JoMUN XVI

**Forum:** General Assembly 4

**Issue:** Ensuring free and fair elections in African countries

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# INTRODUCTION

A government is important as it assists in keeping order within a country. Additionally, it assists in ensuring citizen’s rights and keeping them safe. However, if a government is corrupt, it can have many negative effects, such as, political effects, economic effects, and violations of human rights.

For many years, elections within African countries have been extremely competitive. Even though the idea of democracy was introduced in the 1990’s, the idea has not always been implemented well. In 2016, 16 African nations had presidential elections. Many African nations however do not have free and fair elections. African nations such as the Democratic Republic of the Congo, Zimbabwe, Kenya, and Cote D’Ivoire are examples that demonstrate some of the issues that arise during the electoral process. According to The Economist Intelligence Unit’s Democracy Index 2015, Mauritius is the only African nation to be considered a full democracy.

A good electoral process consists not only of fair and free elections, but also the preceding events. This means intimidation of voters, violence during the electoral process, and manipulation of votes should not occur.

The United Nations has attempted to help this issue by providing electoral assistance. Many organizations within the UN but also outside the UN have been providing electoral assistance as well. Even with this attempted help from multiple organization, this issue is still prevalent in many African countries and requires attention. There are many different guides to assist in electoral procedures created by different organizations that can be found.

# DEFINITION OF KEY TERMS

**Democracy**

A governmental system in which the citizens are represented by electing a representative to form the government.

**Elections**

A process of decision-making where participants select a representative to be part of the parliament or government.

**Electoral**

Relating to elections.

**Government**

“the group of people with the authority to govern a country or state; a particular ministry in office.” (“Government”)

**Incumbent**

“The holder of an office or post” (“Incumbent”)

**Runoff Elections**

A second round of elections that occur if the first round did not produce a final winner. There are different types of runoff elections such as, two-round system, instant-runoff voting, contingent vote, and exhaustive ballot.

# BACKGROUND ON THE ISSUE

One main reason this issue has come about is because the elections within African countries are often highly competitive. These elections are often high-stake because winning means being able to access the state’s resources and accumulate more power, wealth, and influence. Due to this, the candidates often use violence and intimidation to alter the results of the elections resulting in unfair elections. Another reason the electoral process often ends up being unfair is due to the lack of a strong electoral institution and/or commission. This results in manipulation of the votes being able to occur. Due to poverty and illiteracy, citizens are often easily manipulated due to need of money or not being able to fully comprehend what they are losing or gaining. Additionally, if the media is restricted, that also effects the election and causes it to be unfair as citizens are not being able to access information on the candidates. (Lepapa)

Another issue that arises during the electoral process is that African Union observers often state that an election is free and fair when that is not entirely true. This is due to not recognizing all the parts of an election that makes it free and fair. For example, this occurred in Zimbabwe during the 2013 elections. Sometimes, the observers originally think the electoral process was fair, however, afterwards, it is discovered that manipulation of the outcomes occurred. The election must be observed before, during, and after to ensure that the election is as free and fair as possible.

There are many different ways in which the elections become unfair. Some of the ways are, "by suppressing or banning opposition parties, acting in such a way that opposition parties boycott the election altogether, monopolizing state resources or media, intimidating voters or conducting outright fraud." - Almamy Cyllah. Examples of these instances can be found in different countries across the continent. For example, violence used during elections occurred in Zimbabwe. (“African Elections”)

Even though this is a very prevalent issue in African countries today, progress has been made in many countries. For example, the Arab Spring in Tunisia and Egypt were successful and helped in overthrowing the previous leaders and allowing a chance for more democratic change. Additionally, countries such as Ghana, South Africa, Botswana, and Mauritius are able to be successful democracies with free and fair elections.

