of the AU institutional and normative frameworks on UCG and the role of African civil society in implementation of the norms;
- c. Establish a CSO road map to address UCG in Africa;
- d. Provide sustainable, relevant, coherent, effective, efficient, impactful, and sustainable platform for robust citizens engagement within the continental discourse on democracy and UCG; and
- e. Provide CSOs an opportunity to explore use of transitional justice processes and mechanisms to advance peace, stability, and democracy and prevent UCGs.

The Forum highlighted the structural drivers of UCG to include erosion of public trust in state institutions, corruption and inadequate accountability, socio economic exclusion and marginalisation, limited participation, and insufficient inclusion of citizens in governance especially women, youth and persons living with disabilities, poor service delivery and sustainable livelihoods, mismanagement of diversity, human rights violations, and lack of adherence to the rule of law.

To address challenges that give rise to UCG, the Forum was structured into 5 sessions:

- | | |
|----|---|
| a. | An institutional and normative framework on UCG and Regime Change by the AU; |
| b. | Role of CSOs in addressing the Governance deficit; |
| c. | Role of the APRM and African Governance Report in sharing lessons and insights to respond to UCG; |
| d. | Terrorism and insurgency; and |
| e. | State capture and cross cutting issues |

2. THE FORUM

Guided by the Constitutive Act of the African Union (article 5 and 22) which established the ECOSOCC as an advisory organ of the AU composed of different social and professional groups of AU Member States;

Further Guided by the Statutes of the Economic, Social and Cultural Council of the African Union which outlines its objectives to include among others promoting and defending a culture of good governance, democratic principles and institutions, popular participation, human rights and freedoms as well as social justice;

Recalling the Africa Agenda 2063 Aspiration 6 for an Africa whose development is people driven, relying on the potential of African people, especially its women and youth;

Further recalling the Africa Agenda 2063 Aspiration 3 and 4 envisions an Africa of good governance, democracy, respect for human rights, justice and the rule of law; and peaceful and secure Africa;

Acknowledging the commitment by the Extra Ordinary Session of the Assembly of Heads of States and Government of the AU's commitment in Malabo, Equatorial Guinea on 28 May 2022 to redouble efforts to address governance deficits on the Continent in line with the AU normative frameworks and legal instruments;

Further acknowledging the determination by the AU Assembly to strengthen the effectiveness and sustainability of AU support to all Member States in political transition and post-conflict situations, in order to build lasting peace, entrench democratic culture and governance, including through transitional justice, and to prevent the resumption of cycles of violence, in the context of the Agenda 2063, Silencing the Guns Flagship Initiative by 2030 in Africa;

Noting that the African Charter on Democracy Elections and Government (ACDEG) and the Lome Declaration are useful AU instruments on promoting good governance democracy and human rights in Africa and while they have gaps, they remain the key policy instruments for addressing UCG in Africa;

Recognising the African Governance Architecture (AGA) as a platform for dialogue and opportunity to enhance synergies and collaboration among AU organs as well as with Member States, Regional Economic Communities (RECs), civil society and citizens

Reaffirming the role of citizens in promoting, tracking and implementation of the AU Shared Values on democratic governance;

Noting with concern and decrying the recent upsurge in unconstitutional changes of government in Africa, manipulation of constitutions, irregular regime changes and rise in terrorism and insurgency; and

Acknowledging the agency of African citizens to inform, shape and guide deliberations that complement ongoing efforts by the AU and Member States to redress unconstitutional changes of Government in Africa.

