SUMMIT ON CONSTITUTIONAL TERM LIMITS

NIAMEY, NIGER
OCTOBER 2-4, 2019
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Introduction

While Africa has made notable progress in achieving democratic and peaceful transitions of executive power over the past two decades, a considerable number of leaders across the continent have extended their tenure by altering or eliminating constitutional term limits, and political space is shrinking in others. According to recent Afrobarometer surveys, a majority of the continent’s citizens support term limits and most African Union (AU) member States are in favor of constitutionalism and the rule of law: a 2015 survey found that in 34 African countries, about 75 percent of citizens are in favor of limiting presidential mandates to two terms.¹ According to the Africa Forum², more than 40 African presidents have left office democratically and peacefully since the early 2000s, but recent developments in a number of countries on the continent have forcefully demonstrated that this democratic progress cannot be taken for granted.

To support political leaders and civil society activists in their efforts to defend respect for the constitutional limitations on presidential terms, the National Democratic Institute (NDI) organized an international Summit on Constitutional Term Limits in Africa in early October 2019 in Niamey, Niger, in the framework of NDI’s program “Constitutionalism for Democratic Consolidation”. OSIWA, Africa Forum, and the Kofi Annan Foundation also partnered with NDI to organize the summit. During the three-day event, five former African Heads of State, 11 civil society activists from 8 countries and 11 bloggers and journalists from 10 countries discussed core principles of constitutionalism and the rule of law, challenges and opportunities for presidential term limits, the promotion of good governance through democratic processes, and leadership opportunities for former heads of state. Some of the former presidents’ and civil society leaders’ key messages can be viewed here. During the event, civil society organizations (CSO) also finalized advocacy campaigns for constitutionalism, which they began implementing after the event.

The summit resulted in the adoption of a Declaration of Principles on Constitutional Term Limits, which was subsequently published on the program’s website www.termlimitsinitiative.org and is open to the public for signature.

¹ https://afrobarometer.org/publications/ad30-african-publics-strongly-support-term-limits-resist-leaders-efforts-extend-their
² The Africa Forum is a network of democratically-minded former heads of state based in Pretoria, South Africa.
The event was widely covered by Nigerien media outlets and major international news outlets such as Radio France Internationale (RFI), the British Broadcasting Corporation’s (BBC) Africa and Hausa divisions, and AllAfrica.com. A group of bloggers and journalists, whose participation was sponsored by the Open Society Initiative for West Africa (OSIWA), provided live coverage to their audiences.

Opening Ceremony
President Issoufou presided over the opening ceremony on October 2, which was attended by senior members of the Nigerien government, including Prime Minister Brigi Rafini, former Nigerien president Mahamane Ousmane, members of parliament (MP), members of the diplomatic corps, representatives of international institutions, and Nigerien civil society members.

In his keynote address, President Issoufou stressed the importance of presidents resisting the temptation to stay in power past the constitutionally mandated number of terms. The president emphasized that democratic and peaceful transitions of power lead to stability and legitimacy within democratic institutions, and concluded his address by reaffirming that, “My greatest desire is to transfer power to a new, democratically elected President of the Republic of Niger,” a comment that was met by a standing ovation from the audience.

During his remarks, United States Ambassador Whitaker applauded President Issoufou’s continued commitment to ensuring a democratic and peaceful transition of power at the conclusion of his second term in office in what would be the first time such a transition occurred throughout Niger’s history. “President Issoufou,” Amb. Whitaker declared, “your legacy of respecting and solidifying democracy in Niger will live on for generations to come.” Former African presidents Ellen Johnson Sirleaf of Liberia and Miguel Trovoada of São Tomé and Príncipe greeted participants with pre-recorded video messages.³ President Sirleaf emphasized the important role of presidents as global leaders after they finish their tenure in office, while President Trovoada thanked and congratulated all of the participants at the Summit for their desire to strengthen democratic norms and processes across the continent. President Soglo, co-president of Africa Forum, took the stage to highlight the vital importance of the Summit and to express his optimism in seeing the topic of constitutional term limits discussed so openly.

³ Both of the videos are featured on www.termlimits.ndi.org and can be accessed directly at https://www.youtube.com/watch?v=Z8rjY90Vlo (President Sirleaf) and https://www.youtube.com/watch?v=V2mCQ7t7cs (President Trovoada)
Panel Discussions on Constitutionalism, Peaceful Transfers of Power and Post-presidential Career Options

Panel I: Guiding Principles of Constitutionalism, Rule of Law, and Respect for Term Limits

The first panel provided context and background on Constitutional Term Limits and the importance of the rule of law for the African continent. Panelists discussed domestic and international consequences of non-respect for constitutional term limits as well as factors conducive to political leaders respecting or disrespecting term limits. During the question and answer (Q&A) session, they elaborated on the role of regional bodies such as ECOWAS in strengthening constitutional term limits in member states. President Amos Sawyer highlighted the importance of international institutions’ involvement in instances of democratic backsliding, stating that it is not easy to leave behind the policy of non-interference and replace it with a policy of non-indifference on a continental scale.

“Establishing and legitimizing new state institutions and authorities was indeed a crucial step in the process of emerging from the political crisis.”

Former President Samba-Panza on her experience managing CAR’s transition

Panel II: Facilitating Peaceful Transitions of Presidential Power

The second panel focused on mechanisms and processes in support of democratic transitions and building resilience against adverse forces. President Amos Sawyer and former Head of State Catherine Samba-Panza, who had both presided over countries in transitions after a civil war, shared their personal experiences and challenges. President Sawyer stressed the role of regional institutions in resolving the crisis and the active role of subregional leaders in preventing Liberia from following a path similar to Somalia’s.

“Ultimately, in the long run, the disadvantages of protracted tenures can be more harmful to the leaders themselves, their legacies, and their countries, than the good things that these leaders are able to do while remaining in office indefinitely.”

Former President Amos Sawyer of Liberia

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4 Amos Sawyer served as the president of the Interim Government of National Unity in Liberia from 1990-1994. He oversaw the resolution of the Liberian Civil war and ensured the peaceful transfer of power to a democratically elected leader at the end of his tenure in office. Catherine Samba-Panza was appointed to the position of Interim Head of State of the Central African Republic from 2014-2016, previously serving as the mayor of Bangui. During her tenure, Samba-Panza worked to quell conflict between the two primary rebel factions in the country’s ongoing civil war and to facilitate a peaceful transition of power following the national presidential election in December 2015.
Panel III: Life After the Executive Office: New Opportunities for Continental Leadership

Panel III discussed options for African leaders to remain engaged after they leave office. Presidents Goodluck Jonathan and Nicéphore Soglo offered examples of their post-presidential engagements. Chantal Naré of NDI’s partner Africtivistes presented a White Paper on retirement options and experiences of former Heads of State across Africa, distinguishing between those who stepped down voluntarily after their terms ended and those removed from office. She encouraged the former Heads of State to advocate with current African presidents for the respect of their constitutional term limits.

Panel IV: Justice and Reconciliation as Competing Priorities

Panel IV broached the difficult subject of reconciling the need for justice with national reconciliation and peace-building, especially in countries experiencing civil war or crisis. Ben Nyabira of Katiba Institute, a CSO in Kenya specializing in constitutionalism and legal access to justice, highlighted ways to do justice to these two competing priorities by way of the countries’ legal systems. President Samba-Panza spoke of the unique situation in the Central African Republic and how she had worked to navigate these two priorities in her daily efforts to heal the deep wounds in her country.

Panel V: Building Consensus around Respect for Constitutional Term Limits

The final two panels looked to roads ahead and actions to take to strengthen constitutional term limits, especially in countries where leaders are threatening to modify or abolish them. In Panel V, Brice Mackosso of Tournons La Page - Congo stressed the importance of civil society and citizens in building consensus for and understanding of term limits. President Jonathan concurred and added the role of advocacy with regional institutions and Heads of State to complement citizen mobilization efforts.

Panel VI: The Way Forward

The final panel took the form of a roundtable involving all participants to discuss immediate next steps to keep the conversation alive after the close of the Summit. Participants reflected on potential upcoming challenges to constitutional terms, citing Senegal, Guinea and Côte d’Ivoire. They agreed that civil society, Heads of State, political parties, and the media all had

“When the population begins to overpraise someone and to worship them, then of course you have created a god.”

President Goodluck Jonathan during Panel V
unique and important roles to play and that a concerted effort among them could make impactful progress towards strengthening constitutional term limits.

**The Niamey Declaration of Principles on Constitutional Term Limits**

On the margins of the panel discussions, participants developed and reviewed a joint Declaration of Principles on Constitutional Term Limits that was presented for discussion and adoption during the Summit’s closing ceremony. Participants ratified the Declaration following a plenary drafting session and Chantal Naré of Africtivistes - Burkina Faso presented the finalized Declaration at the closing ceremony and press conference.

The closing ceremony featured Brice Mackosso of Tournons La Page - Congo, Felicia Anthonia of the Media Foundation for West Africa - Ghana, and President Amos Sawyer of Liberia. In his final address, speaking for the participating former Heads of State, President Sawyer reflected on reasons why former leaders refuse to leave office at the end of their term, citing internal party struggles, toxic relationships with opposition parties, state fragility and weak institutions, and potential consequences of abuse of power while in office. He emphasized that these issues were likely to become worse as leaders try to extend their mandate. He reminded the audience that the power of institutions was more important than the power of individual leaders. President Jonathan added the usefulness of democratic countries holding their neighbors accountable and pointed to the 2016/2017 electoral crisis in The Gambia as a positive example of encouraging Heads of State to respect the choices of their citizens. President Samba-Panza underscored the importance of bringing the subject of term limits into the realm of public discussion; rather than treating the topic as taboo, citizens across the continent needed to be engaged in this dialogue and African leaders needed to listen.

“*We need to let sitting presidents know that they will be on the wrong side of history... We need to tell [them], look, stay on the right side of history. What you are doing, yes personally you think there are some gains, but you are on the wrong side of history.*”

*Former President of Nigeria Goodluck Jonathan*
The final session also included a video clip produced during the Summit that features the five former Heads of State and civil society participants. In response to the question why term limits are essential for Africa and what they would say to leaders seeking constitutional changes to remain in power and to young people across the continent, they emphasized the importance of ensuring regular democratic transitions of power to a country’s health and stability and encouraged young Africans to become involved in politics in order to become real agents for change. President Ousmane declared that, “Democracy, being a form of government of the people, by the people, and for the people, must regularly provide the people with the opportunity to express themselves and to make free and informed choices.” When asked what message he would give to presidents overstaying their time in power, Janvier Bigirimana of Tournons la Page Burundi insisted that “These African leaders must realize that they are simply fulfilling a mandate that has been delivered to them by the people.” Following the Summit, the clip has been used as an awareness-raising tool to promote the Term Limits Initiative on social media.

5 The video is featured on the front page of website at www.termlimits.ndi.org or can be accessed directly on YouTube at https://www.youtube.com/watch?v=OXekH8XkuUY&feature=emb_logo
Media coverage of the event can be found here:

Africa: The National Democratic Institute Convenes Summit in Niger Focused on Presidential Constitutional Term Limits in Africa
AllAfrica, 1 October 2019

Shuwagabannin Kasashen Afrika Na Bukatar Mutunta Demokaradiyya
VOA, 2 October 2019

Démocratie : Le président Issoufou a reçu ce 1er octobre, le directeur Afrique du NDI
Niamey et les 2 jours, 1 October 2019

Tomorrow
The Independent Probe, 1 October 2019

Le Président de la République reçoit le Directeur Régional pour l’Afrique du National Democratic Institute (NDI)
Agence Nigérienne de Presse, 1 October 2019

Constitutionalisme et Démocratie en Afrique : le NDI réunit une dizaine d’anciens chefs d’Etat africains à Niamey
ActuNiger, 1 October 2019

Le NDI organise à Niamey au Niger la conférence internationale sur le constitutionnalisme pour la consolidation de la démocratie en Afrique
Ici Niger, 2 October 2019

Conférence Internationale Sur Le Constitutionnalisme Pour La Consolidation De La Démocratie En Afrique : Plusieurs Hautes Personnalités Et Experts Attendus À Niamey
La Sahel, 2 October 2019

Afrique De L’ouest Un Sommet Sur La Consolidation De La Démocratie S’ouvre Au Niger
Les Pharaons, 2 October 2019

Niamey accueille une conférence internationale sur la démocratie en Afrique
Niamey et les 2 jours, 2 October 2019

Periodic election alone is not democracy - Goodluck Jonathan
The Punch, 2 October 2019
“Non à un troisième mandat sur le continent” en discussion à Niamey
BBC News Afrique, 3 October 2019

Sommet sur le constitutionnalisme pour la consolidation de la démocratie en Afrique : Des anciens Chefs d’Etat et plusieurs acteurs échangent sur la limitation des mandats en Afrique
Niger Diaspora, 3 October 2019

Niger President, Others Praise Jonathan As Good Example for African Democracy
AllAfrica, 3 October 2019

Ellen, Goodluck, Others Deliberate on Constitutional Term Limits in Africa
Daily Observer, 4 October 2019

Forum de Niamey: les chefs d’État disent non à un troisième mandat présidentiel
RFI, 5 October 2019

Deux mandats? Largement suffisants!
RFI, 5 October 2019

Troisième mandat présidentiel: les chefs d’Etat africains disent unanimement « non »
Benin Web TV, 5 October 2019

Niger : Voici la déclaration des ex-chefs d’État contre le 3è mandat envoyée à Condé et à Ouattara
Afrik Soir, 5 October 2019

Abrogation du 3ème mandat : l'appel de Cellou après le sommet de Niamey...
AfricaGuinée, 6 October 2019

Conférence internationale sur le constitutionnalisme pour la consolidation de la démocratie en Afrique : Les participants plaident pour le respect de limitation des mandats présidentiels
LeFaso.net, 6 October 2019

Déclaration de Niamey en faveur du constitutionnalisme
Wakat Séra, 7 October 2019

Niger, le brevet de démocratie de « Tournons la page » à Issoufou
Mondafrique, 8 October 2019
Africa: Why Keeping to Presidential Term Limits is Important for Peace
AllAfrica, 10 October 2019

Arnaud Akodjènou: “Il ne suffit pas d’avoir des institutions fortes, il faut aussi des femmes fortes et des hommes fortes”, ORTB, 11 October 2019

#KnowYourLimits Say Participants At The Niamey Summit On Constitutional Term Limits
NDI, 23 October 2019

ANNEXES

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ANNEX 2: Study on African Presidents and Life After Power
ANNEX 3: Summary of Pre-Summit Civil Society Organization (CSO) Workshop in Niamey
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A conference on Constitutionalism and Term Limits attended by former African heads of state, civil society leaders and media professionals gathered in Niamey, Niger, from October 2 to 4, 2019, at the invitation of NDI and its partners, the Kofi Annan Foundation, OSIWA and the Africa Forum, to discuss constitutionalism, democratic consolidation and the peaceful transfer of executive power across the continent. The participants extend their sincere thanks to the Government of Niger for hosting the conference.

We, the participants, acknowledge the progress made in constitutional frameworks across the continent over the past three decades that have enshrined presidential term limits to facilitate renewal of political leadership in a continent undergoing vast demographic, economic and political changes. This is in addition to efforts at strengthening the rule of law, justice, reconciliation and national reconciliation.

We note, however, that a number of African countries are experiencing democratic backsliding following constitutional changes to remove the presidential term limits introduced in most countries on the continent during their democratic transitions in the 1990s at the end of the Cold War, following the fall of the Berlin Wall. According to the Africa Center for Strategic Studies, of the 21 African countries that have upheld term limits, the executive officeholders have been in power for 4 years, on average. The average time in power for the 10 African leaders who have evaded term limits, in contrast, is 22 years. The abrogation of term limits undermines accountability, increases concentration of power in the hands of one or a few individuals and shrinks political space, ultimately leading to rising risks of political tensions, violence and civil strife.

We celebrate Africa’s youthful population which constitutes a significant demographic that is eager to participate and contribute to democratic governance and the development of their respective countries. However, we observe that the obvious reluctance of some leaders to adhere to constitutional terms, limits opportunities for this participation and for the renewal of political leadership and democratic turnover.

We affirm and commit ourselves to the following:

**Promoting and defending principles of constitutionalism, rule of law and respect of term limits**

Combined actions by Africans at both the grassroots and leadership levels serve to promote constitutionalism and the application of term limits. We therefore commit to join our voices to call
for the respect of term limits, constitutional rule and the rule of law more broadly which contribute to peace, stability and development across the continent.

Individually and collectively, we pledge to promote the principles of constitutionalism and rule of law set out in the Universal Declaration of Human Rights, the African Union Charter on Democracy, Elections, and Governance (the “Charter”), and the constitutions of various African countries, specifically as relates to presidential term limits and renewal of political leadership.

We support the aspirations of consolidating constitutional rule and entrenching a culture of democracy and peace embodied in the Charter, which seeks to establish continent-wide norms of peaceful political change. The Charter also promotes the holding of regular, credible and inclusive elections and the strengthening of political institutions.

Constitutional revisions or amendments perceived to benefit a single or a few individuals by removing or amending term limits, are counter to these aspirations. Though such changes may respect the letter of the law, they undermine trust and counter the spirit of the original constitution. Beyond a legal instrument, constitutions should be seen as a covenant among citizens. Significant constitutional changes should be adopted by referendum and not by legislative action alone.

**Facilitating peaceful transfers of power**

We recognize that African heads of state, political parties, civil society, media and citizens at large have a responsibility to facilitate peaceful transfers of executive power and should create environments that promote smooth transitions from one leader and administration to the next.

We believe that effective legal frameworks that provide mechanisms for holding transparent and credible elections and the peaceful resolution of election-related disputes, prevent political disagreements degenerating into violence. At the same time, we commend legislation in several African countries that facilitates orderly transfers of executive power and enables constructive collaboration between outgoing and incoming governments.

We encourage countries to adopt proper procedures for incumbent presidents to carry out an orderly handover to the next government, with effective accountability for the transfer of assets and authority. We urge incumbent presidents to establish early timelines to facilitate adherence to these procedures.

We call on organizations, notably the African Union and the regional economic communities, to intensify efforts at strengthening norms and principles of constitutionalism, rule of law and respect for term limits to avoid the break-down of institutions, national crises and conflict. We also strongly recommend early, preventive diplomacy by former heads of state, civil society,
religious and traditional leaders, labor unions, and especially the media, when sitting presidents initiate procedures to remove term limits.