# MAJOR COUNTRIES AND ORGANIZATIONS INVOLVED

**Kenya**

Kenya’s history with elections have sometimes been claimed to be unfair. Kenya gained independence in 1963, however the elections that took place in 2007 were claimed to be manipulated which resulted in political violence. There were 1,500 casualties. During the 2017 Kenyan elections, the Kenyan Supreme Court called for a repeat election, however, President Kenyatta still won, which the opposition stated was due to intimidation. (Yoxon)

**Zimbabwe**

Zimbabwe’s 2008 elections caused high amounts of violence. In 2007, those who criticized Mugabe were subjected to violence such as torture and killings. The opposition party leader, Morgan Tsvangirai, was tortured and beaten. The original election outcomes resulted in Tsvangirai having more votes than Mugabe, however, since he did not have a majority of votes, a runoff election needed to occur. Before the runoff elections, Tsvangirai supporters were victims of violence and attacks. The second round resulted in Mugabe winning by an overwhelming majority. (Bradley)

**Democratic Republic of the Congo**

After former President Laurent Kabila’s death, Joseph Kabila, his son, went on to become the next president of the DRC. Joseph Kabila has been president of the DRC since 2001. Kabila’s mandate ended in 2016, however, there have not been elections since. This has resulted in protests and violence within the country. The UN has called for elections but they still have not occurred. (“UN Condemns DRC”)

**Cote D’Ivoire**

Former President Henri Konan Bédié was overthrown in 1999 by a military coup. He was replaced by General Robert Guei. In 2000, General Guei claims he won the presidential elections, but then flees due to an impending uprising. He is replaced by his opposition Laurent Gbagbo which resulted in violence between the Christians and Muslims within the country. (“Ivory Coast Profile – Timeline”)

**United Nations Development Programme (UNDP)**

In 2006, the UNDP collaborated with the EU to provide electoral assistance. They believe that elections are an important part of a democratic government as they give citizens a voice. They created the Electoral Assistance Guidelines to help in providing and applying electoral assistance. These guidelines were renewed in 2008 and 2016.

# TIMELINE OF KEY EVENTS

|  |  |
| --- | --- |
| **1960** | The DRC gains independence. |
| **1960** | Cote D’Ivoire gains independence. |
| **1963** | Kenya gains independence. |
| **1980** | The UK officially recognizes Zimbabwe as independence and Robert Mugabe becomes the Prime Minister of Zimbabwe. |
| **1991** | Resolution 46/137 on “Enhancing the effectiveness of the principle of periodic and genuine elections” was adopted. |
| **1999** | A military coup in Cote D’Ivoire overthrows former President Bédié. |
| **2001** | Joseph Kabila becomes the President of the DRC. |
| **2006** | The UNDP created the Electoral Assistance Guidelines. |
| **2007** | Kenya’s elections were claimed to be manipulated. |
| **2008** | Zimbabwe’s presidential elections resulted in high amounts of violence. |
| **2017** | Kenya’s supreme court overrules the first presidential election and calls for a repeat election. |
| **2017** | Former Zimbabwean president Robert Mugabe resigns. |
| **2018** | Zimbabwe plans their first presidential election not involving former President Robert Mugabe to take place in 4-5 months. |

# RELEVANT UN RESOLUTIONS, TREATIES, AND EVENTS

**A/RES/46/137 (1991)**

“Enhancing the effectiveness of the principle of periodic and genuine elections” (“Enhancing the Effectiveness”)

**The African Charter on Democracy, Elections, and Governance (2012)**

The African Union created the African Charter on Democracy, Elections, and Governance which aims to strengthen good governance and attempts to ensure all citizens of age have voting rights. In doing so, it also attempts to ensure free and fair elections occur in member states. However, only 10 states have signed and ratified the charter, 28 states have signed the charter but not ratified, and 16 states have not signed or ratified the charter. (African Charter)

**A/RES/70/168 General Assembly (2016)**

“Strengthening the role of the United Nations in enhancing periodic and genuine elections and the promotion of democratization” (“Strengthening the Role”, 2016)

**A/RES/72/164 General Assembly (2017)**

“Strengthening the role of the United Nations in enhancing periodic and genuine elections and the promotion of democratization” (“Strengthening the Role”, 2018)

# PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

**UN electoral assistance**

The UN offers different types of electoral assistance to try and promote fair elections within countries. The UN entities that provide electoral assistance include “The Department of Political Affairs (DPA), The Department of Peacekeeping Operations (DPKO), The United Nations Development Programme (UNDP), The Office of the High Commissioner for Human Rights (OHCHR), United Nations Volunteers (UNV), The United Nations Office for Project Services (UNOPS), The United Nations Educational, Scientific and Cultural Organization (UNESCO), The United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), and The International Organization for Migration (IOM)”. (UNOWAS, 2017) The UN offers different types of assistance due to how there are different causes of ingenuine elections. The UN offers technical assistance, support to creating a conducive environment, organization and conduct of an electoral process, certification/verification, electoral observation, supervision of elections, panels of political and/or electoral experts, and coordination of electoral observer. (UN, 2014) This electoral assistance can either be requested by the member state or provided based on a mandate from the Security Council or General Assembly.

**International Institute for Democracy and Electoral Assistance**

This institution was created for the purpose of promoting democracy and assisting in the electoral process. Their mission is to, “… support sustainable democratic change through providing comparative knowledge, and assisting in democratic reform, and influencing policies and politics”. Their headquarters are located in Stockholm, Sweden and they have offices in 18 countries. In terms of elections, they assist in maintaining electoral, civil, and political rights. (“Mission & Values.”)

**Principles for Election Management, Monitoring and Observation (PEMMO)**

The Electoral Institute for Sustainable Democracy in Africa created PEMMO to help monitor and assess elections in Africa. PEMMO sets standards for observers which cover the whole electoral process before, during, and after elections. PEMMO was introduced in South Africa, Botswana, DRC, Mauritius, Madagascar, Malawi, Zanzibar, and Namibia. (“Principles for Election Management”)

# POSSIBLE SOLUTIONS

**Making the electoral process more sophisticated and technologically advanced.**

The election process within countries should become more sophisticated and improved in terms of technology. This would decrease the amount of fraud and manipulation that takes place during the actual voting process. Additionally, this would make voting more efficient and smooth. Improving the electoral process and institutions to make it easier to monitor if there is any fraud occurring would allow the elections to become more free and fair.

**Having regular UN checks**

One problem that arises with the UN electoral assistance is that the member state must ask for it. A way to fix this could be to send a UN representative to work with an observer from the African Union to member states with a history of unfair elections to monitor the whole electoral process. This representative should also ensure that there are no restrictions imposed on the media to allow them to freely report on all parties.

**Harsher consequences for perpetrators**

If one party is found guilty of intimidation, suppressing opposition parties, manipulation, or other acts that cause the election to become unfair, they should face harsher consequences. These consequences can include, but are not limited to, jail time, fines, and/or removal from the electoral process. The severity of the consequences should discourage parties from performing fraudulent acts.

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# APPENDIX OR APPENDICES

<http://www.justice.gov.za/alraesa/conferences/les2010/PROMOTING%20FREE%20AND%20FAIR%20ELECTIONS%20IN%20AFRICA.pdf>

Gives a good overview on the causes of unfair elections and what the UN and other organizations have done to try and help the electoral process.

<https://www.businesslive.co.za/rdm/politics/2017-05-11-how-to-ensure-africas-elections-are-free-and-fair/>

This gives a good sense of what unfair elections mean and what occurs in unfair elections. Additionally, it gives some steps that need to be taken to ensure free and fair elections within African countries.

<https://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=1096&context=njihr>

This is a bit long and complex but even just reading the first few pages helps deepen understanding of what free and fair elections are. It also gives some case studies that would be good to examine in terms of looking at elections that didn’t go well.

<https://www.afdb.org/en/blogs/afdb-championing-inclusive-growth-across-africa/post/democratic-elections-in-africa-opportunities-and-risks-9117/>

This article gives a picture of how democracy is implemented within African countries. Additionally, there is a table that really makes it clear of how democratic African countries are.