3. COMMITSTO

1. Sensitize African citizens and popularise ratification, domestication, and implementation of AU normative and institutional frameworks on democracy, governance, and human rights especially the ACDEG and Lome Declaration.
2. Track and follow up on commitments by the AU and Member States in addressing UCG through research and evidence-based policy contributions and advisories and in particular the Declaration adopted by the 16th Extraordinary Session of the Assembly of the African Union on Terrorism and Unconstitutional Changes of Government in Africa, held on 28 May 2022 in Malabo, Equatorial Guinea.
3. Engage and support the AU Commission, working with RECs/RMs, to expedite the finalization of the AU Guidelines for the Amendment of National Constitutions, in line with existing frameworks on constitutionalism and rule of law, and report to the ordinary session of the Executive Council in January/February 2023.
4. Engage, support meaningful citizens' engagement with the PSC in envisioned establishment of a Sub-Committee on unconstitutional changes of government in line with Article 8(5) of the PSC Protocol, to monitor trends and report annually to the Assembly of Heads of State and Government.
5. Provide support to PSC in reactivating its Sub-Committee on Sanctions towards coordinated oversight on impact of sanctions, pursuant to the Lomé Declaration.
6. Support the AU Commission to continue providing technical support, guidance and advisory to Member States towards building sustainable democratic governance, justice, peace, and development in the Continent, through the implementation of AU Transitional Justice Policy.
7. Provide strategic, technical, and advisory support to the AU Commission in reviewing the implementation of the African Governance Architecture (AGA) and the African Peace and Security Architecture (APSA) towards robust responses to the persistent and emerging challenges in the Continent
8. Contribute to development of the third African Governance Report 2023 on Unconstitutional Changes of Government led by the APRM.
9. Provide technical support, guidance and advisory to Member States to improve domestication and implementation of the ACDEG and AU shared values on democratic governance and human rights including the AU Transitional Justice Policy. Strategically engage, support and work with key state entities such as relevant government institutions, parliament, and the judiciary as well as with other non-state actors such as the private sector, interfaith, youth, women formations, and the media.
10. Contribute to and promote early warning to looming conflict and develop and support early actions to prevent UCG through citizens led early warning and innovative action tools and applications including technology.
11. Amplify African citizens voices, perspectives and opinions through surveys, research, analysis, and dissemination with traditional and new media on challenges and solutions to address unconstitutional changes of Government
12. Enhance and strengthen capacity of civil society actors, media and policy makers to better inform, meaningfully engage and ensure African citizens participate in decision making at continental, subregional and national levels.
13. Promote and provide technical support to regional and national CSOs to improve internal accountability, corporate governance, and sustainability to be effective in promoting democratic governance and to enhance their legitimacy and credibility in addressing UCG at national and continental levels.

14. Consolidate a data base and resource pool of a community of practice of experts and practitioners on democratic governance including on addressing UCG in Africa in partnership and collaboration with strategic partners
15. Institutionalise platforms and spaces for thought leadership and capacity of young people and women to exercise adaptive leadership in political social and economic spheres in partnership and collaboration with the private sector, think tanks, academic institutions, and strategic partners.
16. Convene citizens dialogues and reflections on unconstitutional changes in government at continental, sub regional and national levels in partnership and collaboration with members of the AGA Platform, Regional Economic Communities, Member States, Regional civil society platforms and formations, ECOSOCC National Chapters, APRM National Governance Councils, and civil society partners.
17. Support participation and engagement of the African Diaspora in dialogues, consultations, and provision of technical support to Member States to address unconstitutional changes of government in Africa in close collaboration with the AUC – CIDO and African Diaspora platforms globally.
18. Engage and include African traditional leadership structures, actors and institutions on reflections, dialogue, and initiatives to address UCG in Africa.
19. Strengthen and support African Youth formations, Youth Councils, and actors to participate, contribute to and enhance their capacity to prevent UCG, including political dialogue and mediation processes as well as provide technical support to Member States in strengthening democratic governance in Africa - in partnership with the AU Youth Envoy, AUC Youth Division and AGA Secretariat.
20. Develop and support African Women formations and actors to participate, contribute to and enhance their capacity to prevent and address UCG, with a focus on the role of women - in close collaboration with the AUC – Gender Directorate and Special Envoy of the AUC Chairperson on Women in Peace and Security
21. Provide support to persons living with disabilities to meaningfully engage and contribute to addressing UCG in Africa - in collaboration with the AUC – Social Affairs Directorate and AGA Secretariat.
22. Jointly convene a dialogue and consultation with the Pan African Parliament in 2022 to present the outcomes of the Citizens Forum, sensitize them and amplify the role of African citizens and civil society in addressing UCG in Africa – in close coordination and collaboration with other members of the AGA Platform