**Fostering national and continent wide consensus around respect for term limits**

We urge all Africans to recommit to consolidating democratic progress achieved across the continent by signing on to this Declaration of Principles in support of constitutionalism, the rule of law and the respect of term limits.

We support the ratification and implementation of the African Union Charter on Democracy, Elections, and Governance and of all other relevant legal instruments aimed at strengthening constitutional rule on the continent.

We urge former heads of state, through their good offices and in collaboration with civil society and the media, to continue contributing to strengthening democracy on the continent, and where needed serving as mediators and peace-makers. These actions demonstrate to sitting presidents and the world at large that there is a rich life after State House.

We encourage the use of this Declaration as an advocacy tool to empower Africans to hold their leaders accountable and have them fully embrace constitutional term limits.

Niamey, October 4, 2019
Presidents of Africa, life after power!

Niamey Summit: Study on African Presidents and Life After Power

Cheikh Fall
Président / Coordonateur AFRIC'TIVISTES

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The African continent has had more than a hundred presidents across its 55 countries. Some lost their lives on duty; others seem to have entered a "permanent contract" with the Presidency. Politicians have been forced to leave office following citizen insurrections and violent coups. Besides those who cling onto power and those who are forced to leave power, there are those who have given way after free and democratic elections. Some of the retirees of the African “white houses” are privileged people of the political realm; others live in the shadows.

Politics rhymes with the conquest of power to become President but in Africa there is a monarchical devolution, where the confiscation of power for life has been repeatedly observed. Head of State: This coveted position is often the object of manipulations to make it accessible for life for those in power and inaccessible to others. For young nations, most of which are celebrating their fifth decade of independence, some Heads of State have already been in power for more than 40 years, like Muammar Gaddafi of Libya, 36 years for Paul Biya from Cameroon, 33 years for Félix Houphouët-Boigny from Côte d'Ivoire, 24 years for Lansana Conté from Guinea. These are records of longevity for some Heads of State, but for others, their time in power was only the blink of an eye.

What becomes of all these people who have worked with the most secret political files?

While political analysts and other experts examine the records of longevity of current African heads of state, we propose a study on their lives after power. What is the type of reconversion for former African Presidents? Can they reconvert into working life? How do they experience their retirement? Do they retain their institutional advantages? Do they have special status as former Presidents? Do they become persona non grata in their own country? Do they remain in the political struggle to regain power? These are the questions we will answer in order to take stock of the social and political situation of retired Presidents.

Our study is based on 20 countries with different political realities but which share the same democratic requirements.

List of countries in the study

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<th>The Gambia</th>
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<th>Côte d'Ivoire</th>
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With an average length of independence of 58 years, these countries have already accumulated a total of **121 Heads of State** which gives them a ratio of **11 Presidents per country** if we take an average of **5 years per mandate**. This observation testifies to the instability of the regulatory and constitutional duration of the Presidency in Africa. We looked exclusively at presidential retirements in Africa, particularly in the 20 countries of the study. This approach also allows us to focus on term lengths, longevity in power, the reconquest of power after having lost it and forced and violent resignations. A section is reserved for successful resignations or conversions by certain Heads of State.
In 2014, the five oldest presidents in the world were Africans: Robert Mugabé, Jose Eduardo Dos Santos and Teodoro Obiang Nguema, Mohamed Abdelaziz and Paul Biya. The five of them alone have accumulated 182 years of power. On the Ugandan side, the President in office since 1986 has passed a law that removed the age limit for candidates to the presidential election. In terms of amending the Constitution so as to never leave power, Ugandan President Yoweri Museveni (33 years in power) now disposes of a measure that gives him plenty of time to run for as many terms as he would like, for as long as he lives.

However, these attempts to stay in power ended up in the demise of certain presidents. Elected in 2000 following the first power transition after an election in Senegal, President Abdoulaye Wade stood against a strong citizen political mobilization in 2011. His decision to run for a third term, although accepted by the Constitutional Council, was hotly contested by the people of Senegal. In the end, he was beaten in the second round and admitted defeat.

In 2014, an unprecedented popular uprising forced President Blaise Compaoré to relinquish power after 27 years in power. Wanting to run for a fifth consecutive term, he proposed amending the constitution to remove presidential term limits. On October 30, 2014, constrained by the scale of the social movement, he resigned before going into exile. After a few weeks spent in Morocco, Compaoré settled in Côte d'Ivoire where President Allassane Dramane Ouattara first awarded him a diplomatic passport before granting him Ivorian nationality.
Independent since 1960, Cameroon only saw two presidents in 59 years. After Ahmadou Ahidjo’s 22 years in power (1960 - 1982), Paul Biya celebrated his 37 years in power in 2019. Following a constitutional revision voted in 2008, President Biya has granted himself the right to run for the umpteenth time as his own successor.

“Article 6: The President of the Republic is elected for a term of seven (7) years. He is re-eligible.”

Extract of the Constitution of Cameroon

In many cases, the length of presidential mandates determines the nature of power transitions. In Tunisia in 2010, President Zine el-Abidine Ben Ali suffered several days of popular protest in favor of the withdrawal of his candidacy as his own succession in the 2014 presidential election. Constrained by the wave of protests, he exiled himself in Saudi Arabia where he died on September 19, 2019 at 83 years old, after being sentenced to five life sentences and more than 200 years in prison.

More recently, in Algeria, President Abdel Aziz Bouteflika had to give in to demonstrations that demanded his departure after 20 years in power. For several years, he rarely appeared in public appearances for health reasons (he is wheelchair-bound) and his old age (85 years old in 2019). Elected for the first time in 1999, he was preparing to ask the Algerian people for a fifth term. He resigned on April 2, 2019.
Which countries had the heads of state with the longest stays in power?
Cameroon (two presidents), Gabon (three presidents) and Gambia (three presidents) win the longevity record for presidents in power. The Constitution of Gabon does not limit the number of presidential terms. In 2017, during the constitutional reform, despite the political opposition's desire to introduce presidential term limits, this provision was not retained. According to the new Constitution, which uses the same terms as the previous one, the president "is elected for seven years (and is re-eligible)". Between father and son, President Omar Bongo and his son Ali cumulated 51 years of power.
Although Morocco and Djibouti are not part of the list of countries studied for this document, they appear in the longer ivory ranking. The king of Morocco, Mohammed VI and Ismail Oumar Guelleh, president of the Republic of Djibouti, came to power the same year in 1999 and are still in power now. We can also cite the President of the Republic of Congo, Denis Sassou-Nguesso, who came to power in 1997 (after a first period in power from 1979 to 1992), Idriss Déby, President of Chad since 1990, and Omar el-Béchir, President of Sudan from 1989 to 2019.

At 77, President Teodoro Biang Nguema has been at the head of Equatorial Guinea since 1979.
Silent retirements: when we leave power, we are silent!

To wonder about “presidential retirements” is also to wonder about the modes of transitions and departure from power. The nature of the departure is often determined by the way in which the end of the reign was organized.

In Mali, Alpha Oumar Konaré, the first Democratic President of Mali, began his retirement with roles in institutional bodies as President of the African Union Commission from July 2003 until 2009 and as a member of the High Council of Francophonie. **Alpha Oumar Konaré** is also one of the founding members of the International Ethical, Political and Scientific Collegium. After these various institutional missions during the first ten years of his retirement, he entered retirement in the true sense of the term by opting not to influence political life. Although he still resides in Mali, he has clearly moved away from current affairs. In his book “Alpha Oumar Konaré, an African from Mali”, Bernard Cattanéo interviews the former President who agreed to review his 10 years of presidency. He did, however, frame his tenure against his Predecessor Moussa Traoré’s who is suspected by some of wanting to discredit Konaré’s democratic achievements with political commentary within the media.

In total, three former Malian Heads of State were in power for 40 years and exchanged political power between themselves. **Amadou Toumani Touré** experienced two presidential retirements. President for the first time from 1991 to 1992 after overthrowing **Moussa Traoré**, he stepped back for an 8-year retirement which allowed him to prepare for his return in 2002 before finally resigning in 2012. His second retirement did not end so well, as he was forced into exile in neighboring Senegal for five years.

In Senegal, from 2000 to 2014, ex-President **Abdou Diouf** completely erased himself from the country’s political life, taking on the position of Secretary General of the Francophonie instead. He spoke neither on the political crisis of 2011 nor on the eventful presidential election of 2012.

Do we need a statute for former Heads of State?

“Former African presidents need a statute to secure emerging democracies and anchor the principle of term limits. In other
words, if the nation is not concerned with making a life after presidency possible, the democratic transition of power is likely to be heavily compromised: the president-in-office could succumb to the temptation to change the rules of the game by using their power of sovereign review to stay at the top; and the defeated president could hatch some conspiracy against his successor to erase the humiliation of the loss of power and/or protect himself from vexatious legal proceedings. Democracy would only have a chance to take root in Africa at the cost of granting a generous status to those who served the nation”.

Stéphane BOLLE - HDR lecturer in public law
Active “political” retirements

In Ghana, the National Democratic Congress chose 60-year-old ex-President John Mahama Dramani as their candidate for the 2020 presidential election. He came to power in 2012 after a victory against Nana Akufo-Ado before losing power in 2016 to the same rival. He has since resumed political activity after a retirement.

In Mauritania, before even announcing that he will not change the constitution to run for a third term, President Mohamed Ould Abdel Aziz announced to his compatriots that he would return to power after the tenure of his successor, just as Russian president Vladimir Putin had done.

This seems to be the new direction for African Heads of state, hence the new question of limiting the duration of exercise of power alongside that of the number of terms.

Despite the fact that long-term regimes seem to have been the norm in many countries of the continent since independence, there are a number of former African Heads of state who leave office and nevertheless maintain an active political life afterwards.

In Senegal, the historic political opponent who became president in 2000 for 12 years, Abdoulaye Wade is still politically active at 93. This political dinosaur is, since he lost power in 2012 against President Macky Sall, active in politics, guarding the reins of the Senegalese Democratic Party (parti démocratique sénégalais - PDS), considered the main opposition party.

In Mali, soldier Amadou Toumani Touré became president of a year-long transition in March 1991 after overthrowing the regime of Moussa Traoré following a popular revolt. He then ceded power to Alpha Oumar Konaré who was democratically elected in 1992. After Konaré’s two terms, Touré returned to politics to run as a civilian and to be elected for two successive terms, from 2002 to 2012, when he was overthrown by a military coup. A candidate without party in 2002, Touré saw several political parties rally behind him.
Henri Konan Bédié, the heir to the Ivorian leader of independence Félix Houphouët-Boigny, was president from 1993 to 1999. After his exile in 1999, he continued to be the face of the Democratic Party of Côte d’Ivoire (parti démocratique de Côte d’Ivoire - PDCI) despite challenges. Bédié has led the PDCI and the Rally of Republicans (Rassemblement des Républicains - RDA) since 2005, turning it from a dissident party created by Alassane Ouattara to the coalition of the president. Bédié has announced his intention to run in the 2020 presidential elections if his party appoints him.

For Nigeria, Olusegun Obasanjo, a career soldier, became president for the first time from 1976 to 1979 as a transitional president. He was the first military leader to peacefully cede power to an elected civilian, Shehu Shagari. He returned in 1999 to be elected as a civilian and served two terms until 2007. Obasanjo is the first Nigerian to serve as a military head of state and civilian president before the current President Muhamed Buhari.

At the end of his second mandate, Obasanjo became chairman of the board of his party, the People’s Democratic Party (PDP). He resigned from the position in 2012 and retired from the activities of the PDP to return to the party in 2018.

After a single mandate at the head of Ghana (2012-2017), John Dramani Mahama lost the 2016 elections against his political opponent Nana Akufo-Addo. His party, the National Democratic Party, has nominated him as the candidate for the 2020 presidential election. He is expected to run against current Head of State Nana Akufo-Addo. It will be their third face-to-face.

Less than a year after having peacefully ceded power to Félix Tshisekedi during a historic moment for the Democratic Republic of Congo, a country plagued by political instability, former Head of State Joseph Kabila, senator for life, remains very present in the political life of the country. With a majority in Parliament, his coalition, Common Front for the Congo (Front commun pour le Congo - FCC), built around his own People’s Party for Reconstruction and Democracy (Parti du Peuple pour la Reconstruction et la Démocratie - PPDR), maintains control of both the Prime Minister’s Office and the Senate presidency, as is
defined by the Constitution. The FCC also has a majority in the National Assembly.

Madagascar is special in that its four successive former presidents have remained in the political arena of the country: Didier Ratsiraka (1975-1993 and 1997-2002), Marc Ravalomanana (2002 to 2009), Andy Rajoelina (2009-2014 and 2019 -) and Hery Rajaonarimampianina (2014-2018). Didier Ratsiraka after nine years of exile returned to the country and ran in the presidential election of 2018. He was eliminated in the first round, obtaining only 0.45% of the votes.

Hery Rajaonarimampianina resigned in September 2018 from his presidential post and declared his candidacy, as required by the Malagasy Constitution in order to be re-eligible. Unfortunately, he lost the elections.

Marc Ravalomanana resigned in 2009 under popular pressure. Despite a fine, a four-year prison sentence for abuse of power, forced labor for the deaths of protesters in 2009 and an exile in South Africa, Ravalomanana remains firm and tried to participate in the subsequent presidential elections. The last one took place at the end of December and he lost to his long-time rival Andry Rajoelina in the second round of the elections.

After disputed elections in 2002, former President Didier Ratsiraka went into exile the same year and participated in talks to stabilize the country in 2009. He tried to run for office in 2013 but did not succeed. He was also a candidate in the 2018 presidential elections. However, he failed to make it to the second round.

Another former president who is rarely in the spotlight, Norbert Lala Ratsirahonana, has been out of politics since he was interim president in 1996-1997. In 2018, he broke his silence to declare his support for Andry Rajoelina who ended up winning the elections.

In Benin, Nicéphore Dieudonné Soglo (1991-1996) was the first president elected in multiparty elections since 1972. After his defeat against the late President Mathieu Kerekou in 1996 and

We had not heard much about Thomas Boni Yayi (2006-2016) since the end of his two terms until recently. Former President Soglo and himself joined forces to protest in April against the electoral process which excluded the opposition parties due to the new requirements of the CENA.
Forced and violent retirements: Exile or prison?

In their quest for longevity in power, some presidents were made to leave office by force. Should a special status be reserved for certain former heads of state? What are the retirement options for those heads of state who have been forced or pressured to leave power?

"In the name of public interest, the nation could legitimately refuse to allow an ex-dignitary to be included in the state budget, while respecting the Constitution and other rules of law; who was forced out of power after dismissal for criminal offense or mismanagement; who has been the subject of a criminal conviction; who has not regularly and openly declared his property or whose declaration of assets reveals unjust enrichment; who has seriously breached his oath; or again - to avoid cumulation of remuneration and mix of genres - who has not withdrawn from active public life, continues to seek office, and occupies certain constitutional functions. Otherwise, the former presidents will appear as illegitimate enjoyers; and confidence in the virtues of democracy will fade.

"Stéphane Bolle, To the former Presidents, a grateful nation ..."

In Niger, President Mamadou Tandja (first term 1999 - 2004 then second term from 2004 to 2010) has been overthrown in a coup led by Commander Djibo (Head of State from February 2010 - April 2011). Initially placed under house arrest, he was transferred to prison in January 2011. He was released a month after the inauguration of the new President Mamadou Issoufou in March 2011.

Since October 2014, the former President of Burkina Faso, Blaise Compaoré has been in exile in Côte d'Ivoire where he acquired Ivorian nationality.

Amadou Toumani Touré, ex-President of the Republic of Mali lived in Senegal for five years (2012 - 2017) after the coup which ended his functions as head of state. He returned to Mali in
December 2017 where he lives far from political matters even though he was consulted for the probable national dialogue which has been in the works for some time.

In the Gambia, ex-president Yahya Jammeh left power through the back door (after 22 years in power) by exiling himself in Equatorial Guinea since 2017. He is today suspected of embezzlement and is perhaps not immune from prosecution for various charges including embezzlement and corruption.

In Chad, President Hissène Habré (eight years in power) found refuge in Senegal after a coup orchestrated by Idriss Déby in 1990. For 29 years, he has lived in Senegal where he was arrested and brought to justice before the African Special Court. In May 2016, he was convicted of crimes against humanity, rapes, executions, slavery and kidnappings. He is serving his sentence in the Senegalese capital, where his family also lives.

In Cameroon, the fall of President Amadou Ahidjo precipitated his exile to France, Spain and Senegal where he settled. He died 7 years later and was buried in Dakar.

In Guinea, the two living ex-presidents are in exile. After a series of coups and turbulent transition periods, the two ex-presidents have found refuge outside the country. Moussa Daddis Camara (two years in power) found himself in Burkina Faso (after a short stint in Morocco) for health reasons after a failed putsch against him. He renounced the presidency from Ouagadougou. He did not remain silent despite his retreat in December 2009. Five years after his resignation from power, he declared his intention to take part as a candidate in the presidential election of 2015. His candidacy was controversial and contested, and was ultimately rejected by the Constitutional Council. Nonetheless, he still makes statements on political issues related to his country and does not rule out a return to Guinea. Meanwhile, Sekouba Konaté (January to December 2010) found himself in Addis Ababa in Ethiopia following the country’s presidential transition in December 2010. He became a High Representative for the operationalization of the African Force, responsible for the strategic planning and management of peace support operations.
of the African Union. Today he lives in France in a sort of organized exile that has lasted nine years already.

In Côte d’Ivoire, following a political crisis and a post-electoral conflict, President Laurent Gbagbo was arrested in April 2011. He was then sent to the International Criminal Court (ICC) in November 2011. On January 15, 2019, Gbagbo was acquitted by the ICC, after more than seven years in preventive prison. He currently lives in Belgium. His return to Côte d’Ivoire is not yet on the agenda.

In Madagascar, Didier Ratsiraka (1997 - 2002) left the country on July 5, 2002 following a tense political situation and a post-electoral crisis opposing him to his rival and successor Marc Ravalomanana. He went to France where he lived for nine years before organizing his return to Madagascar in 2011.

These numerous waves of forced retirement in exile or behind bars were all the result of a political crisis (attempt to modify the constitution…) or a pre or post-electoral crisis.