4. CALL TO ACTION



Member States

1. Invest in and address structural root causes that lead to unconstitutional changes of government such as rebuilding public trust of government, accountability of state institutions, equitable development, service delivery, sustainable livelihoods and effective participation and inclusion of citizens in decision making.
2. Engage in public dialogues on the state of democratic governance and promotion of a culture of democracy with a view to rebuild public trust on government and state institutions and uphold existing regional and national commitments to democracy, rule of law, constitutionalism, and human rights.
3. Comply with their commitments on AU Shared values especially universal ratification of the ACDEG by 2025 as well as domestication and implementation of AU Shared values including state reporting obligations.

4. Volunteer to undertake country structural vulnerability and resilience assessments as well as development and implementation of mitigation stages as well as APRM peer and targeted reviews to pre-empt potential UCG and support peace building during peace time and not wait until the eruption of conflict within the framework of the silencing the guns by 2030 flagship initiative.
5. Scale up adoption and deployment of innovation, digitisation, and civic technology to improve democratic governance and increase accountability by availing and easing access to public information to African citizens on the state of governance.
6. Address challenges of access to public information including support for enactment of the right to information legislation; rise of misinformation in the digital space; limited penetration of internet connectivity on the continent; affordability, and restricted access to the internet for African citizens.
7. Provide sustainable financing and resources to public state institutions including non-state actors to reduce overreliance on external funding that may be tied to vested partisan and geo-political interest which may be at variance of Pan Africanism and national interests.
8. Strengthen socio economic opportunities for social cohesion through public, private and active citizens' engagement as well as sustainable livelihoods through value addition brooding spaces and avenues for wealth generation.
9. Adopt and undertake legal and institutional reforms to guarantee and safeguard independent and non-partisan role of the civil service and the security sector as one of the measures to prevent UCG in Africa
10. Enhance accountability measures and mechanisms of the public and private sector to redress the increased rise of state capture by elites that may include conducting independent investigations and implementing their recommendations.
11. Guarantee credible and legitimate electoral processes including preventing and addressing political vigilantism and election related violence.
12. Strengthen civil-military relations including enhancing transparency and accountability of security sector expenditure and engagement in supporting civilian infrastructure projects



African Union

1. Review implementation status of the Livingston Formula with a view to expand and fully operationalise civic society and citizens contributions and participation.
2. Involve, and engage African citizens through ECOSOCC and AGA Platform Members, in the envisaged finalization of the AU Guidelines for the Amendment of National Constitutions, in line with existing normative frameworks.
3. Consider recommendations from civil society dialogues and reflections in the process of establishment of a PSC Sub-Committee on unconstitutional changes of government in line with Article 8(5) of the PSC Protocol, to monitor trends and report annually to the Assembly of Heads of State and Government as called upon by the Assembly in Malabo
4. Collaborate and partner with non-state actors including CSOs, media, private sector, women, youth formations, persons with disabilities and faith-based institutions to provide technical support to Member States towards building sustainable democratic governance, justice, peace and development in the Continent, through the implementation of AU Transitional Justice Policy.
5. Support and facilitate meaningful participation and engagement of African citizens and civil society in AU flagship initiatives that have significant potential to transform their lives towards sustainable livelihoods such as the African Continental Free Trade Area (AfCFTA) since limited socio-economic opportunities is one of the structural root causes of disenfranchisement of citizens especially young people and may lead to UCG.

6. Provide adequate human, financial and technical support to ECOSOCC to effectively deliver on its mandate.
7. Support Member States to undertake country structural vulnerability and resilience assessments as well as development and implementation of mitigation stages as well as APRM peer and targeted reviews to pre-empt potential UCG and support peace building during peace time and not wait until the eruption of conflict within the framework of the silencing the guns by 2030 flagship initiative.
8. Continue to champion and lead global dialogues and negotiations on structural reforms of the global political and financial institutions and in particular repatriation of ill-gotten wealth and illicit financial flows, tax avoidance and exploitation of Africa's rich natural resources which may lead to UCG.
9. Mobilise and coordinate Member States' efforts to address externally driven, financed, and ignited conflicts that often give rise to UCG including renegotiate roles of foreign military forces on the continent, private security and mercenaries.



AGA Platform Members including RECs

1. Operationalise citizens, youth and gender engagement strategies including the Annual High-Level Dialogues to promote and enhance meaningful participation and engagement of citizens in democratic governance and in addressing UCG.
2. Engage in joint advocacy campaigns targeting Member States with the aim of achieving universal ratification of ACDEG by 2025.
3. Engage and collaborate strategically to promote and enhance citizens awareness, sensitization, tracking implementation, and provision of technical support to Member States on AU Shared Values that address UCG.
4. Include citizens voices and perspectives in the process of reviewing the implementation of the African Governance Architecture (AGA) and the African Peace and Security Architecture (APSA) towards robust response to the persistent and emerging challenges in the Continent.
5. Ensure meaningful participation and inclusion of contributions and submission of African citizens in the development of the third African Governance Report 2023 on Unconstitutional Changes of Government.
6. Support the independence and effectiveness of Member States' judicial institutions and quasi-judicial mechanisms to safeguard rule of law, constitutionalism and human rights that may include establishing a special mechanism at ACHPR on judicial independence among AU Member States.



Strategic Partners

1. Engage strategic partners including the African Development Bank, UNDP, bilateral partners, private sector, and philanthropy foundations to support implementation of the Citizens' Action Plan for Non-Recurrence of UCG in Africa.
2. Popularise and support implementation of the African Union Transitional Justice Policy including providing technical and financial support to ECOSOCC, and civil society led initiatives through the African Transitional Justice Legacy Fund.
3. Generate, produce knowledge, and disseminate policy guidance on addressing UCG in Africa in collaboration and partnership with African think tanks, Universities, policy institutes and the private sector.
4. Revive and facilitate the annual interfaith dialogues and mediation processes on conflict prevention through among other the KAICIID Dialogue Centre and the All-Africa Conference of Churches (AACC-CETA).

CHAPTER 3

PLAN OF ACTION

ECOSOCC Citizens'
Forum 2022



Strategic Priority	Interventions/Actions	Partnerships and Resources	Lead & Responsibilities	Implementation Timeline		
				Year 1	Year 2	Year 3
Member State Advocacy	Technical support to member states on the ratification, domestication and implementation of the Livingstone Formula	AUC, RECS/RMS and all organs of the African Union	ECOSOCC Annual high-level dialogues meetings with CSOs and PSC, PAPS and other relevant AU departments/directorates/organs	x	x	x
	Technical support to Member States towards building sustainable democratic governance, justice, peace and development in the continent through the implementation of the African Union Transitional Justice Policy			x	x	x
	Technical support to member states in confronting and addressing externally driven, financed, and ignited conflicts.			x	x	x
	Technical assistance to Member States to track and implement AU modalities to address UCG.			x	x	x
Institutional Engagement	Establishment of a PSC Sub-Committee on Unconstitutional Government Changes with Civil Society Representation	PSC Secretariat AU	ECOSOCC <ul style="list-style-type: none"> CSO Consultations on Establishment of PSC Sub-Committee of UCG Advisory opinions PSC Secretariat <ul style="list-style-type: none"> Establish PSC Sub-Committee on UCG Annual high-level dialogues meetings with CSOs and PSC, PAPS and other relevant AU departments/directorates 	x	x	x
	Support the PSC in monitoring UCG trends and annual reporting	AU - PSC	ECOSOCC <ul style="list-style-type: none"> Institutionalise CSO engagement with PSC PSC Secretariat <ul style="list-style-type: none"> Create an open and accessible on-line tracking dashboard." 			
	Technical assistance to the AU in the development of the AU Flagship Initiative on Socioeconomic Development in Africa	AUC	ECOSOCC: CSO consultations on AU Flagship Initiatives	x	x	