Successful retirements (reconversions)

Why does life after the presidency seem to be a secondary option for some heads of state in Africa? Making the presidency a permanent job goes against democratic rules and obligations. Difficult power transitions never encourage peaceful and calm career reconversions. When facing charges as heavy as embezzlement, crime against humanity and high treason, it is difficult if not impossible to find a normal and ordinary life. The difficulty in having successful retirements and reconversions lies in the fact that former presidents’ relations with authorities are often not very clear. In this flood of complex and difficult situations, some statesmen, former presidents manage to embody the exception. What should be a logical continuation for any exercise of a state function has become an exception.

In Ghana, ex-President Jerry Rowlings seems to have become an ordinary citizen enjoying his right to political life. He does not hesitate to give his opinion in the
media. He was recently filmed shopping on foot without bodyguards.

In Nigeria, ex-President **Olusegun Obasanjo** embodies the model of perfect reconversion, becoming a great businessman in the private sector after having run his country for 8 years. Today, President Obasanjo is a farmer, hotelier and property developer. He travels the continent as an international consultant on behalf of ECOWAS in the context of electoral observation.

Some who have left power democratically through free and transparent electoral processes have managed to make a "successful reconversion", with economic activity and involvement with international and regional organizations as the main careers outcomes.

**Abdou Diouf**, after 20 years at the head of Senegal (1981 - 2000), held the position of Secretary General of the International Organization of the Francophonie (*Organisation Internationale de la Francophonie* - OIF) for three terms. The fact that he had left power in recognition of his electoral defeat helped establish his legitimacy to occupy this position.

We must also ask ourselves the question of whether the possibility of reconversion in international institutions does not encourage heads of state to let go of power (i.e. through a political deal). During the Burkinabé crisis of 2014 that led to the fall of **Blaise Compaoré**, French President François Hollande addressed Compaoré in a letter: **"You could then count on France to support you, if you wish to put your experience and your talents at the disposal of the international community"**. This is a clear invitation to democratically cede power in order to open up the possibility of another career in international institutions.

The Guinean Moussa Daddis Camara retired from power after negotiations with the King of Morocco, President Blaise Compaoré and foreign powers like France and the United States.

Former military coup leaders like Amadou Toumani Touré in Mali, Abdoulsalami Abubakar from Nigeria, Sékouba Konaté from Guinea have all democratically returned to power to embark on a career in subregional and regional institutions.
## LIFE AFTER THE PRESIDENCY

<table>
<thead>
<tr>
<th>COUNTRY</th>
<th>Years of independence</th>
<th>NUMBER OF PRESIDENTS</th>
<th>LONGEVITY IN POWER (YEARS)</th>
<th>SHORTEST TERM (MONTHS)</th>
<th>RETIRED PRESIDENTS</th>
<th>LEGAL PROVISIONS FOR THE STATUS OF FORMER HEADS OF STATE</th>
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<td>Senegal</td>
<td>Decree number 2013-125 attributes to all former Heads of State a monthly salary of 5,000,000 CFA francs, As a support device, mentions the same press release, the State of Senegal grants extended health insurance to the spouse, two vehicles, a landline telephone, housing and furniture. According to the Presidency, &quot;in the event of renouncement of the affected accommodation, any former President of the Republic receives compensation of a monthly net amount of 4.5 million CFA francs&quot;. In addition to this, &quot;the State of Senegal covers, up to 40 million CFA francs per year, the cost of plane tickets for each former President of the Republic and his/her spouse(s)&quot;. A former head of state of Senegal is also entitled to an aide-de-camp, gendarmes for the security of his accommodation, two bodyguards, a protocol officer, two assistants, a secretary, a cook, a laundress and a gardener. All these personnel are directly under contract and paid by the State of Senegal.</td>
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<td>Mali</td>
<td>Article 52: The law fixes the advantages granted to the President of the Republic and organizes the procedures for granting a pension to former Presidents of the Republic enjoying their civil rights. In Mali, ex-President Moussa Traoré (1968-1991) was overthrown and sentenced to death for blood crimes committed between January and March 1991 following the massacres of March 26, 1991. After 21 years in power, he lived the first part of his retirement in prison where he was incarcerated with all the members of his family. This imprisonment made him the first African head of state to be held accountable for justice before his country around a major trial. After power, Moussa Traoré lost his civil rights. He was pardoned in May 2002 by Alpha Omar Konaré. Former President Moussa Traoré has lived since his release in a large villa in the Dijkoroni-Para district of Bamako offered by the Malian government.</td>
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<td>Guinea</td>
<td>Article 36 of the CONSTITUTION OF 23 DECEMBER 1990 (Revised by Decree D / 2002/48 / PRG / SGG of May 15, 2002, promulgating the Constitutional Law adopted by referendum of November 11, 2001) The former Presidents of the Republic take protocol rank immediately after the President of the Republic, in order of seniority of their mandate, before the President of the National Assembly. They have a seat at the Economic and Social Council. They benefit from material advantages and protection under the conditions that an organic law determines.</td>
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<td>Mauritania</td>
<td>A 2009 decree stipulates that former heads of state receive an annual endowment of 8,400,000 ouguiyas (around 21,000 euros), an annual allowance of 1,440,000 ouguiyas, a first installation bonus renewable every five years by 2,740,000 ouguiyas and a compensatory allowance of 81,000 ouguiyas.</td>
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<tr>
<td>Burkina Faso</td>
<td>In addition, there are benefits: accommodation, vehicle, a driver, two servants and two security guards.</td>
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<tr>
<td>The Gambia</td>
<td>Since 2009, the law provides for a pension of 4 million CFA francs (6,100 euros) per quarter as well as other advantages, such as the assignment of a vehicle with a driver and a security service.</td>
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<td>Togo</td>
<td>LAW N° 2019 - 003 of 15/05/19 ON THE MODIFICATION OF THE PROVISIONS OF SEVERAL ARTICLES OF THE CONSTITUTION OF THE REPUBLIC OF CHAD</td>
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<tr>
<td>Côte d’Ivoire</td>
<td>The statute of the former President of the Republic in his title IV frames the legal provisions offering to all persons having occupied the post of President of the Republic, financial and material advantages.</td>
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<tr>
<td>Gabon</td>
<td>Former presidents are ex officio members of the Constitutional Court</td>
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<tr>
<td>Cameroon</td>
<td>In Cameroon, former presidents are ex officio members for life of the Constitutional Council. However, the Constitutional Council has never been set up, although it was provided for in the Constitution since 1996...</td>
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<tr>
<td>Nigeria</td>
<td>Nigeria is one of the few countries on the continent to count 15 Heads of State (including 7 official Presidents of the Republic) in 56 years independence. The legal provisions in the Nigerian constitution automatically grant the status of member of the State Council to all former Heads of State. A former Nigerian Head of State enjoys advantages linked to the position held: he has personal services, security, vehicles, a diplomatic passport for life, provisions for medical services, offices, accommodation. All former heads of state and their spouses occupy third place after the president in office and the vice-president in office in all public services in order of precedence.</td>
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<td>Tunisia</td>
<td>A former president benefits from a monthly annuity of 30,000 dinars (about 12,100 euros), equivalent to the salary of a President of the Republic in office, but also benefits in kind: furnished accommodation, with the costs of maintenance, telephone, consumption of water, gas and electricity covered; security guards, transportation and drivers; extended medical care for spouse and children up to the age of 25. A bill under consideration provides that an ex-president only receives one third of the salary of a serving president, a single car, a single driver, 500 liters of petrol and a housing bonus.</td>
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| Chad      | Article 74 of the CONSTITUTION OF THE REPUBLIC OF CHAD PROMULGATED ON MAY 04, 2018. The law determines the civil list and the other benefits allocated to the President of the Republic in office. It also determines the procedures for granting a pension and other benefits to former Presidents enjoying their civil and political immunity.
<table>
<thead>
<tr>
<th>Country</th>
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| DRC       | Article 10 of LAW N° 18/021 OF JULY 26, 2018 ON THE STATUS OF FORMER PRESIDENTS OF THE ELECTED REPUBLIC  
|           | The advantages granted to any former President of the Republic elected include:  
|           | A special pension; an annual allowance for services rendered; health care, survivor's pension and orphan's pension; additional benefits.  
|           | Article 18  
|           | Any former President of the Republic elected enjoys the following additional advantages:  
|           | Decent housing provided by the State or a housing allowance; a diplomatic passport for himself, his spouse and his minor children; a business class travel document for himself, his spouse and his minor children; five vehicles for the function and for domestic use, after five years twice renewable; a security service with substantial logistical resources comprising at least two bodyguards, three elements of his suite and a section responsible for guarding his residence; domestic staff, the number of which cannot exceed six people; a monthly fuel allowance; a monthly allowance for the consumption of water, electricity and telephone. The modalities of execution of the provisions of the preceding paragraph are fixed by decree of the Prime Minister deliberated in the Council of Ministers. |
| Madagascar| In February 2016, a decree was adopted to rule on the benefits and statutes of former heads of state. However, this decree does not take into account the statutes of the former heads of transitional institutions. Article 19 of the former presidents’ statute, however, stipulates that in order to be able to enjoy their rights and advantages, the latter must cease their political activities. Indeed, people like Didier Ratsiraka, Zafy Albert and Marc Ravalomanana can therefore enjoy for life the rights and benefits provided for by the specific regime. The question arises about the case of Norbert Lala Ratsirahonana who was the acting head of state at the time. Will he enjoy the same rights and benefits as former presidents?  
|           | Former heads of state are appointed senators for life. |
| Guinea Bissau | The law grants a pension equal to the compensation of the President of the Constitutional Court and an annual representation allowance corresponding to 50% of the amount of special funds allocated to the President of the National Assembly. It also grants them two bodyguards, two vehicles, a secretarial service, servants and two drivers, as well as health insurance. |
| Benin     | Article 58  
|           | The law sets the advantages granted to the President of the Republic and organizes the modalities of granting a pension to the former Presidents of the Republic and the Heads of State. The former Presidents of the Republic and former Heads of State are members of the Council of the Republic. |
| Niger     | Article 224. of the 2015 Constitution  
|           | Former Presidents of the Republic have the right, at the end of their mandate, to the protection of the State both in their person and in their property.  
|           | They are paid monthly, as a pension, a lifetime allowance, the amount of which is set by regulation.  
|           | The other benefits and the modalities of protection of former heads of state are determined by law. |
On October 1, 2019, prior to the Summit, NDI hosted a workshop for the three CSOs taking part in the Constitutional Term Limits program. Moderated by citizen mobilization expert Urbain Yameogo, participants discussed approaches and ideas for citizen mobilization and advocacy campaigns and shared best practices based on their differing expertise and organizational objectives. They also provided feedback on the draft version of the advocacy and citizen mobilization guide that the groups jointly had developed ahead of the Summit.

The workshop provided an interactive training session on leveraging social media as a tool for citizen mobilization. The participants shared their experiences using social media as a political tool for activists. When a question was raised about how to use social media safely in politically dangerous climates or to handle sensitive information, a member of the Africtivistes shared her experience being arrested on a mission in Togo and recounted how she had used her social media network to draw attention to her situation in the moments before being arrested. She explained that her message had mobilized the regional Africtivistes network who were able to draw international attention to her arrest and pressure the Togolese government to release her. All participants agreed on the importance of these open and frank conversations and the possibility to network across borders given the sensitive and frequently dangerous work that they conduct in their home countries.

1 The three CSOs participating in the Summit were Africtivistes, Tournons la Page, and Katiba Institute.
Mobilizing and Advocating for Presidential Term Limits in Africa: Strategies and Approaches

By Urbain K. YAMEOGO
&
Roger D. MINOUNGOU

"It's our role! We are in our role! ... We are fighting to put a definitive end to the instrumentalization of the Constitution in Africa and manipulation of the Constitution, with the sole purpose of preserving power and sharing resources with a presidential camp and also the political family. If we succeed this fight in Senegal, it will snowball on the African continent.

Alioune Tine, Former President of the African Meeting for the Defense of Human Rights (Rencontre africaine des droits de l'Homme- RADDHO), Coordinator of the M23 Movement.

November 2019
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Disclaimer

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External contributions and discussions were conducted on a participatory basis and any liability arising from the content of this guide is that of its authors. Neither the people who have written this guide nor the editors can guarantee that the information it contains is complete and free of errors, and therefore cannot be held responsible for any damage associated with its use. No part of this work can be considered as a standard or guarantee of any kind, and should not be used without the necessary means to assess risks and issues related to the limitation of electoral mandates, particularly these presidential elections and the protection of human rights defenders, social activists and pro-democracy activists.

Acknowledgments

The publication of this guide would never have been possible without the will and support of the National Democratic Institute for International Affairs (NDI). That is why we are pleased to translate, on behalf of all pro-democracy and pro-limitation activists of electoral and presidential mandates, our sincere thanks to NDI for its support in producing this guide. Our thanks also go to Mrs. Aminata Faye Kassé, Country Director of NDI Burkina Faso, for her advice during the preparation of this guide.

We also thank all the participants at the Constitutional Term Limits Summit in Niamey who contributed through discussions and exchanges on current dynamics of mobilization, engagement and advocacy for the limitation of presidential terms of office in their respective countries. Your contributions have made it possible, beyond their constructive, friendly and rich character, to make this guide adapted and adaptable to the unique contexts of the history, sociology, engagement and political evolution of our different states.
Introduction

During the last decade, we have witnessed a proliferation and intensification of pro-democracy and pro-limitation movements of electoral mandates, especially presidential mandates in Africa. After the Arab Spring that triggered a reconsideration of secular mandates in the Maghreb countries, the wind of protest has spread more and more to Africa south of the Sahara, leading to the birth of social movements more and more present, critical and active in the field. If in the past political struggles were the prerogative of political actors and political parties, we note that since the early 2000s, citizens have taken a fairly important and central part in the political debates, in the mobilization for either the respect for the limitation of presidential mandates already provided for in the constitutions of certain countries, i.e. for the establishment of a limited duration of the presidential mandates in the constitutions for the others. These actions have had varying degrees of success depending on the socio-political contexts of the countries concerned. Indeed, while in some countries the struggles have led to success\(^1\), others have failed.\(^2\)

In some countries, government institutions, in this case constitutional councils/courts, have helped the sitting presidents to stay. But in others, they have proved to be true last guarantors of the constitution by stopping officeholders from proceeding with their perilous plans. Wherever the debate on the limitation of presidential terms has been successful, we note that several people, several associations including associations and organizations of human rights defense, trade unions, political parties (especially of the opposition), pro-democracy social movements mobilized to say "no" to reign for life, the non-limitation of presidential terms, the untimely modifications of the constitution. Of course, these acts of mobilization were very often repressed by the power in place, with its corollaries of exiles, wounded, imprisoned, murdered, etc. The path is not yet over but the trend clearly shows that we are inexorably heading towards the advent of African countries where constitutions now provide for a limitation of presidential terms and where political actors respect the terms/durations of their mandates. It is clear that African citizens have become fully aware or have begun to realize the need to guarantee electoral mandates, especially those limited to presidential elections, and will no longer accept that their future remains in the hands of a single individual or a small group who very often only govern in their own interests. Therefore, it is important to make available to individuals, associations, organizations and pro-democracy civil society movements as well as all those who are already mobilized or who now wish to engage in actions in favor of respecting presidential mandates (when a limited duration of the mandate already exists in the constitutions) and/or the limitation of the presidential mandates, a tool able to help them in their dynamics of daily work. It is crucial to give advice and tips to these men and women, or to recommend approaches they can take through advocacy and citizen mobilization, while thinking of ways to manage the safety of those who engage in such initiatives. This guide does not offer "standard" solutions that apply equally to all scenarios. However, it strives to propose a methodology and set of strategies to improve the planning and conduct of actions aimed at limiting presidential terms.

The lessons of the most successful instances of social mobilization and advocacy on limiting presidential terms come from the individuals, the pro-democracy movements and organizations themselves, their daily experiences, and the tactics and strategies they have adopted over the years to achieve this goal.

\(^1\) We consider an initiative a success when they have made it possible for presidents who wished to overstay their mandate to respect term limits, or when they have led presidents to renounce their attempts to change their country’s constitution to remain in power.

\(^2\) We consider that an initiative fails when the arguments and votes in favor of not enforcing presidential term limits take the upper hand, or when even in the face of strong opposition movements, proponents of constitutional changes to end term limits prevailed.
That said, defenders of the limitation of electoral mandates, especially presidential, can significantly improve their work, their commitment by respecting rules and procedures that have proven themselves.

This document represents a modest contribution to the common goal pursued by many different organizations to defend the extremely valuable but delicate work of human rights defenders and pro-democracy movements on issues of respect and limitation of electoral mandates. The latter are the main stakeholders as the main protagonists of this adventure.

Vision of the guide

You can imagine an Africa in which the devolution of power is without bloody conflicts, without cries, without tears, without injuries, without uncertainties of a threatening tomorrow. You can dream of days when presidents at the end of their mandate at the head of the state, organize the handover without trying to stay in power, or leave the power to focus on other business. You can see the day when political opponents honestly and effectively carry out their work as political opponents, to raise awareness and educate people to stand in solidarity with the Head of State on questions of national interest, to build the nation-state where living together predominates over selfish interests, and without thinking of crushing the state.

This new Africa is possible. But many sacrifices and personal commitments must be made to create the Africa we want. Every citizen should imagine, from his position and from where he is, what his contribution, strategic and effective, can be to raising our continent to this level. We can do it individually, but it will be just as fast, if not faster, to organize ourselves, pool our efforts and know-how, and position ourselves as real actors of change in the field for the struggle to institutionalize the respect of term limits and electoral mandates, especially presidential ones.

Currently, socio-political changes are a concept well known and studied by many citizens of the world, including in our different African countries.

Mobilization and advocacy for presidential term limits can be successfully developed, adapted and executed in any context regardless of the repressive environment and regardless of the financial or social status of those seeking to bring about significant change.

Purpose of the Guide

This guide is a companion document to all initiatives and productions dealing with advocacy and mobilization issues in a variety of areas. This guide has the particularity of offering avenues of reflection, strategic approaches and practical advice to any person, group, association and/or social movement who wishes to engage effectively in actions in favor of the limitation of presidential mandates. It calls for a thorough analysis and understanding of the specific contexts of each country to propose and build relevant and innovative approaches, often at risk, with a view to achieving and enforcing the limitation of presidential terms. This guide focuses on experiences from rapidly changing Sub-Saharan African countries, which have often been the subject of multiple socio-political struggles, but whose experiences have often remained unstudied. This guide therefore proposes, beyond their seemingly simplistic approaches, real lessons, techniques, approaches and tips for building pro-democracy struggles and pro-limitation of winning presidential terms, to guard against certain reprisals that are inherent to such initiatives and, above all, to establish genuine citizen movements capable of mobilizing, resisting and producing the necessary changes on the constitutional limitation of electoral mandates, including presidential mandates.
Who is this guide for?

This guide is intended for any person, any association, any organization or any group of individuals wishing to engage in citizen mobilization and advocacy actions in favor of term limits, the promotion of democracy and the rule of law in Africa. It is not a document for intellectuals only. On the contrary, this guide can be used, in the light of the practical information, tips, advice and precautions it contains, by ordinary citizens, organizations and associations of pro-democracy civil society, citizen movements, youth associations, women, and other groups of activists or social movements.

Guide Development Methodology

This guide was developed in a participatory manner with full collaboration and input from civil society leaders. The development of this guide has been done in several phases. It involved several organizations working in the field of citizen mobilization, advocacy and the promotion of the rule of law and democracy. Part of a literature review to gather and analyze the various existing guides and strategies in the fields concerned by advocacy and/or citizen mobilization, consultants proposed a draft practical guide that served as a form of support to collect the contributions of leaders of civil society organizations (CSOs) from the African continent during the summit on constitutionalism and democracy in Africa held in Niamey (Niger) from October 2-4, 2019. During this workshop, participants made significant contributions, based on their experiences, backgrounds and knowledge of the subject, thus making the guide a practical document that is adapted and adaptable to different national contexts. At the end of this workshop, the exercise continued through a concrete application in the field of the approaches, techniques, tips and methods proposed in the guide to learn, to deepen, confirm and reframe some of the proposals. These field experiences led to this guide, which aims to be a tool and a practical document for the use of individuals, associations and organizations serving CSOs, organizations and social movements that wish to engage in actions in favor of the limitation of presidential terms through a process of citizen mobilization and advocacy.

Contents of the guide

During our work we have noted that there are guides that focus on teaching human rights, the protection of human rights defenders, and on nonviolent struggles. There are also advocacy/mobilization guides, advocacy strategies and awareness campaigns that are either general or aimed at specific subjects (sexual and reproductive health, children’s rights, advocacy for peace, guides to non-violence, etc.).

However, we did not find a guide that deals with citizen mobilization and advocacy for the limitation of presidential terms.

That's why we decided not to do a literary review of all the existing catalogs, strategies and guides, but to take a step that will allow us to offer our readers and all the people who will use the present guide to have information and relevant approaches that can help them in their actions of citizen mobilization and advocacy, focused mainly on the limitation of presidential terms in African countries.

This guide has two main parts: the first part (Part A) entitled “Constitutionalism, rule of law and democracy” and the second part (Part B) entitled “Action strategy in favor of constitutionalism”. The first part is divided into two main points: theoretical and conceptual approach: definitions and characteristics; and constitutionalism and pro-democracy citizen movements in Africa. To set the scene, the first section discusses key concepts such as the constitution, constitutionalism, its characteristics and implications, as well as the links to notions of the rule of law and democracy.
Then section 2 of Part A of the guide offers an overview of the dynamics and impulses of constitutional amendments in different African countries aimed at challenging the limitation of presidential terms by highlighting the role played by different actors, in particular civil society organizations and citizen movements for the respect of the constitution, the return to the limitation of terms and the safeguard of democracy in these countries.

The second part (Part B) titled “Action Strategies for Constitutionalism” is devoted to the reflections, actions, and approaches that can be used by individuals, groups of individuals, associations, social movements and coalitions to develop and conduct advocacy and citizen mobilization actions in the struggle for respect or to obtain the limitation of electoral mandates, including presidential ones. This part is also subdivided into two main points, namely Advocacy (I) and Citizen Mobilization (II). The advocacy section first identifies the different definitions of advocacy as well as the definition of advocacy as used in our guide. It also makes it possible to discuss the main features of advocacy for limiting mandates before proposing the steps, tips and precautions necessary to successfully carry out advocacy actions pursuing such objectives.

As for the section on citizen mobilization, which comes as a logical and indispensable complement to advocacy, it discusses the question of who can and how to conduct citizen mobilization, not only as individuals but also and especially through groupings, associations and social movements. We also discover the principles for organizing social movements marked by non-violent culture. This section finally proposes possible actions and ideas to undertake struggles for the limitation of presidential mandates, while keeping in mind the need to know and master its context, to combine multiple actions, to take into account the involvement of young people, women and digital actions and finally precautions to preserve the repression that occurs very often during such struggles.
A. PART I: Constitutionalism, rule of law and democracy

1. Theoretical and conceptual approach: definitions and characteristics

1. What is the Constitution?

The Constitution is the basic law or supreme law of a democratic country. In the formal sense, the Constitution is the supreme legal act of the State which records the applicable fundamental rules. In the material sense, it is a set of written or customary rules that determine the form of the state, the organization of its institutions, and the devolution and conditions of access and exercise of power, and that guarantee rights and freedoms.

When it comes to written rules, its adoption is often done through recourse to the people via the referendum (popular). Its revision, by referendum or by parliament, obeys very strict rules and conditions to ensure the fundamental law a certain stability.

2. Constitutionalism: What is it referring to?

In common parlance, constitutionalism is defined as belief in, or adherence to, the principle of constitutional governance. It is the confidence in the ability of the Constitution to keep a government in the right path, guide the actions of officials, and regulate the operation of institutions. It appears as the doctrine that governs the legitimacy of government action. It checks whether the action of a government is legitimate and whether the political authorities fulfill their public obligations in accordance with the pre-established laws and in accordance with the fundamental law.

Constitutionalism refers to peoples' historic struggles for the constitutional recognition of their rights and respect for those rights.

Constitutionalism implies something deeper than simply having a constitution or the mere idea of legality. Indeed, the fact that a state has a constitution is not enough to talk about (guaranteeing) constitutionalism. This is why constitutionalism implies that the country's constitution fulfills specific criteria or characteristics. And it is through these characteristic elements of constitutionalism that the inextricable link between constitutionalism, the rule of law and democracy emerges. In the African Union's African Charter on Democracy, Elections and Governance (Centre Africain pour la Démocratie et la Gouvernance - CADEG), adopted under the auspices of the African Union, African states are committed to promoting and strengthening adherence to the rule of law based on respect and supremacy of the Constitution and constitutional order in their political organization.

3. Characteristics and Implications of Constitutionalism, the Rule of Law and Democracy

Various authors and conventional instruments tend to define the implications of constitutionalism by referring to specific principles and features that can serve as a basis for the construction of an argument in advocacy for constitutionalism. The Additional Protocol of the Economic Community of West African States (ECOWAS) goes so far as to define common constitutional principles with a view to converging the fundamental rules of member countries. Article 6 of the founding treaty of the East African Community (Communauté des Etats d’Afrique de l’Est – CEA) states that the fundamental principles that must guide member countries towards their objectives are, among others, good governance, including respect of the principles of democracy, rule of law, responsibility, transparency, social justice, equality of opportunities, gender equality, as well as the recognition, promotion and protection of human rights in accordance to the provisions of the African Charter on Human and Peoples' Rights. The following is a non-exhaustive list of characteristic elements that are taken into consideration when speaking of constitutionalism.
a) Popular Sovereignty

The principle of popular sovereignty means that the people are the ultimate source of all legitimacy and authority. This sovereignty is expressed through popular referendums or through organizing regular, democratic, free, fair, transparent, and equitable electoral consultations. The consultations (referendum and elections) allow the sovereign people to choose their leaders or representatives and to decide on important issues affecting their lives.

With the CADEG, African states committed to promoting democracy and including citizen participation through universal suffrage as an inalienable right of the people. It follows that unconstitutional changes in government constitute violations of the principle of popular sovereignty for which the CADEG plans to sanction regimes. AU member states have also committed to promoting representative governments and holding transparent, free and fair elections to institutionalize legitimate governments and authority. This also legitimizes democratic changes in government by making it one of the objectives of the charter and taking appropriate measures to ensure respect for the constitutional order, in particular for constitutional transfers of power. States are also encouraged to ensure that the process of amending or revising their constitution is based on a national consensus including, where appropriate, the use of referendums.

b) Separation of Powers or Functions

This principle states that there should be no monopoly or concentration of power in the hands of a single institution. Furthermore, the same individual should not assume or combine executive, legislative and judicial functions. The division of powers between the government, the parliament and the judiciary system ensures the control and balance of powers, thereby avoiding, in theory, dictatorship and arbitrariness. The separation of powers is one of the principles of reference listed in art. 3 of the CADEG. The separation of executive, legislative and judicial powers is the first constitutional principle common to all ECOWAS member states. This principle is often put under severe strain by the presence of executive power in the High Council of the judiciary, where executive power can nominate, evaluate and influence judges. This is especially true given that the judiciary’s budget depends on the allocations determined by the executive branch and on the legislative branch’s decisions to approve or not approve budgets.

c) Responsible and Accountable Government

This means that there is a service relationship between the government and the people; the Government is in the service of the people and must act diligently in the best interest of the people. Accountability is a key principle of good governance. In the CADEG, African States have committed to implementing programs and undertaking activities to promote democratic principles.
and practices as well as to consolidate a culture of democracy and peace; and to this end, to promoting good governance, particularly transparency and accountability.\(^8\) The issue of transparency and accountability is pressing when it comes to countries’ management of natural resources and is often at the heart of socio-political conflicts and crises. The pursuit of resource exploitation and enjoyment has encouraged heads of states to cling to power and disregard all limitation to their electoral mandate. While international law recognizes the sovereignty of States over their natural resources, states must ensure that natural resources are exploited and utilized for the benefit of the people.\(^9\) In the ECOWAS Protocol, States committed themselves to fight against corruption, manage national resources with transparency and with an eye to ensure their equitable distribution, and to create appropriate mechanisms to this effect (Article 38). As for the CEA, accountability and transparency figure among the fundamental principles of the community (Article 6).

d) The Rule of Law

The rule of law means the primacy of law and implies that no one is above the law. Everyone, including the state or the administration, is subject to the law. It also includes the principle of the legality of criminal offences and penalties, the recognition of the role of courts in the protection of individual rights, beyond the recognition of human rights in the constitution; as well as the principle of equality before the law and equal protection by law, as a fundamental prerequisite for a just and democratic society. There can be no rule of law without good justice, good public administration, good legislation that meets the requirements of human rights, and good and sound management of the state. A system that ensures proper functioning of the state, the public administration and justice contributes to the consolidation of the rule of law.\(^10\)

At the African Union level, promoting and respecting the rule of law, based on respect for the supremacy of the constitution and the constitutional order is at the heart of the objectives of the CADEG. African States have made a commitment to promote democracy, the rule of law and human rights and to ensure that their citizens effectively benefit from their fundamental human rights and freedoms while taking into account their universality, their interdependence and their indivisibility.

e) The Independence of the Judiciary

The independence of the judiciary is a fundamental characteristic of liberal democracy and the cornerstone of a free society and of the rule of law. It is an essential element to ensure the rule of law and maintain the supremacy of the constitution (constitutionality of laws). The judiciary is one of the three branches of the modern state, together with legislative and executive powers. The independence of the judiciary implies that judges are independent in the impartial conduct of their cases and in their decisions. The separation of powers and the protection of human rights cannot be achieved without an independent justice. This is why this principle is part of the constitutional principles common to all ECOWAS member states as affirmed in the 2001 Additional Protocol.

The CADEG encourages states to ensure not only the establishment of public institutions that guarantee and support the promotion of democracy and the constitutional order, but also to ensure that the constitution guarantees the independence or autonomy of these institutions as well as their

\(^8\) See CADEG, Article 12.
\(^10\) Member states and the executive secretariat of ECOWAS are committed to ensure that national and regional plans are in place for defining the conditions for effective rule of law, people’s rights, good justice and good governance.
accountability. With a view to strengthening political, economic and social governance, states committed to undertake regular reforms of their legal and judicial systems; the establishment of an independent judicial system is, in the eyes of CADEG, a means to institutionalize good governance.\textsuperscript{11}

The individual independence of the judiciary is under severe strain due to prosecutors who are overly dependent on the chancellery on the one hand, and the possibility of nominating judges outside of the judiciary circuit on the other hand.

\textbf{f) Respect for individual (human) rights}

The simple recognition of human rights in the constitution is not enough; it is important that it is enforced even in a state of emergency in accordance with the United Nations Charter, and other relevant legal instruments, including the African Charter on Human and Peoples' Rights. National courts should guarantee human rights. The objectives of the CADEG are to promote the adherence of states to the universal values and principles of democracy and respect for human rights.\textsuperscript{12} Respect for human rights and democratic principles is the first principle that should guide states in the implementation of the CADEG. Respect for human rights is also part of the core values of the African Charter of Values and Principles of Decentralization, Local Governance and Local Development.

CEA member States see adherence to universally accepted principles of good governance, democracy, rule of law, respect for human rights and social justice as one of the conditions for accession, contact or cooperation between a third-party country and the community. The objectives of CEA’s shared foreign and security policy include the development and consolidation of democracy, rule of law and respect for human rights and fundamental freedoms.

\textbf{g) Respect for self-determination}

Self-determination refers to the right of a people living in a territory (colonies or dependent states) to determine its political and legal status, either by creating its own state or by choosing to become part of another State. As decreed by the United Nations Charter (1945), the right of peoples to self-determination has been the legal and political basis of the process of decolonization in Africa.\textsuperscript{13}

In this regard, the African Charter of Human Rights is very explicit. First, in Article 19, it states that: “\textit{All peoples shall be equal; they shall enjoy the same respect and shall have the same rights. Nothing shall justify the domination of a people by another},” and a second time, it stipulates in Article 20 that: “\textit{1. All peoples shall have the right to existence. They shall have the unquestionable and inalienable right to self-determination. They shall freely determine their political status and shall pursue their economic and social development according to the policy they have freely chosen. 2. Colonized or oppressed peoples shall have the right to free themselves from the bonds of domination by resorting to any means recognized by the international community. 3. All peoples shall have the right to the assistance of the States parties to the present Charter in their liberation struggle against foreign domination, be it political, economic or cultural.}”

\begin{itemize}
\item \textsuperscript{11} Cf. art. 32 of the CADEG
\item \textsuperscript{12} Cf. art. 2 et art. 4 of the CADEG.
\item \textsuperscript{13} Article 1 of the United Nations Charter states that one of the purposes of the United Nations is to “develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace”. This principle led to the birth of more than 60 new states in the second half of the 20th century.
\end{itemize}
h) Civilian Control of the Army

Civilian control of the armed forces involves the submission of the military to civilian authority and the depoliticization of the military. Although technical matters may be left in the hands of military personnel, it is the democratically elected people who govern or control the army and the army must remain republican (Article 19 (1)).

The CADEG stipulates in its Art. 14 that "State Parties shall strengthen and institutionalize constitutional civilian control over the armed and security forces to ensure the consolidation of democracy and constitutional order (...)".

The additional protocol of ECOWAS also affirms that the army is apolitical, republican and in the service of the Nation. The mission of the armed forces is to defend the independence, the integrity of the territory of the State and its democratic institutions; they can be used for national development tasks.

The army must be submitted to the regularly established political authority (Article 20). For this purpose, all active military personnel cannot, under the Protocol, claim an elective political mandate. The Protocol also stipulates that civil authorities must respect the apolitical attitude of the army. Therefore all political and trade union activities and propaganda are forbidden in the barracks and in the armed forces.

Beyond numerical representation of different groups or ethnicities within armed forces, attention should be given to their representation in the leadership of the armed forces. Civilian and democratic control of the armed forces should involve military budgets and expenses, the subordination of military power to the common interest and the principles of democracy, and the nomination of military leaders alike.

i) Law Enforcement and Judicial Review

The police, which is responsible for the maintenance of order and peace, is required to honor and respect human rights and dignity as well as individual and civil liberties, including those of offenders and suspected criminals. The ECOWAS Protocol devotes a section to the role of the army and the security forces in democracy and defines the mission of the public security forces: to ensure the respect of the law and to ensure the maintenance of order and the protection of people and property. The Additional Protocol (2001) states that the use of weapons for the dispersal of non-violent meetings or demonstrations is prohibited. In case of violent demonstration, only the use of the minimum and proportional force is authorized. In any case, the use of torture and cruel, inhuman and degrading words and treatment by the security forces is prohibited in times of peace and war, and combating terrorism cannot, under any circumstances, be an excuse for tolerating such acts.

j) Alternation (limitation of power) and constitutional change

Alternation is the devolution of power from one majority to another according to the democratically established constitutional rules and after free, fair and regular elections. To do this, it assumes that the constitution has provided for a limit in the number of terms that a leader can solicit and under which he will have to give up his place. This is not always the case everywhere in Africa and in many countries where the Constitution has provided for a limit to the number of terms, there are attempts to question. Yet the CADEG prohibits any amendments or constitutional revisions that undermine the principles of democratic alternation. To this end, it provides that any constitutional amendments or revisions of legal instruments that undermine the principles of democratic alternation, as well as the refusal by an existing government to hand over power to the winning party or candidate at the end of free, fair and regular elections can be sanctioned in the
same way as a coup, a coup d'état against a democratically elected government and the intervention of mercenaries and rebellions (see article 23 CADEG).

In 2015, ECOWAS undertook the amendment of the ECOWAS Protocol on Democracy and Good Governance during the preparations for the 47th session of the Conference of ECOWAS Heads of State and Government to introduce the principle of the number of presidential terms, in accordance with the principle of constitutional convergence in the member states. However, this project was opposed by some countries, notably Gambia and Togo. Nevertheless, the African countries that have ratified the CADEG are bound by the obligation to abstain from amending the constitutions in a manner that calls democratic alternation into question.

In the vein of power transition, some constitutions set age limits above which candidates do not qualify, as well as conditions related to health status. Certain changes had the effect of lifting the age limit. In addition, there are questions around the governing ability of presidents who suffer from diseases during their terms of office. Finally, the transition problem in Africa also raises the issue of dynasty succession, especially the issue of succession from father to son and between brothers. This area is subject to almost no law and allows for unconstitutional practices.