Institutional Engagement	Collaborate with member countries, RECs/RMs, civil society and other key stakeholders to assess structural vulnerability and resilience in their respective countries;	Member States AGA/APSA Secretariat CEWS APRM STG - PAPS	ECOSOCC: <ul style="list-style-type: none"> Engage with ECOSOCC National Chapters, RECs Regional CSO consultations on country structural vulnerability and resilience assessments - Leverage EU-APSA activity to increase civil society stakeholders awareness on structural vulnerability and resilience assessments 	x	x	
	Undertake action to actively review, monitor and track the Livingstone Formula's implementation status	AU - PSC	ECOSOCC: <ul style="list-style-type: none"> Annual technical CSO review meetings on the Livingstone Formula with PSC, PAPS Regional sensitization forums on the Livingstone formula/Maseru conclusions Co-create and consolidate an online tracking dashboard for the Livingstone formula's implementation." 	x	x	x
Civil Society Advocacy & Engagement	Solicit recommendations from civil society in the process of the establishment of a PSC Sub-Committee on unconstitutional changes of government;	PSC	ECOSOCC: <ul style="list-style-type: none"> Platform for dialogue between the PSC and civil society; Communique 	x		
	Undertake action to make civic society contributions and participation fully operational of the Livingstone Formula		ECOSOCC: <ul style="list-style-type: none"> Leverage EU-APSA Activities 	x		
	Co-convene an annual meeting with key stakeholders and civil society organisations to review the Accra Declaration and Malabo Decisions, as well as the ratification, domestication, and implementation of AU Frameworks relating to UCG.	Member States PSC AGA Platform Members Charter Project Africa	ECOSOCC: <ul style="list-style-type: none"> Annual technical CSO review meetings - Regional sensitization forums 	x	x	x
	Capacity-building and sensitization for CSO inclusion, participation and technical input in the finalisation of the AU Guidelines for National Constitution Amendments in accordance with existing normative frameworks.	AU	ECOSOCC: <ul style="list-style-type: none"> Engagement with ECOSOCC National Chapters CSO communique on the AU Guidelines for National Constitution Amendments 		x	

Civil Society Advocacy & Engagement	Adoption of initiatives for CSOs to contribute to the technical implementation of the AU Transitional Justice Policy	AU, PAPS, African Transitional Justice Legacy Fund	ECOSOCC: • Fora on Transitional Justice • CSO/Media advocacy/sensitization on the AU Transitional Justice Policy • Engagement with ECOSOCC National Chapters		x	
	Design and execute an inclusive citizens engagement strategy on UCG with non-state actors (civil society organisations, the media, the private sector, women, youth, people with disabilities, and faith-based organisations)	AGA RECs External Partners AU Youth Envoy AU Women, Gender, Youth Directorate Special Envoy of the AUC Chairperson on Women in Peace and Security Social Affairs Directorate	ECOSOCC: • High Level Dialogues on ending UCG • (Virtual) Pre-HLD Youth Consultation • (Virtual) Pre-HLD Women Consultation • (Virtual) Pre-HLD Persons with Disabilities Consultation		x	
	Mobilise csos to support the revision of current national action plans and the adoption of new ones aimed at destabilising the accumulation, illicit transfer, and misuse of small arms and light weapons.	STG PAPS	ECOSOCC: • Dialogue between CSO & PAPS STG on the AU Master Roadmap Silencing the Guns AU and Regional Economic Community. Engage in early warning activities guided by the flagship initiative to silence guns by 2030.		x	x
	Facilitate African civil society's participation and engagement in AU flagship initiatives;		ECOSOCC: • CSO consultations on AU Flagship Initiatives • - High-Level Dialogue(s)		x	x
	Develop ECOSOCC-specific and youth-focused flagship initiatives in strategic collaboration with the private sector (that prioritises engaging civil society as part of their corporate social responsibility)/institutions in support of and to highlight AU priorities on UCG	African Development Bank (AfDB) UNDP Bilateral partners Private sector Philanthropy foundations	ECOSOCC: • Youth consultations/forum on UCG • Challenge/Competition from CSO to create ECOSOCC flagship initiative • '16 Days of Activism'		x	x
	Convene CSO forums to promote accountability through structural reforms to political and financial institutions (member states, the private sector, and other key stakeholders) with focus on repatriation of ill-gotten wealth, illicit financial flows, tax avoidance, and resource exploitation, which may result in UCG.	AU, External Partners, NGOs, Tax Justice Network,** Centre for Trade Policy and Development**	ECOSOCC • Regional/National dialogue/forum • Sensitise/raise awareness/strengthen civil society capacities			