II. Constitutionalism and Pro-Democracy Social Movements in Africa

Many countries have faced consecutive sociopolitical crises as a result of the leaders' desire to amend the Constitution, thereby challenging many of the characteristic principles of Constitutionalism mentioned above. In this section, we will discuss these initiatives of constitutional amendment or the desire to keep certain leaders in power, as well as the pro-democracy social movements that did or did not successfully mobilize in defense of the constitution and term limits, respect for democratic alternation and principles or other characteristic principles of constitutionalism.

The examples listed here are intended to allow users of the guide to learn both successes and failures of mobilization against constitutional changes, in order to better guide their own actions in favor of constitutionalism. We distinguish between, on the one hand, the initiatives that led to the defeat of attempts to undermine constitutionalism and, on the other hand, the dynamics in which the struggle for constitutionalism failed to bring the hoped-for changes, and lastly, ongoing struggles whose results are difficult to foresee.

1. Successfully checking the impulse to modify constitutional term limits

   a) Niger: Mobilization against and defeat of the Tazarché in 2010

   *Tazarché, or continuity,* was President Mamadou Tandja’s attempt to remain in power beyond the constitutional limit of two consecutive years. Elected in 1999 and re-elected in 2004, his term as president of Niger was set to expire in 2009. After months of propaganda in support of *tazarché,* President Tandja’s government announced on May 8, 2009 that a referendum would be held on August 4, 2009 to adopt a new constitution that would extend presidential term limits. President Tandja forcefully advanced *Tazarché* despite a ruling by the Constitutional Court on May 25th declaring the referendum unconstitutional. He dissolved the National Assembly,

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disbanded the Constitutional Court, and suspended select articles of the Constitution.\textsuperscript{16} He set up a repressive machine, undermining the freedom of the press while repressing political opponents and leaders of civil society. The mobilization against the \textit{tazarché} was led by several civil society organizations, trade unions and numerous political parties. The international community called for President Tandja to respect Niger’s constitution as countries, international organizations, and technical and financial partners tried in vain to dissuade him.\textsuperscript{17} The ECOWAS Council of Elders cited the ban on ECOWAS member states from amending their constitution in the six months leading up to a non-consensus election of the country's political actors. It warned Niger that it would face sanctions ranging from suspension to economic blockade if it continued pushing for the unconstitutional referendum. Despite all the threats and warnings, President Tandja held the referendum on 4 August 2009 in which he secured the ability to remain in power.\textsuperscript{18} His victory was short lived, however, as he was overthrown by a coup on February 18, 2010.\textsuperscript{19} After a short transition, the original constitution was restored in March 2011 with the election of President Mamadou Issoufou of the political opposition.\textsuperscript{20} Factors determining the success of the Nigerien case included the role played by the Constitutional Court, which affirmed its independence through a historic decision; the resistance and unity of action of the opposition parties and civil society despite the repression; and the pressure exerted by the international institutions and the partners of the country, in particular ECOWAS. Although the military was invited into the debate by a coup, it handed the power to a civil regime after a brief transition that allowed the organization of elections deemed transparent, free and equitable.

b) Senegal: Defeating Abdoulaye Wade’s Bid for a Third Term in 2012

Senegal is one of the few countries in West Africa to have not suffered a coup d'État. Since 2001, the constitution has prevented any head of state for serving more than two consecutive five-year presidential terms.

President Abdoulaye Wade was elected in 2000 for a seven-year term and then re-elected in 2007 for five years after the constitutional revision of 2001. The revision established a limit of two consecutive five-year terms as head of state. He attempted to run for a third term following a new constitutional revision that re-established seven-year presidential terms in 2008. The candidacy of President Wade, who was then 85 years old, was considered unconstitutional by a coalition of opposition political parties and civil society organizations called the Movement of June 23 (M23). The Senegalese Constitutional Council, whose members were hand-picked by President Wade, ruled his candidacy as constitutional on February 26, 2012. They claimed that the constitutional reform of 2001 did not apply to Abdoulaye Wade.

The M23, led by Alioune Tine, was a citizen resistance movement that called for peaceful rallies. The group was composed of about 400 individuals, mostly from the educated Senegalese middle class.\textsuperscript{21} “We are not considering any other options other than preventing Wade from committing

\textsuperscript{16} It thus activated Article 58 of the Constitution to govern ordinances and decrees.

\textsuperscript{17} The UN, the African Union, the European Union and countries like the United States, Canada and Belgium have condemned Tandja’s approach and threatened to suspend aid.


\textsuperscript{19} See : Perspective monde (Université de Sherbrooke), « Renversement du président Mamadou Tandja au Niger », http://perspective.usherbrooke.ca/bilan/servlet/BMEve?codeEve=1297


\textsuperscript{21} “All the opposition parties are represented, but we also bring together associations, citizen movements and independent personalities, all of whom answered the call on 23 June 2011,” said the M23 Movement Coordinator.
this coup. We have joined the Economic Community of West African States, the European Union, and the United States. The next step will be the African Union,” he added.

Unlike the case of Niger, the Senegalese Constitutional Council could not be trusted to protect democracy by upholding the Constitution. Their stamp of approval validating President Abdoulaye Wade’s candidacy triggered violence and subsequent arrests of civil society leaders.22 Citizen and youth movements like “Y’en a marre” played a decisive role in the fight against the third mandate. Although President Wade managed to run again in the presidential election, he was defeated in the first round by the opposition on March 25, 2012.23 The political opposition and civil society united against what they called a constitutional coup d’état. Their efforts proved fatal for Wade’s government, which accepted the electoral defeat24. Unlike the Nigerien case and many other African cases, the army did not get involved. They remained non-partisan and left it to the sovereign Senegalese people to arbitrate at the ballot box.

c) Burkina Faso: Public rejection to amending article 37 in 2014 and the resistance to the coup d’état in 2015

The socio-political crisis in Burkina Faso that concluded with the popular uprising of October 2014 was a reaction to President Blaise Compaoré’s attempt to amend article 37 of the Constitution. The president, who had been in power since 1987, wanted to amend the article in order to run for president again in 2015. Such a modification that abolished presidential term limits25 had already taken place in 1997. In 2000, a new amendment to the constitution not only reintroduced the limitation of the number of terms, but also reduced the term of office from 7 to 5 years.26 In the 2005 presidential elections, Compaoré having already served two seven-year terms from 1991 to 1998 and from 1998 to 2005, a debate took place on whether or not the constitutional law was retroactive and if it was possible for the president to seek another term in regard to the reintroduction of the limitation of mandates in 2000. On the basis of the non-retroactivity of the constitutional law, President Compaoré was able to seek two other mandates (from 2005 to 2010 and from 2010 to 2015). But in the run-up to the 2015 presidential elections, he embarked on a process that would lead to the parliamentary review of the Constitution on October 30, 2014, despite the opposition of political and civil society organizations.27 However, the popular resistance to constitutional meddling led to an uprising, the burning of Parliament, the resignation and flight into exile of President Compaoré and the President of the National Assembly which complicated the constitutional mechanism for power devolution in case of vacancy. Transitional institutions were established and the elections of 2015 marked the return to a normal constitutional order. Civil society and youth movements and organizations such as Le Balai Citoyen, through several awareness raising and citizen mobilization actions, played a leading role in the fight against the extension of term limits in Burkina Faso.28 The army was invited to the debate after the forced

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23 https://www.jeuneafrique.com/153954/politique/sn-gal-l-opposition-contre-un-troisi-me-mandat-de-wade-affaibli-par-la-rue/
24 Senegalese opposition stands against Wade https://www.youtube.com/watch?v=GYck-FtDtc
25 In 1997 Law No. 002/97 / ADF of 27 January 1997 revising the constitution of Burkina Faso proceeded to the grooming of the Constitution by eliminating revolutionary slags and broke the bolt of the limitation of presidential terms to two.
26 In 2000 Law No. 003-2000 / AN of April 11, 2000 dedicated the reduction of the duration of the presidential term from seven to five years, the return to the limitation of the number of term of office to two as well as the break-up of the Court Supreme in four different structures (Court of Cassation, Council of State, Court of Accounts and Constitutional Council).
27 Since 2012 the forces of the Nations have expressed their opposition to any constitutional amendment to article 37 on the occasion of the framework of consultation on political reforms (CPRC).
28 For history on these constitutional modifications, see: https://www.wipo.int/edocs/lexdocs/laws/fr/bf/bf017fr.pdf
resignation of President Compaoré, playing an important role in the transition. But the success of this struggle is largely due to the synergy that has been created between the political opposition united within the leader of the political opposition (CFOP), civil society organizations, citizen movements, and unions. When the coup d'état of the Presidential Security Regime (Régiment de sécurité présidentielle - RSP), the presidential guard of Blaise Compaoré, occurred in 2015, the same groups once again rallied to resist the coup. This helped to defeat the putsch of September 16, 2015 and safeguarded the constitution and institutions of the transition.

d) Mali: the rejection of the 2017 constitutional referendum

At the end of the agreement for peace and reconciliation in Mali resulting from the Algiers process signed in May 2015, President Ibrahim Boubacar Keïta undertook consultations in 2017 to revise the Constitution, while Mali was preparing for the 2018 presidential election, in which the President intended to run for a second term. Officially, this revision was intended to allow the proper implementation of certain commitments of the Algiers Accord. It also provided for the creation of a Court of Auditors, a Senate to ensure the representation of local authorities, some of whose members would be appointed by the President, and the inclusion of decentralization in the constitution. As soon as the announcement was made by the President, there was an outcry against the possibility of a referendum. In June 2017, opposition politicians and Malian civil society mobilized a lot of people in Bamako against the new draft constitution. Contestation has grown, with daily rallies and the rise of new actors, including magistrates, who have expressed their anger against several provisions in the text. Subsequently, some parties from the presidential bloc asked to postpone the same referendum that was originally scheduled for the 9th of July. Opponents of the new constitution also point to the fact that the new draft constitution is the result of a unilateral process, conducted without consultation or dialogue with the people, while the current (1991) Constitution is the result of a republican consensus, and was drafted following a national conference. Moreover, others suspected President Ibrahim Boubacar Keïta of not only seeking reelection in the upcoming presidential election, but also considering adding a third term on the basis of the non-retroactivity of constitutional law. The popular uprising finally ended the constitutional referendum; the date of the referendum was postponed and finally abandoned in the face of popular pressure. The Collective for the Defense of the Republic (CDR) as well as the citizen platform "Ante a Bana - Don't Touch My Constitution" on this occasion, among others, spearheaded the victorious contest against the referendum in Mali.

Here too, the unity of action between the political opposition and civil society was very decisive for the protest’s outcome. The fear of seeing the protest continue and last closer to the 2018 presidential elections, risking cracks in the ruling majority, led the President to postpone the referendum.

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29 Specific movements are spontaneous groupings of citizens with or without existence receipts but whose purpose is to fight against the amendment of Article 37. This is the case of the Anti-Referendum Collective (CAR) or more movement is enough, etc.

32 http://www.rfi.fr/afrique/20170621-projet-revision-constitution-mali-contestation-ibk
33 One cannot help but think of the idea of an extension of the presidential lease for President IBK. Indeed, a new Constitution adopted in 2017 would reset the counter from the presidential election of 2018, ensuring the possibility of remaining in power until 2028.
e) The Gambia: Yahya Jammeh’s Defeat and Exile in 2017

Having come to power in 1994 following a coup, President Yahya Jammeh was elected head of state in 1996. Successively re-elected in 2001, 2006 and 2011, he remains opposed to the very principle of limiting the number of presidential terms in Africa. Defeated in the presidential elections of December 2016, he first recognized his defeat on December 2 before changing his mind and trying to retain the power that should have gone to his opponent, Adama Barrow, who led a coalition of seven political parties. Despite the ECOWAS mediations attempting to reason with him and the threat of the use of force, Jammeh persists in his desire to preserve state power, working to undermine the foundations of the rule of law. He thus decreed a state of emergency on the eve of the official end of his term, extended his term of office by a resolution of Parliament for three months, and used every means to obstruct the swearing in of President Adama Barrow, who ended up swearing in at the Embassy of the Gambia in Senegal. Yahya Jammeh was forced to leave power and go into exile on January 20, 2017.

The success of this change is to the credit of the opposition coalition that supported President Barrow, but also diverse societal actors - unions of teachers, lawyers, doctors, nurses, the food and transport sector, musicians - who called on President Jammeh to cede power. Finally, the firm position of ECOWAS, which threatened Jammeh with an armed intervention, ended up favoring the effective seizure of power by the President-elect.

f) Democratic Republic of Congo: Backsliding and Alternation

In the Democratic Republic of Congo (DRC), President Joseph Kabila, who succeeded his father, who was assassinated in 2001, was elected in 2006 and re-elected in 2011 after a disputed election, pushing the country into a deep political crisis. The crisis was exacerbated by the postponement until April 2018 of the presidential election, which was meant to be held before the end of 2016. Indeed, after two consecutive terms, President Kabila had to leave the presidency in 2016 in accordance with the provisions of the constitution. Unexpectedly, there has been a de facto and undue extension of the presidential mandate, which some have called "backsliding." This shift followed a futile attempt to amend the 2006 constitution planned for as early as September 2014.

From 2015 onwards, the political opposition as well as Congolese citizen movements increased demonstrations against Mr. Kabila to demand his departure at the end of his term, on December 20, 2016, and the holding of the presidential election before that date. Faced with the pressure of international and local actors including political opponents, civil society movements and organizations and the Catholic Church through the National Episcopal Conference of Congo (CENCO), Mr. Kabila resolved to organize elections. These saw the victory of Mr. Félix Antoine Tshisékedi Tshilombo after the highly contested election of December 30, 2018.

Several civil society organizations and citizen movements have played a leading role in this struggle for constitutional compliance in the DRC. Among these are the the Secular Coordination Committee (Comité laïc de coordination), “Lucha”, “Filimbi”, and “Congolese On Their Feet”

35 Présidentielle en Gambie: l'opposition unie derrière son candidat
38 https://www.voafrique.com/a/kabila-evoque-une-possible-modification-de-la-constitution/3593418.html
41 https://www.lepoint.fr/afrique/rdc-comite-laic-de-coordination-ce-fer-de-lance-de-la-contestation-31-05-2018-2223010_3826.php
(Les Congolais debout) movements, whose leaders and activists have been victims of various persecutions: murders, assassinations and disappearances, arbitrary arrests, etc.42 Established in 2012, Lucha (“Struggle for Change”) incorporated Filimbi (“whistle” in Swahili), a larger organization, in 2015. These two Congolese organizations caught the world's attention starting from March 2015, as they intensified their struggle for respect of the constitution. Several of their activists were arrested, including Fred Bauma and Yves Makwambala, who were detained for more than 18 months, becoming symbols of the fight against Kabila. The Congolese struggle for alternation of power has, only in part, borne fruit thanks to the perspicacity and tenacity of the various actors and the conjunction of their efforts. Even if the 2018 election results have been widely disputed, there is today a cohabitation between the new presidential majority brought into office by President Tshisekedi and another parliamentary majority, the Common Front for Congo (FCC) coalition, faithful to the former President Kabila, which controls parliament. On the other hand, there is a certain relaxation and opening, which is characterized by the release of those who had been arrested as part of the fight against the shift in Kabila's mandate. In the case of the DRC, the role played by faith-based organizations, especially the Catholic Church through the National Episcopal Conference of Congo, sponsor of the Saint Sylvester agreement, and the Lay Coordinating Committee, at the origin of the December 18 anti-Kabila marches, has been instrumental in encouraging alternation.43

2. The Disappointments of the Struggles for Constitutionalism in Africa

Contrary to previous examples where struggles have achieved to a certain extent the desired results thanks to popular mobilization, there were many cases where struggles against constitutional changes or dictatorship have come to an end. It is important to learn from these obvious failures in order to better guide both ongoing and future actions in favor of constitutionalism on the continent.

a) The Egyptian Spring (2011): A Revolution Stolen by the Army

In the midst of the Arab Spring started in Tunisia, Egypt contested the presidency of Hosni Mubarak, who had been in power since October 1981. Beginning January 25, 2011, protests ended with the resignation of President Mubarak in February 2011, after several attempts to repress and stifle the growing protests. While the economic crisis and social motives (unemployment, corruption, etc.) might have fueled the protest, the quest for true democracy and ending dictatorship figured mostly among the popular demands. After the resignation of Mubarak, the Constitution was suspended and the army ensured the transition. After the elections of June 2012, Mohammed Morsi, candidate of the Muslim Brotherhood (Freedom and Justice Party) was elected to the presidency. However, following another major protest movement, Morsi was overthrown in July 2013 by the army, led by General Abdel Fattah Al-Sisi. The latter then proceeded to repress the protesters, killing more than a thousand people in a day in Rabia Square in Cairo in August 2013. Since then, General Abdel Fattah Al-Sisi has led Egypt with an iron fist. In spite of these massacres, Al-Sisi was elected in 2014 to the presidency and managed to change the constitution, which was limited to two terms. In April 2019, the Parliament's legislative committee, dominated by his supporters, approved a constitutional amendment that allows him to remain in power until 2030.44


44 While the number of terms in office had been limited to two, this amendment makes it possible to change the second term of the president from four to six years on the one hand; and on the other, Al-Sisi could run for a third term of six years in
The struggles in Egypt, far from favoring change, have led to a real democratic retreat and a leap into the unknown. Social movements or citizens who once believed in the possibility of collaborating with the army, singing that "the people and the army are one," ended up disillusioned. Looking at the role that the international media and social networks played in challenging the power of Mubarak and Morsi, the Al-Sisi government has severely restricted freedom of the press and access to social networks, including Facebook, which was a tool for relaying calls to events.45 Today we are witnessing the installation of a new military dictatorship and the prospect of an awakening of citizen movements seems far away. The ties between the popular movement and the army were ultimately fatal at first glance. We are witnessing some resurgence and protest attempts that are quickly stifled by the authorities.

b) Burundi: Third Term Crisis and Constitutional Referendum of 2018

In power since 2005, President Pierre Nkurunziza decided to stand for a third term in 2015, in violation of the two consecutive five-year terms provided for in the Constitution, which emanates from the Arusha Agreement that ended a decade-long civil war.46 After the failed coup d’état in May 2015, a deep political crisis followed along with a repression of protestors.

Finally re-elected in July 21, 2015 for a third term in a presidential election boycotted by the opposition, President Pierre Nkurunziza and his party filed, in October 2017, a draft for a new Constitution which was adopted in May 2018, despite the opposition’s call to boycott.47 The new constitution strengthens the powers of the President and gives him the opportunity to be a candidate again for two consecutive seven-year terms, from 2020. In addition, the 2018 constitution detracts from several provisions of the Arusha Peace and Reconciliation Agreement, mainly several key provisions for peace and reconciliation in Burundi and the restoration of the rule of law concluded on August 28, 2000.48 In January 2015, several associations created the citizen campaign "Stop President Nkurunziza’s Third Term." Civil society organizations and social movements who opposed the third term of the president, along with constitutional reform, have been subject to persecution and a number of them live in exile.49 Accused of rebellion and undermining the internal security of the state, Germain Rukuki, arrested July 13, 2017, is arbitrarily detained for collaborating with ACAT.50 In a surprise move, President Nkurunziza announced that he will not be a candidate to the 2020 elections.51

c) Congo (Brazzaville): Standing up against the Referendum and Third Term of Sassou-N’Gue$$

Since independence, the Republic of Congo has known eight constitutions, with the most recent being adopted by referendum on October 25, 2015. The 7th Constitution of January 20, 2002 states

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45 https://8e-etage.fr/2016/01/04/egypte-linde-bloquent-linternet-gratuit-de-facebook/
46 Perspective monde, Référendum constitutionnel au Burundi :
http://perspective.usherbrooke.ca/bilan/servlet/BMEve?codeEve=1585
47 The 2018 constitutional referendum resulted in a victory of 73.2 % Yes against 19.3% no and 7.5% null or cancelled votes.
http://www.rfi.fr/afrique/20180521-oui-referendum-constitutionnel-burundi
48 In the new Constitution, the presidential mandate passed from 5 to 7 years and is renewable, and references to the Arusha Peace Accords and reconciliation in Burundi are purely and simply erased.
Cf:https://www.aa.com.tr/fr/afrique/crise-burundaise-troisi%C3%A8me-%C3%A9v%C3%A9nements-contre-la-constitution-jusqu-%C3%9C%9A-mandat-
50 https://www.acatfrance.fr/actualite/un-ancien-membre-de-lacat-burundi-en-prison-
in Article 57 that: "The President of the Republic is elected for seven years by direct universal suffrage. He is eligible for reelection once.” In power since 1997 after a military coup, elected for 7 years in 2002, and re-elected in 2009 for a final seven-year term running until 2016, President Denis Sassou-Nguesso organized a referendum in 2015 that resulted in the adoption of the eighth constitution, which now provides in Article 65 that "The President of the Republic is elected for a term of five (5) years renewable two (2) times.".  

Although the duration of the presidential term goes from 7 to 5 years in the 2015 Constitution, this change reset the counter to zero under the principle of non-retroactivity of the law, and allowed President Sassou-Nguesso to stand for re-election in 2016 (along with which jumping the age limit lock that was 70 years, and extending to three the number of consecutive terms possible).  

In theory Mr. Sassou-Nguesso can remain in power until 2031. This new constitution leads to the questioning of alternation, which was nevertheless one of the best legacies bequeathed by the National Sovereign Conference of 1991.

A section of the political class as well as citizen movements have tried to mobilize the Congolese for the defense of the Constitution of 20 January 2002. The citizen movement for the respect of the constitutional order called for a boycott of the referendum. This movement was put in place by a part of the opposition which later merged with the Republican Front for the Respect of the Constitutional Order and the Democratic Alternation (FROCAD), The dissidents of the ruling majority, opposed to the referendum but who did not intend to join the FROCAD create the Initiative for Democracy in Congo (IDC). The contestation of the referendum and the third mandate of Sassou-N’guesso was still a failure. This failure is explained both by differences and rivalries within the opposition, and by the weak synergy across civil society. The movement Carton rouge was created in 2013, the collective Sassoufit was created in 2014, the movements Ras-le-Bol, Les Voix du Peuple, Les Combattants, Les Indignés 242, Sauvons Le Congo, Orice (Republican Observatory for Civic Integrity and Equity), are all movements that have also been represented in the fight against the referendum and the third mandate of Sassou-N’guesso. They were subjected to various persecutions that continued even after the re-election of President Sassou-N’guesso.

The campaign against the referendum and the third term was also done through the internet and social media networks such as Facebook, Twitter, WhatsApp, and YouTube with the use of the hashtag #Sassoufit. The digital mobilization had such an impact that on Wednesday, October 21, 2015, the authorities opted to block access to the internet and all social media networks. In addition to the shutdown of the internet network and SMS, the waves of some international radio stations like Radio France Internationale were also cut. The constitutional change and the 2016 presidential elections have plunged the Congo into a deep socio-political crisis and the anti-referendum protests have since turned into clashes. In Congo, the fight for power transition is paired with the struggle for resource control. Indeed, theopaque way that natural resource exploitation, especially oil, is managed appears to be the principle motive for keeping the current

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52 C'est en vertu de cette nouvelle Constitution que le Président s'est représenté et a été réélu en 2016 pour un mandat de cinq ans.  
56 Le mouvement Ras-le-bol est membre de la coalition Tournons la page qui réunit plusieurs mouvement prodémocratie opposés aux manipulations des institutions en Afrique et favorables à l'alternance démocratique. Cf. https://www.voafrance.com/a/lib%C3%A9ration-de-17-membres-du-mouvement-citoyen-le-ras-le-bol-%C3%A0-pointe-noire/4393063.html  
leaders in power.

d) Togo: The Relentless Pursuit of a Return to Term Limits

The 1992 constitution provided for the limitation of the number of mandates to two by providing in article 59 that “(...) in no case can anyone serve more than two terms.” But this was upset in 2002 by President Gnassingbé Eyadema. After succeeding his father in February 2005 following his death, Eyadema was elected on April 24, 2005, then on March 4, 2010 and finally on April 25, 2015. Since 2012, the “Save Togo” collective has been set up, which brings together political parties and civil society organizations, and is committed to the democratization of the regime. In 2014, the contestation has been growing; opposition and civil society called for political reforms before the presidential election of March 2015, including the introduction of a two-round presidential election and the term limits for the head of state under the old constitution (1992).58 In 2017, the demonstrations resumed. For eighteen months, the protests continued through peaceful marches and sometimes violent demonstrations; the repression of these protests caused at least 16 deaths and ECOWAS played a mediation role that was highly criticized.59 Overnight from May 8 to 9, 2019 after a long plenary, members of parliament ratified the constitutional reform limiting henceforth the number of presidential terms to two for the same person; the legislative term was increased from five to six years, renewable twice. However, the deputies specified that term limits would not take effect retroactively, which leaves the possibility for President Faure Gnassingbé to seek two terms and to spend another ten years in power after the end of his third term, which runs until 2020.60 The struggle in Togo seems to have run out of steam since the adoption of the constitutional reform. The challenge for the political opposition as well as for civil society is to successfully train and raise citizens’ political awareness so that the people can take action by voting so that alternation takes place before 2030.

e) Chad: Continuing in a Repressive Logic

Having come to power by a coup d’état in 1991, Idriss Déby Itno was elected President of Chad in 1996 after the adoption of the 1996 constitution, which limited presidential terms to two; he was re-elected in 2001. But in 2005, he undertook to amend the constitution by referendum to remove this limitation. He is standing for a third term and was re-elected in 2006, 2011 and 2016. In April 2018, a new constitution was adopted by parliament in a session boycotted by the political opposition, which was convinced, just as were civil society organization and the Catholic Church, that the popular referendum is the appropriate way to adopt any new constitution.61 This new constitution, which creates the fourth republic, establishes an integral presidential regime thus reinforcing the powers of President Déby. The Constitution of the Fourth Republic changed the presidential term to six years, renewable once, versus five years renewable indefinitely, as in the previous constitution.62 In theory, Idriss Déby, who is on his fifth term to be completed in August 2021, could remain in power until 2033.63 In addition, the minimum age for running for the presidency has been raised from 35 to 45. In the dynamics of repressing protests and social movements, Chad has since 2016 restricted the use of social networks, blocking the main social

59 Cf. https://www.dw.com/fr/les-insuffisances-de-la-m%C3%A9diation-de-la-cedaeo-au-togo/a-46162491
60 “Mandates already carried out and those which are in progress on the date of entry into force of this Constitutional Law are not taken into account in the count of the number of mandates for the application of the provisions of Articles 52 and 59 relating to the limitation of the number of mandates ”, adds the paragraph 2 of art. 158.
61 It should be noted that the political opposition, as well as civil society organizations and the Catholic Church have unsuccessfully asked that the Constitution be submitted to the people for adoption by referendum.
63 By virtue of the non-retroactivity of the law, President Déby has the option of applying for two 6-year terms.
networks starting on March 28, 2018, then proceeding to a total cutoff of the internet from December 2018. As of January 2019, Internet Without Borders and local organizations have launched a campaign against internet censorship, the blocking of social networks and the exorbitant costs of access. The reestablishment of connectivity is effective since July 2019 after 16 months of unwarranted censorship.

f) Rwanda

President Paul Kagame, elected in 2003 and re-elected in 2010, whose second and last seven-year term ran until 2017, carried out constitutional reform in 2015. The revision process started with a popular initiative, in the form of a petition through which 3.7 million Rwandans were asked as to whether or not to continue the time in office of Mr. Kagame, 58, after the expiration of his term in 2017. This constitutional revision was approved by 98.13% of voters, versus 1.71% who voted “no” to allowing President Kagame to stand for reelection in 2017. He can potentially lead the country until 2034. The new constitution’s Article 101 certainly continues to limit the number of presidential terms to two, while reducing the term from seven to five years, but the new Article 172 stipulates that the reform will only enter into force after a new, transitional seven-year term from 2017 to 2024 that the incumbent president has already won; he remains legally eligible for re-election for the next five years.

This change was made despite the exhortations and threats of partners like the United States who called on Paul Kagame to respect the limitation of the presidential terms in force. The White House said: “President Kagame, who in many ways has strengthened and developed Rwanda, now has an historic opportunity to enshrine his legacy by honoring his commitments to respect the term limits set when he entered office.”

This reform was possible in Rwanda, as there is virtually no opposition or genuine civil society organizations capable of leading citizen mobilization against constitutional reforms involving alternation. But unlike Burundi, the constitutional amendment initiative did not lead to a deep crisis. It must be noted, however, that the Rwandan political context is very unfavorable for engaging in advocacy and citizen mobilization for constitutionalism, and external pressures have no effect.

g) Uganda: the controversial longevity of Yoweri Museveni

Ugandan President Yoweri Museveni is one of the African presidents who is characterized by his longevity in power and constitutional tampering. Indeed, after taking power in 1986, he was elected and re-elected many times. In 2005, he modified the Constitution of 1995 in order to exercise more than two mandates. Throughout his time as president, Museveni has worked to alienate the opposition. Then in 2017, faced with exceeding the age limit, he voted on an amendment to the Constitution raising the age limit of 75 years to be a presidential candidate. This amendment is validated by the Supreme Court63, giving the possibility to Museveni to seek a sixth term in 2021. He has already been anointed by his party, the National Resistance Movement (NRM) for this purpose. The protest against these changes was repressed and several opposition leaders, including Kizza Besigye of the Forum for Democratic Change (FDC), were arrested on the sidelines of a

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64 https://internetwithoutborders.org/campagne-internationale-pour-le-retablissement-dinteret-au-tchad/
See also: https://www.business-humanrights.org/fr/tchad-la-soci%C3%A9%C3%A9-civile-rt%C3%A8me-c%C3%A8me-a8nc-une-campagne-pour-le-r%C3%A9tablissement-dinternet-et-des-r%C3%A9seaux-sociaux-fem%C3%A8me-depuis-des-mois
65 https://internetwithoutborders.org/victoire-au-tchad-lacces-aux-reseaux-sociaux-retabl/
demonstration and detained arbitrarily. The silence of the international community has been observed in the face of President Museveni's constitutional amendment. But the quest for change continues to make itself felt among young people who show their support for new opposition figures like the former singer turned MP Robert Kyagulanyi, aka Bobi Winequi, who intends to stand for the presidential election of 2021. Faced with the lifting of all restrictions (age limit and number of mandates), it is the political maturity of the Ugandan people and their ability to encourage the alternation or reintroduction of these limitations that are posed. It is important to reflect on the role of civil society, citizen movements in civic and political education of populations as well as their capacity to build alliances with political actors to promote alternation, respect for democratic principles, the rule of law and human rights.

3. Impacts of constitutional change: The ongoing struggles and debates

a) Guinea (Conakry): the debate on Alpha Condé’s third term

In the Republic of Guinea, President Alpha Condé, elected in 2010 and re-elected in 2015, should, according to the provisions of the Constitution, give way to another president in 2020 at the end of his second and last five-year term. However, both the political opposition and civil society, who have organized demonstrations and calls for mobilization in Conakry, suspect the president to want to stay in power through the revision of the Constitution. The temptation of a third term is very real. Although the President is keeping the country in suspense, the signs are worrisome: calls from the base of his supporters who express their enthusiasm for a constitutional change, through the turn of the screw in the media, the announcement by the President of the upcoming launch of consultations between institutions, political actors, trade unions and civil society organizations on the Constitution, etc. Defenders of the constitution are preparing for this eventuality and at the level of civil society, a National Front for the Defense of the Constitution (FNDC) was formed in April 2019 to oppose a third term for Alpha Condé.

b) Algeria: the challenge of the Bouteflika system

In power in Algeria since 1999, re-elected in 2004, 2009 and 2014, President Abdel-Aziz Bouteflika had managed to stay in power despite the very worrying decline in his health. His candidacy decision for the presidential election of 2019 was too much for many Algerians, and led them to express their hostility to the possibility of a Bouteflika candidacy. Despite the postponement of the presidential election and the promise of far-reaching reforms, the popular protests on an unprecedented scale led to his resignation on April 2, 2019. However, the pressure of the street continues because beyond Bouteflika himself is a whole system that the Algerian people reject. The challenge of the interim power continues, and the position of the army in the maintenance of the system poses more and more problems. The memory of the Islamist violence of the Black Decade (1991-2002) rekindles the fears and undoubtedly hurts the outcome of the struggle for a real democracy in Algeria. Despite the presidential elections scheduled for December 12, the streets remain occupied and protesters reject any possibility of an election carried out by the same system. They also demanded the resignation of the head of state-major general of the armed forces.

69 President Condé has never made a secret of his opposition to limiting the number of mandates challenging its relevance on the African continent
71 http://www.lefigaro.fr/international/2019/03/05/01003-20190305ARTFIG00225-l-algerie-face-a-la-memoire-douloureuse-des-annees-de-guerre-civile.php
c) Sudan: countering Bashir and the military transition

In power in Sudan since 1989, Oumar al-Bashir was overthrown following an unprecedented popular protest movement. Part of the contestation of a governmental decision to increase the price of bread, this movement gradually became a challenge of the El-Bashir regime until it was overthrown on April 11, 2019. The establishment of a state of emergency on February 22 and attempts to suppress the protest by force have had no effect on the determination of the Sudanese. While the army showed signs of openness to the protesters, its attempt to stay at the head of the transition was also contested. The determination of the protesters made it possible to define the establishment of a civil transition. It should be noted that in Sudan, women occupy a leading role in the protests. The Sudanese have undoubtedly learned from the failures of the Egyptian revolutions and of cases in other countries where the army ended up remaining in power and neutralizing the challenge, even leading to democratic retreats. The following will teach us about the success factors of this movement that have surprised many observers of the Sudanese, regional and international political scene.

4. What lessons can be drawn from these struggles

From all the examples and cases listed above, it is possible to draw some constants and lessons on the factors of success or failure of these protest movements, born as resistance to the attempts of people in power to maintain their positions and to the perpetuation of the dictatorship.

The first lesson is that in order to succeed, a partnership or unity of action between civil society organizations, citizen movements and political actors is essential. The conjunction of the efforts of all those who defend constitutionalism, the principle of term limits and the transfer of power is required for change to be made. Wherever the actors have advanced in scattered ranks with clean agendas but without convergence or coherence with the general interest, the failure has been obvious. We also note the role of singular actors such as religious denominations; the Catholic Church, in particular, in the DRC, in Chad, and in Togo and even in Burkina Faso, did not fail to lead the way in favor of respect for constitutional and democratic principles.

The second lesson is the role of the institutions, especially institutions in charge of determining the constitutionality of laws as well as the regularity of elections and referendums (e.g. Constitutional Council, Constitutional Court or Supreme Court). These institutions have not always assumed their independence from political power, but in rare cases, appeals to these institutions and their resulting decisions have served as an argument for advocacy and citizen mobilization. They can therefore serve as a means for advocacy, which citizen mobilization advocates for constitutionalism should not ignore.

The third lesson, arguably the most important in the African context, is the role of the army and its relation to the citizen movements. A potential instrument of repression, the army has, in many cases, eventually become an arbitrator. While some citizen movements have explicitly called for the army to join the camp of the people and assume power, others have been cautious, drawing lessons from previous unfortunate situations. The army must remain republican and apolitical and therefore should not be an arbitrator or an instrument of repression and the preservation of power. The success of the movement will therefore depend on the attitude of neutrality of the army and its republican character.

72 [https://www.middleeasteye.net/fr/opinion-fr/le-second-printemps-arabe-legypte-est-lepreuve-de-verite- de-la-revolution-au-moyen](https://www.middleeasteye.net/fr/opinion-fr/le-second-printemps-arabe-legypte-est-lepreuve-de-verite- de-la-revolution-au-moyen)
Finally, it should be noted that beyond the national dynamics, there is more and more the articulation of a continental and transcontinental Africa-Europe platform of struggle for alternation of power, through the coalition "Tournons la page" (Let’s turn the page). Digital media have played and continue to play a key role in the transmission of messages and the coordination of citizen movements, as digitization allows better organization and communication at lower costs via social networks (Facebook, Twitter, WhatsApp, etc.). Initiatives similar to “Africtivistes” exist. Africtivistes is a league of African bloggers and cyber-activists for democracy, and one of the platforms for the federation of virtual mobilizations on and off the African continent. Katiba Institute, established in Kenya in 2011, works to promote constitutionalism through, among other things, judicial remedies, information activities, public awareness campaigns and dissemination of the Constitution, research and publications, etc.\textsuperscript{73}

\textsuperscript{73} To learn more: https://oxfordhr.co.uk/wp-content/uploads/2019/03/Katiba-Institute-Executive-Director.pdf
B. PART TWO: Action strategies for constitutionalism

I. Advocacy for Term Limits in Africa

1. Advocacy approaches and definitions

In common parlance, advocacy means "a set of targeted actions that support a cause or an issue, with the intention of building support for this cause or this issue, and bringing others to support them, or trying to influence or change the laws that affect them."