Civil Society Advocacy & Engagement	Annual High-Level Dialogues to promote and enhance meaningful participation and engagement of citizens in democratic governance and in addressing UCG.	AU, PAPS, PSC	ECOSOCC: <ul style="list-style-type: none"> • ‘16 Days of Activism’ - Organise joint awareness-raising campaigns, events and webinars as complementary activities to the Annual High-Level dialogue on ending UCG. 		x	x
	Advocacy campaigns within civil society on for universal ratification of the African Charter on Democracy, Elections and Governance (ACDEG) by 2025	Charter Project Africa AU, RECS/RMs	ECOSOCC: <ul style="list-style-type: none"> • Advocacy Trainings Toolkits • Online campaigns • Sensitization forum Charter Project Africa: <ul style="list-style-type: none"> • National, regional and continental campaigns on ACDEG implementation (through the project’s consortium members and grantees) 		x	x
	Convene forums to include civil society perspectives in the review of the African Governance Architecture (AGA) and the African Peace and Security Architecture (APSA) (APSA)	AGA-APSA Secretariat	ECOSOCC: <ul style="list-style-type: none"> • Engage ECOSOCC National Chapters • Leverage EU-APSA activities • CSO dialogue with AGA/APSA experts 		x	x
	Conduct AGA/APSA sensitization activities (with the goal of raising awareness of and addressing persistent and emerging challenges in the Continent)	AGA-APSA Secretariat	ECOSOCC: <ul style="list-style-type: none"> • Engage ECOSOCC National Chapters • Leverage EU-APSA activities • CSO dialogue with AGA/APSA experts 		x	x
	Technical contributions from African citizens in the development of the Third African Governance Report 2023 on Unconstitutional Government Changes	APRM AGA/APSA Secretariat	ECOSOCC: Technical consultation with APRM		x	x
	Build the expertise technical know-how of CSOs and Media on reporting on UCG (media-reporting training)	Media, APRM AU, AGA/APSA Secretariat	ECOSOCC Media training and sensitization		x	x
	Promote rule of law, constitutionalism and human rights within civil society through capacity-building initiatives	ACHPR - Banjul Commission AGA APSA Secretariat	ECOSOCC: <ul style="list-style-type: none"> • In-person/Online awareness raising campaigns • Dialogue forum with ACHPR - Strengthen the relationship between civil society organisations and African Union institutions concerned with promoting rule of law, constitutionalism, and human rights • Leverage EU-APSA Activities 		x	x

	Take joint initiatives to implement the Citizens' Action Plan for Non-Recurrence of UCG in Africa.	AU	ECOSOCC: Technical consultation with CSOs and partners on the Citizen's Action Plan		x	x
	Co-organize, revitalise, and facilitate interfaith dialogue to popularise leveraging interfaith organisations in conflict management on conflict resolution mediation processes.	KAICIID Dialogue Centre All-Africa Conference of Churches (AACC-CETA)	ECOSOCC: • Annual Interfaith Dialogues on Conflict Prevention • Engage KAICIID and AACC-CETA		x	x
Research and Knowledge Management Services (RKM)	Consolidate a database and resource pool of a community of experts and practitioners on Democracy, UCG and related themes in Africa		ECOSOCC • CSO Policy documents: briefs and memos • Consultancies		x	x
	Lead the development of products that aid in the tracking/reporting of AU instrument compliance (themes of democracy, justice, peace, and development)	AU			x	x
	Joint research/peer review to plan the development and implementation of UCG mitigation strategies	APRM				x
	Collaborate, partner, and leverage CSO, African think tanks, universities, policy institutes, and the private sector's research and policy-making skills to generate, produce, and disseminate policy guidance on addressing UCG in Africa.	African think tanks, universities, policy institutes, private sector			x	x
	CSO Training Toolkit on conducting structural vulnerability and resilience assessments	CEWS			x	x
	CSO/Media Training Toolkit on reporting vulnerability/early warning				x	x





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