Although often used interchangeably, advocacy should not be confused with lobbying, which refers specifically to advocacy efforts aimed at influencing legislation, exerting pressure to reach solutions to a specific problem. Lobbying is but one aspect of advocacy.

Advocacy is a strategic/deliberate process, a coordinated set of actions or campaigns focused on a single problem, conducted at a national, regional, or local level within a limited timeframe, that is intended to raise awareness of an issue among the public or decision makers, or to influence policies, programs, or decisions, to change laws, regulations, or lastly, to defend a right, a gain, or a benefit.

[Diagram: Plaidoyer]

Advocacy description and elements
There is no single form of advocacy in that most advocacy strategies involve several aspects of the definitions below. Moreover, these definitions reflect varying theories about how politics and power function, and how change occurs. We will first identify some of the main definitions of advocacy. To conclude, we will define advocacy as it is used in this guide.

**Advocacy in the public interest:** This type of large-scale, campaign-style advocacy often involves professional lobbyists, media specialists, survey institutes, and fundraising specialists. These actors mobilize resources and influence in order to push reforms on issues related to the social and political order, with a goal of serving the wider public interest.

**Political advocacy:** Political advocacy initiatives are exclusively focused on the political calendar, with a specific strategic objective. Generally speaking, actors in this type of advocacy follow the principle that any political change will result in real change on the ground.

**Advocacy for social justice:** This is how a number of international organizations describe their advocacy. This type of advocacy involves political and strategic influence over issues directly affecting people’s lives, particularly those of poor and marginalized populations. Oxfam and Advocacy Institute (United States) offer this definition: “Advocacy consists of organized efforts and actions based on the reality of ‘what is.’ These organized actions aim to expose serious issues that have been ignored and obscured, to influence public behavior and to promulgate and put into action laws and policies such that the ideal of ‘what should be’ in an equitable and acceptable society becomes reality.” They highlight the necessity of “incorporating power relations and collective participation.”

**Advocacy focused on people:** This consists of supporting the most disadvantaged people so that they may advocate for their own rights and interests themselves. This approach calls into doubt the idea that politics is a realm reserved for “specialists.” According to ActionAid (United Kingdom), advocacy focused on people supports and helps people to better defend their own needs and fundamental rights themselves.

**Participatory advocacy:** Participatory advocacy broadens the scope of public decision-making by involving civil society groups in political debate. It is based on the idea that democratic governance is the responsibility of citizens as much as of governments.

This type of advocacy aims to broaden the public space and develop the citizenry.

### 2. Advocacy definition used in this action guide

**Advocacy for presidential term limits** is first and foremost participatory. It follows several of the principles outlined in the definitions above. As in these definitions, ours is explicitly based on the values of democracy, rule of law, and respect for human rights, and focuses on the necessity of securing and upholding presidential term limits in African constitutions. We are concerned with the way in which presidential term lengths are regulated by the fundamental laws of many African countries, which leads not only to ambiguity in the effective length of terms, but above all to the dire consequences of crises, electoral conflicts, and human rights violations. It is understood that term limits and the possibility of being reelected are associated primarily with the election of the head of state, and more rarely with the reelection of other elected officers (members of Parliament, local or regional councilors, mayors, etc.). We also hope to support other approaches to improve equity, justice, and rights.

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This guide will explain how advocacy planning and efforts can encourage active decision-making and citizenship in order to support presidential term limits, and term limits in general.

3. Who can engage in advocacy?

Some people regard advocacy as a professional activity reserved for a minority working on behalf of the majority of the population. It is sometimes associated with lawyers or politicians. It is regarded as a confrontational activity rather than a collaborative one. This is a faulty perception of advocacy.

Any person who is affected or interested in an issue, a problem, or a situation may engage in advocacy. This role requires no particular qualifications.

An advocate may take on different roles depending on the context. S/he may also engage in representing, accompanying, promoting independence, mediating, modeling, negotiating, networking, pressuring, mobilizing, petitioning, or parlaying.

4. Strategies and stages for successful advocacy efforts

The different stages of advocacy are divided here into two essential parts. They are 1) planning the advocacy initiative or campaign by analyzing the context and developing the advocacy strategy itself, and 2) implementing the advocacy initiative.

Advocacy depends on a diverse group of leaders, activists, and organizations, with a variety of skills and talents, as well as engaged citizens who are prepared to take occasional risks to promote/produce the desired change.

When they are bound by shared principles and a common cause, they learn to respect their distinct roles and responsibilities, and create interdependent decision-making structures within their organizations.

This guide presupposes that citizens have the right to be involved in decisions related to the setting of term limits. If not, they must first work to gain this right.

Planning an advocacy campaign in support of constitutionalism and term limits

Planning an advocacy campaign or initiative requires understanding the country context as a whole and, more particularly, the context within which the desired change must take place, in order to establish effective goals, objectives, and targets for the advocacy initiative, and finally, defining a strategy by developing an implementation plan to uphold the constitution, if it already includes term limits, or to encourage reforms to establish the principle of term limits.

✔ Stage 1: Understand the issue and the context for constitutional change
In this case, the problem is well-known and sufficiently defined: it consists either of the political will to ignore political changeover by disregarding presidential term limits through a change/amendment in the constitution, or an absence of term limits as mandated by the current constitution. It is important to analyze the characteristics of the problem in depth, particularly the reasons for the lack of term limits or the political will to disregard these limits, which constitutes an infringement on constitutionalism and should be addressed in the context of democracy and rule of law (See part 1).

It is often challenging to assess the context for the amendment envisioned by the current leadership or by prodemocracy or pro-term limit activists, and to determine whether such a context is favorable to advocacy or not. In essence, any notions of constitutional amendment or change occur with a background specific to each country, region, or the world, and it is important to analyze this context in depth, and to have a complete understanding before undertaking any advocacy efforts. It is therefore necessary to:

- **Analyze the historical, sociological, economic, and political context of the country:** historical progression of the issue in your country, prior constitutional amendments, past sociopolitical crises, population structure (social makeup and classes), and rates of participation in elections, structure of the political class and balance of political power, level of political education and maturity of the population, particularly youth, women, etc.;

- **Map and analyze stakeholders:** determine internal and external actors liable to influence or be influenced by the issue of term limits, who makes decisions about amendments and who is involved in the constitutional amendment process, positions and opinions of key actors and institutions in regard to term limits: who is potentially for or against, and the arguments used by both to support their positions;

- **Analyze the forces at work (capabilities of stakeholders):** this requires looking beyond who the stakeholders are and analyzing the distribution of power among the different decision makers, gauging the strengths and weaknesses of actors, the potential contributions of allies, potential hindrances posed by adversaries (thinking long-term);

- **Analyze risks specific to advocacy work:** conducting an advocacy initiative may expose its leaders to risk, especially when the initiative deals with sensitive political topics. In many of the countries described above, where existing term limits have been disregarded, citizen movements that opposed such behaviors have been subject to repression. This is why it is important to assess in advance the level of political openness in your country, and the availability and openness of (political) dialogue leaders. It is also important to be familiar with the rules, restrictions, and conditions advocacy work must follow, as well as real or potential security risks tied to advocacy campaigns.

But beyond the country context, it is important to be familiar with the international context as well as regional dynamics that favor or oppose constitutional change/amendments or term limits. Ask yourself the following questions:

- Have there been initiatives in the region or on the continent to amend or change constitutions to remove term limits?

- What has been the reaction of national public opinion in other countries?
- What is the current position and prior positions of regional institutions or bodies (African Union, CEDEAO and other regional economic communities) on the term limit issue;

- What has been the position of the “international community,” in particular technical and financial partners (TFP) of the country on previous constitutional amendment initiatives?

- Does national or international case law exist in the area of term limits or constitutional amendments that may help you in your work or your understanding of the context?

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**Example elements of regional and international context**

✔ Position statements or guidelines by the African Union, the CEDEAO, or other regional economic communities (REC) about constitutional amendments that challenge term limits or democratic changeover;

✔ The coup d’état against Mahamadou Tandja in Niger which put an end to tazarché was used as an argument to fight an amendment to art. 37 in Burkina Faso;

✔ The popular insurrection in Burkina Faso in 2014 was used as an argument to dissuade some African regimes in the same category from continuing in power;

✔ Resistance to the operationalization of the Senate in Burkina Faso which had been introduced with a 2012 constitutional amendment helped to inspire other countries to reject the establishment of a bicameral house based on the same arguments of cost, the nomination of certain senators by the president, which contributed to an increase in presidential powers (Côte d’Ivoire, Mali), and threatened the principle of separation and balance of powers;

✔ Position statements (of condemnation) by the United States, France, and other partner countries, on constitutional revision or amendment initiatives, etc.

✔ Possible sanctions against regimes that have violated the principle of term limits in the revision or amendment of their constitutions.
Stage 2: Clearly define the goal or purpose of advocacy

To lead an effective advocacy effort, you must have a clear idea of what you want to change and set a measurable and time-bound goal. “Purpose” may be understood to mean the goal of the advocacy effort: is it to support respect for term limits prescribed by the constitution? To include term limits in a new constitution or in the current constitution?

An advocacy campaign/initiative that promotes constitutionalism in general and limiting the number of presidential terms in particular should have as its purpose one of the following elements:

- To preserve the principle of term limits by opposing any constitutional amendment or change removing this limit;
- Encourage political reforms that support the introduction of the principle of electoral/presidential term limits when the constitution does not already have them;
- Ensure respect for and implementation of constitutional principles upholding political changeover, rule of law, and respect for human rights.

Stage 3: Determine strategy, target (audience), and change agents

It is important to address the following questions: who will conduct the advocacy, and for whom? How will you reach the target audience? How receptive is the target audience to the message to be conveyed?

An advocacy campaign/initiative may target a wide range of people or a narrower one, depending also on the modes of action or activities to be used. In any case, to garner support for the principle of term limits, it is necessary to determine several types of targets and adapt the message to each category:

- **Principal or 1st level targets:** these are the decision makers who hold power to effect change: the president, prime minister, president of the national assembly and/or certain institutional leaders, heads of political parties who carry significant political weight;
- **Secondary or 2nd level targets:** those one must pass through to reach or influence the principal targets. These may include other political decision makers, friends or parents, the media, religious leaders, etc.
- **Allies:** those who are likely to support your positions/efforts
- **Adversaries:** those who may oppose your positions, points of view, or efforts (resistance).
- **Undecided:** these are generally in the majority; these are people who know little to nothing about the merits of our cause, but who are or who could possibly be interested, who have heard about it and have a certain level of negative or positive biases. These people may change their minds and their involvement by becoming either our allies, or, on the contrary,
our adversaries, as long as we give them the facts and emotions that will allow them to overcome their biases and barriers to mobilization. We must therefore work to inform them, promote awareness, and convince them to join us in the struggle. In some cases, the undecideds may initially be in the majority, such that winning them over to our side may tip the balance of power. It is therefore necessary to get to know them and invest in studying them precisely (in advance, through surveys and/or studies, during and after advocacy efforts by identifying behaviors: what works and what does not), to identify the main barriers to action, so our campaign and its messages may succeed in convincing them to become our allies.

It is thus important to identify allies and adversaries in the political class, in civil society, TFPs, national institutions, and regional and international organizations, and to initiate dialogue to form alliances.

Examples of recurring targets

*Embassies, chanceries, and diplomatic missions, local representatives of international and regional institutions* can be favorable targets and privileged partners in advocacy/lobbying in support of term limits. They are often in conversation with leaders of dialogue frameworks and bilateral or multilateral discussions, who could prove useful in raising these issues. Because they are required to produce reports on the situation in the country, they can be useful channels to internationalize concerns related to ideas about constitutional change or amendment and to elicit pressure from abroad.
Stage 4: Define key moments/stages and set an agenda

An advocacy strategy in support of term limits must not be static: it should be dynamic and flexible enough to recognize when the strategy needs readjustment, depending on changes in the political context or environment and unexpected opportunities that may present themselves.

To this end, it is necessary to address such questions as: what are elements of the political and/or media agenda within which advocacy efforts will take place? In other words, are there opportunities to be seized or niches to be developed: frameworks for citizen dialogue or political negotiation, political and institutional reforms in progress, sociopolitical crises, etc.? What are the decisive moments when messages will need to be communicated? How will the reform agenda be created, set, or influenced?

The advocacy agenda in support of term limits may be highly dependent on the political agenda, if constitutional reform is inspired by a current government that intends to revise the constitution in order to remove term limits, or if the reform takes place within the framework of a wider political dialogue. The challenge will be greater in cases where it is necessary to create momentum, initiate the process that will lead to constitutional revision to include term limits, and generate interest and commitment to the agenda that has been set. Furthermore, it is important to have a relatively clear idea of the checkpoints to cross in order to reach the desired change. These checkpoints will differ depending on the procedure selected to revise or adapt the constitution: parliamentary route or referendum route.

<table>
<thead>
<tr>
<th>Elements of an advocacy strategy</th>
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<tbody>
<tr>
<td>Description of issue</td>
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<tr>
<td>Political context (national, regional, and international)</td>
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<td>Approach/theory of change</td>
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<td>Change objectives</td>
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<td>Success indicators</td>
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<td>Opportunities and events</td>
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<tr>
<td>Power mapping and analysis</td>
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<td>Resources and people involved and responsibilities</td>
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<tr>
<td>Identify risks and mitigating responses</td>
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<tr>
<td>Monitoring and evaluation</td>
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Implement advocacy plan in support of term limits

Implementing the advocacy plan or deploying the advocacy strategy involves developing and communicating messages or arguments in support of term limits, conducting activities and exercising tactics that will make an impact, forming alliances to support the advocacy initiative, and monitoring and evaluation of the advocacy campaign.

✔ Stage 5: Prepare and communicate messages and arguments

The goal for advocacy message development is first to delineate or pinpoint the problem and then to persuade the target or recipient to support your position or point of view. In this particular case, the issue is limited and precise: electoral/presidential term limits.

Prior to developing your messages, it is important to collect information: research and monitor the situation by addressing these and other questions: as already discussed, a history of how the issue has progressed over time in your countries, the existence (or not) of national or international case law in the area of term limits or constitutional amendment that might help you in your advocacy work, the legal grounds for your efforts (See above characteristics of constitutionalism and conventional reference tools).

To develop effective messages in support of term limits, it is important to answer the following major questions:

What type of person or audience is the message aimed at, and what do they already know?

What specific expectations do you have of the target audience after receiving your message: what do you want them to do (concrete action)?

What channel will be used to broadcast or communicate the message to its target?

When the goal of advocacy is to introduce a limit on the number of terms in a constitution which has none, it is important to examine what a good number of electoral/presidential terms would be, an admissible number of consecutive terms, whether it is necessary to include a clause prohibiting amendment or reversal of the principle of term limits, whether the law will be retroactive or not?

Finally, it is important to pay attention to the number of messages, as a multitude of diverse messages may impeded the advocacy’s effectiveness.

Consider the limitations/specificities of digital technology when developing messages

If advocacy includes a digital communication component, the message may often take the form of a slogan or hashtag, for example the campaign #NonAuMur which was a means of citizen resistance against "the wall of shame" in Dakar, or the campaign #TaxePasMesMo in Benin, which gave citizens a way to protest the government’s plan to impose a surcharge on social network usage.
Stage 6: Define activities, tactics, and modes of action

Once you have chosen the key messages for each of your targets, the next step is to select and program activities to communicate these messages. Modes of action or tactics will vary and need not be limited to lobbying, which is but one tactic among many. In addition to official advocacy meetings that may be held, it is also possible to develop public communication and awareness-raising efforts by using the media and social networks, taking part in negotiations or political dialogue initiatives, mobilizing citizens, or developing and putting forth your expertise on the issue, communicating effectively; any advocacy strategy must be based on a communication plan: communicating with the target audience, members, sympathizers, the base of your organization or the outside (the public, partners, etc.).

EXAMPLE OF ACTIVITY PLANNING TO DEVELOP AND COMMUNICATE KEY MESSAGES TO TARGET AUDIENCES

<table>
<thead>
<tr>
<th>Target audience</th>
<th>Key messages</th>
<th>Activities</th>
</tr>
</thead>
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| President of the Republic (PR) | “A unilateral amendment to the constitution and the reversal of term limits through parliamentary means runs the risk of plunging the country into a political crisis and dealing a blow to partner and investor confidence.” | - Conduct an opinion poll on the constitutional amendment bill and the PR’s popularity  
- Send a copy of the poll report to the president’s office;  
- Request an audience for an interview with the PR to present the results of the poll;  
- Question the president about his/her commitment to respecting the constitution and term limits |
| Prime Minister (PM) | “The government must withdraw the proposed bill to amend the constitution in order to preserve social cohesion.” | - Invite the PM or his/her representatives to a roundtable on the constitutional amendment bill  
- Question the PM about the implications of the constitutional amendment bill in terms of resetting the presidential term counter to zero. |
| President of the National Assembly (PNA) | “Members of parliament must abstain from voting in a constitutional law that includes a reversal of the principle of term limits and would obstruct political changeover.” | - Invite a representative of the PNA to the roundtable on the process of constitutional revision and disseminate the opinion poll report;  
- Request an audience with the PNA for an interview |
| Mr. X, highly-respected by traditional and religious leaders | “Traditional and religious leaders must commit to restoring peace by persuading the government to withdraw this bill.” | |

**✔ Stage 7: Forge alliances and work with others**

In the context of advocacy, it will prove particularly important to identify and develop a network of allies within the framework of a coalition to sustain or support the initiative. It is possible and even desirable to collaborate with other people, organizations, or bodies with an interest in the issue of electoral/presidential term limits, who have the same vision of change, in order to boost its impact. Indeed, pooling the efforts, skills, expertise, and resources of coalition member organizations or people will make it possible to reduce risks, draw attention to key policies, and attain the desired change. If formal partnerships can be formed between organizations, situations may arise where informal ties take over. For example, in Benin, the #TaxePasMesMo movement that forced the government to back off from its plan to impose a tax on social networks, was sustained by a very heterogeneous alliance, whose only commonality lay in the aspirations and contradictions of a super-connected society.

In the case of negotiated partnerships that could result in sharing the responsibilities of an advocacy effort, it is important to confirm the credibility of other actors or stakeholders. Quite often the question of propriety is raised in regard to citizen movements and civil society organizations forming partnerships or working jointly with labor unions or opposition political parties. The decision whether or not to collaborate with such organizations must be determined by the specific circumstances and context.
Stage 8: Implement monitoring and evaluation of progress in order to consolidate the advocacy strategy

Advocacy initiatives require ongoing and attentive monitoring, in order to be able to adjust the strategy to the political climate/environment of the moment and progress on the ground. Advocacy efforts should be frequently revised and redirected. To this end, it is important to hold regular meetings, both to review and get feedback on activities on the ground, including advocacy meetings. This can help maintain the motivation of members and sympathizers and strengthen group spirit to continue the advocacy campaign, all of which will be crucial to the success of your efforts for electoral/presidential term limits.

5. Major characteristics and success factors for term limit advocacy

Approaches focused on constitutionalism and presidential term limits demonstrate four common characteristics:

1. The advocacy planning process encourages prodemocracy individuals and organizations, human rights activists, citizen social movements, youth and women’s associations to
conduct analysis, develop strategies, and make decisions in order to defend the principle of presidential and/or electoral term limits in their country’s constitution;

2. There is a specific pivot point between citizen organization and education and the changes to be effected in decision making for term limits, respect for the rule of law, and democracy;

3. Constantly analyzing and negotiating power relations helps to align efforts with a long-term vision for effective and irreversible change in the area of electoral term limits, in particular presidential term limits;

4. Pursuing strategic alliances and relationships with different actors, organizations, and interest groups builds consensus and lends the leverage and legitimacy that are conducive to change.

Citizen advocacy strategies can vary widely and may involve decision makers at all levels (international, regional, national, or local). They include:

- Using media to shape public opinion,
- Putting pressure on decision makers,
- Raising public awareness,
- Organizing interest groups,
- Developing citizen leadership,
- Raising political awareness,
- Conducting research,
- Creating coalitions and other activities.

The success of an advocacy effort is evaluated based on changes observed in the following areas:

- Strength of citizen engagement and organizational quality;
- Political discussions and decision making taking into account the opinions and interests of prodemocracy and pro-term limit citizen movements;
- Pro-term limit values, ideas, and behaviors being defended by decision makers/political leaders (MPs in the national assembly, president of the republic, constitutional council or court), as well as presumptions about the choice of political models.
II. Citizen Mobilization

“To succeed in effecting social change, activists and social movements must fulfill four roles: citizen, rebel, change agent, and reformer.” In Les quatre rôles de l’activisme social, p. 3

1. What is citizen mobilization?

In modern parlance, citizen mobilization refers to “the act of bringing together citizens, with their skills, interests, and values, around a common project or cause, which will contribute to improving quality of life and harmonious development of the whole community.”

In this case, it refers to generating wider public interest and engagement in the issue of constitutionalism in general, and support for the principle of electoral/presidential term limits in particular. Citizen mobilization, stemming from citizen oversight, constitutes one of the privileged modes of action by civil society organizations, specifically prodemocracy movements.

2. Who can engage in citizen mobilization?

In principle, anyone, any citizen, any activist, may engage in citizen mobilization. One does not need special qualities, like being a charismatic leader, to do it. They just need a few tricks, despite the fact that some people may act like they have prerequisites in terms of leadership or motivational skills. If one person can engage in efforts to defend and uphold and/or establish clear and irrevocable presidential term limits, it is even more worthwhile, if not indispensable, to gather citizen movements through associations in order to lead high-impact initiatives to fight for major results and successes. This does not mean that simply mobilizing will bring about success. Unfortunately not. Some mobilization efforts may not encounter immediate success. In these cases we must persevere, fight the good fight, and change and/or pool efforts to get there.

Activists must be aware of the roles that they and their organizations play in the wider social movement. To succeed in effecting social change, activists and social movements must play four roles: citizen, rebel, change agent, and reformer.

Each role has different goals, styles, skills, and needs and can be played effectively or not.

Strengthening grassroots participation is a good strategy insofar as the power of numbers is pooled for a single cause. “Strength in numbers” is the slogan of the Balai Citoyen movement in Burkina Faso. This slogan conveys the importance of numbers in nonviolent citizen struggles. Participation sometimes results in the formation of an interest group, a social movement, an association, etc.

Forming a group/coalition helps to strengthen the involvement of likeminded people in designing and leading advocacy and mobilization efforts. A well-designed group can improve organization and strengthen the people’s political voice, while also lending legitimacy and consistency to change efforts.

In speaking of advocacy, we have repeatedly mentioned the need to educate and organize citizens, to encourage them to get involved and make their voices heard. This is to say that advocacy is supported or strengthened through citizen mobilization, which will amplify your message, put

76 This definition is taken from: https://www.e-graine.org/2018/06/quest-mobilisation-citoyenne/
pressure on decision makers to pass the bill or, on the contrary, refrain from proposing any bills contrary to public wishes.

Both individual activists and social movement organizations must understand that social movements require the four abovementioned roles, and that the participants and their organizations may choose which roles to play in accordance with their own characteristics and the needs of the movement.

Moreover, they must distinguish between effective and ineffective methods for fulfilling these roles (see in annex the description of the four roles for effective and ineffective actions).

It is important to understand that a social movement must play these four roles effectively, because this can also contribute to reducing conflict and promoting cooperation between different activist groups and organizations. When activists understand that the success of their movement depends upon these four roles, they can more easily accept one another, support each other, and work together.

3. Some potential actions/ideas

There are many possible activities to mobilize citizens in the area of upholding or establishing presidential term limits. However, we propose several ideas below with a view to helping those who wish to be able to develop grassroots activities, while still being innovative in approach and adapting to the context. This does not, therefore, constitute an exhaustive list of fixed ideas to follow unquestioningly. It consists rather of some activities and thoughts drawn from lived experience which demonstrate the necessity and the relevance of citizen mobilization efforts. These activities are also not necessarily linear, but they complement each other and may be implemented simultaneously or in a different order. Nevertheless, combining them will strengthen the effectiveness and impact of desired changes.

For each of the proposed actions, we have tried to provide some tricks, key steps, and/or precautions to take to avoid or overcome obstacles.

a) Educate and raise awareness about the merits of term limits

Very often, citizens do not have a good or clear understanding of the content of term limits prescribed in our constitutions. It is therefore important to give them sound information on current term length. They may not understand why it is necessary to limit these terms. Furthermore, young people are the majority in Africa and most often do not know or have not known more than a single president since they were born. It is therefore necessary to work to raise awareness among youth, who not only make up the majority, but also and above all are the most dynamic and active. They
are at the forefront of social mobilization for citizen demands, protests, etc. But to get there, we must create a critical mass of informed people who understand the validity of their engagement.

**Examples of potential actions:** Conference-debates, film showings, public concerts on themes related to constitutionalism/term limits with students of all ages, neighborhood youth, and the informal sectors; youth/leader training on citizen movements; awareness-raising about the field of civil resistance, etc.

<table>
<thead>
<tr>
<th>Key elements</th>
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<tbody>
<tr>
<td>Be inclusive in organizing education/awareness activities. Set yourself up for success.</td>
</tr>
<tr>
<td>Host a debate when necessary.</td>
</tr>
<tr>
<td>Construct an argument about the necessity of presidential term limits (use examples of abuses over the course of a term and especially the potential risks after long terms)</td>
</tr>
<tr>
<td>Have resource persons in your organization or build relationships with them</td>
</tr>
</tbody>
</table>

**b) Engage in civic acts and set an example**

People who are engaged in supporting electoral term limits, especially youth, gain legitimacy when they engage in responsible civic acts that capture the attention of the population. Moreover, engaging in civic acts helps to mobilize more supporters, recruit new sympathizers, and strengthen the activist base.

**Potential activities:** organize cleanup days; organize days to visit sick people in the hospital; visit elderly/respected persons; help direct traffic; report problems with a public utility; call for a boycott or protest; donate blood, etc.

**Multiply and publicize these actions**

**Take advantage of these times to convey civic messages**

**c) Host a debate and discuss ideas/concepts such as citizenship, democracy, civic rights and responsibilities; citizenship and political power.**

These activities can be done in small groups or in assemblies/debate forums/discussions (10 minutes to convince; public arguments…)

Citizenship is much more than voting or fulfilling public obligations. It is not limited to choosing leaders and using the system: citizenship involves designing and fashioning the structures and rules of the system.

A shared vision of citizenship is useful for advocacy. It is also important to be aware that the values of citizenship may vary from one context to another.
d) Seeking out strategic supporters: artists, opinion leaders, intellectuals (law professors)

For citizen mobilization to succeed, it is important to be innovative in the activities you do. This entails being creative and seeking out collaborators who are capable of supporting your mobilization. To this end, having (hired) artists who can facilitate mobilization and awareness-raising concerts can be a good approach. It is necessary to take steps to win over certain opinion leaders capable of sharing and supporting our cause. It is also advisable to have intellectuals, including sociologists, historians, lawyers, and constitutionalists.

Conference-debates and democratic dialogues can be organized around themes like respect for term limits.

*However, be careful of political crackdowns, “fight breakers”*

Be aware that your combat strategies may be sold or communicated to your adversaries

e) Form partnerships and create coalitions with associations, social movements, labor unions

In the context of prodemocracy and pro-term limit campaigns, there is a benefit to working in coalitions, including with certain political parties (especially the opposition) and labor unions. However, it is necessary to consider carefully the choices you make. Some partnerships or coalitions could prove dangerous and detrimental to our cause.

f) Build relationships with the diaspora to amplify the message and extend the reach of your efforts

In many situations, the diaspora has played an important role in the success of civic efforts. The diaspora can help to better explain the situation to foreigners; to relay information; to compensate for interruptions in internet and media access at the national level; to mobilize support abroad, and fundraise if necessary.

g) Citizen petitions addressed to the National Assembly

The laws of certain countries allow citizens to use their right to petition in legal or constitutional matters, such as in the case of Burkina Faso (article 161 of the constitution). When possible, efforts on behalf of electoral term limits, particularly presidential term limits, should or could integrate the use of citizen petitions. An example is the petition launched by Le Balai Citoyen77 in support of the rule of law in Burkina Faso78 in 2014. Such an effort could allow the national assembly to legislate on the issue based on public opinion and citizen mobilization.

Be sure to respect legal requirements governing petitions for legislative or constitutional initiatives. Quite often, the law requires that persons who participate in such an initiative (who sign the petition) be in possession of their civil rights and be nationals of voting age.

It is also necessary to reach the required number of signatures in order to submit the petition.

Finally, in some cases this type of procedure requires you to gain the support of members of parliament who can endorse your request within the chamber.

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77 Le Balai Citoyen, a peaceful resistance movement, is a new citizen organization that mobilizes, rallies, and organizes Burkinabé youth to demand true democracy, good governance, and peaceful coexistence in Burkina Faso.

h) Submit a legal contestation or conduct strategic litigation

Another type of action capable of advancing the fight for presidential term limits consists of using review procedures before relevant judicial authorities, in this case the constitutional council/constitutional court, the supreme court or other regional (African or ECOWAS commissions and courts) and international legal frameworks (United Nations treaty bodies),

Strategic litigation consists in bringing landmark cases of human rights violations or any other violation of state obligations to national, regional or international courts. Strategic litigation aims to create or influence the jurisprudence in a way that is favorable to the actual implementation of protection of human rights, the fight against impunity corruption and the protection of certain principles and values. The goal of strategic litigation is not necessarily to win the case, but the simple fact of engaging the justice system shows confidence in the rule of law and institutions, whether national, regional or international. Strategic lawsuits serve to sustain the debate in public opinion. To achieve this, it will be necessary to collaborate with or mobilize lawyers, constitutionalists, and sitting judges, and perhaps the bar, to support your effort.

An initiative such as this may not be able to succeed in many countries and situations, if members of the judicial authority, in particular the constitutional council/constitutional court, are in the pocket of the head of state. This is why another strategic action, no less important, is to work upstream for the independence of constitutional authorities, in particular through representativeness and nomination procedures within these institutions.

Observe the principles/rules of nonviolent resistance: Unity, planning, and discipline.

“If the population does not obey, the leaders cannot govern,” Hardy Merriman, in The Trifecta of Civil Resistance.

Studies show that nonviolent campaigns have enjoyed a 53% success rate, while violent campaigns can only claim 26% success. As observed by Hardy Merriman in the Trifecta,80 “There are a great variety of factors based on ability and skills that can influence the success of a movement, but in looking more closely, three main characteristics emerge: unity, planning, and nonviolent discipline.” These struggles must therefore respect some rules and principles, including discipline, organization; nonviolent acts even in the face of repression, among others.

It is necessary to prepare for crackdowns

Set up protocols/mechanisms to protect members and leaders

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79 Based on research conducted by Erica Chenoweth and Maria Stephan that identified and analyzed 105 civil resistance campaigns with an intent to change the government in countries and territories throughout the world between 1900 and 2006. Chenoweth, Erica, et Maria Stephan. 2011. Why Civil Resistance Works: The Strategic Logic of Nonviolent Conflict. New York: Columbia University Press. p. 9

Données NAVCO 1.1 available at: http://www.du.edu/korbel/sie/research/chenow_navco_data.html

80 www.opendemocracy.net/hardymerriman/trifectaofcivilresistanceunityplanningdiscipline
Unity is important due to the fact that nonviolent movements draw their strength from the participation of people coming from diverse segments of society. Put simply: numbers are key. The more people there are who join a movement, the greater its legitimacy, power, and tactical repertoire. Successful movements continually seek to reach out to different groups in their society: men and women; youth, adults, and elderly; urban and rural; minorities; members of religious institutions; farmers, laborers, businesspeople and executives; wealthy, middle-class, and lower economic strata; police, soldiers, members of the judicial system, etc.

Successful movements also continually reach out to their opponents’ supporters, understanding that one of the strengths of a civil resistance movement with a unifying vision is the ability to spark loyalty changes and defections among the ranks of your adversary. For example, regular civil disturbances carried out by the antiapartheid movement in South Africa, combined with a call to national reconciliation, allowed the movement to gather widespread support and create unity in the desire for change, even among some partisan whites who had previously supported the apartheid regime.

Planning: Participants in nonviolent movements must also make complex decisions about what direction their movements will take. Strategic planning is of capital importance for this to be done well. No matter the worthiness of the cause or the indefensible moral acts committed by an adversary, it is rare to overcome oppression with nothing but spontaneous and improvised acts of resistance, even if these acts prove to be well executed. On the contrary, movements gain traction when they plan ways in which their civil resistance can be systematically organized and adopted by the population they represent, in order to reach targeted and specific objectives.

Deciding which tactics to use and in what order; developing proposals that galvanize desire for change based on the aspirations and claims of the people the movement aims to represent; planning which individuals and groups will be targeted and through what tactics, and what objectives to pursue in the short, medium, and long term; and establishing lines of communication to negotiate and form coalitions, are just a few of the challenges for which nonviolent movements must creatively develop strategies. This requires an analysis of the overall situation in which the nonviolent struggle takes place. In their planning process, effective movements gather information formally or informally, listen to the population, continuously find areas for improvement throughout the entire conflict, and analyze themselves, their adversaries, and third parties.

Nonviolent discipline: Finally, a strategy is only effective if it is executed with discipline. The greatest risk of failure in terms of discipline in a nonviolent movement is that some of its members become violent. Consequently, nonviolent discipline, people’s ability to remain nonviolent, even when provoked, is often instilled continuously in participants. There are practical reasons for this. In the context of a movement, violent incidents caused by individual members may considerably weaken the legitimacy of the entire movement, while also giving adversaries an excuse to repress it. What is more, a movement that is nonviolent on a consistent basis has a much better chance of drawing a wide range of potential allies, and even winning over the opposing side’s supporters.
i) **Communicate and take symbolic action**

Communication is an important element for both advocacy work and mobilization. It is important to know how to communicate at the right moment with poignant messages. Taking advantage of online communication (Facebook, Twitter, Instagram, WhatsApp) is critical for the success and expansion of civic action. It is therefore necessary to communicate with traditional media when possible but especially to maintain well-known online accounts and pages where individuals, media, and partners can quickly find necessary information. Also necessary are communication systems and channels between members and sympathizers to facilitate mobilization and information for the base. However, it is important to be strategic in communication in order to stay focused, maintain motivation among sympathizers, and deconstruct detractors and fake news.

Large-scale symbolic actions that capture the public’s heart should also be organized, such as silent marches or peaceful demonstrations in front of particular institutions, likewise to draw public attention.

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**Be careful of crackdowns, arrests, and detentions**

*Identify places of refuge (including embassies) to shelter or hide when necessary*

*Develop affinities with the population in advance, especially youth, neighborhood elders, or the places of refuge you identified, to be sure that you will not be reported or turned over to the police. All the same, keep your hiding places secret and confidential.*

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j) **Organize digital campaigns (online action)**

Mobilization efforts on the ground can be supported, strengthened, and complemented by online actions. In many cases, online efforts have been effective in terms of visibility, participation, and changes achieved. These could consist of online petitions to sign (when this practice is allowed in your country), but also visuals, hashtags, and viral efforts launched on the internet or through social networks.

To succeed in mobilization efforts, it is important to integrate online mobilization dynamics, through social networks and creating #hashtags or petitions (change.org).

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**Citizen mobilization through the campaign “No to the wall”**

Although this campaign did not deal with constitutional issues, its impact is nonetheless inspiring.

Construction of the future embassy of Turkey on the beachfront in Dakar triggered deep indignation and protests in the city. In May 2014, the collective “No to the wall of shame,” made up of twenty associations such as “SOS Littoral” or the famous collective “Y’en a marre” protested against granting a 4000-square-meter plot of public coastline to Turkey for the construction of its embassy with an ocean view.
Six (6) key tasks for designing a digital campaign plan

Identify the media outlets and social networks on which to conduct the advocacy campaign. To this end, knowing the habits of your target audience will be useful.

Choose a hashtag. This will be the campaign’s primary identity. It represents the cause of the campaign and the organization that supports it. It is also an excellent way to generate engagement by internet users and follow the content that references it on the web. The ideal hashtag? Short and simple, expressive, and without punctuation.

Create specific visuals and publish them on different social media profiles (Facebook, Twitter, Google+, YouTube, blog, etc.) with those of the advocacy campaign underway.

Set up a monitoring mechanism for the hashtag and major keywords for the advocacy campaign. This monitoring system will allow you to follow conversations related to your campaign, identify potential influencers, and interact with the community. For this step, services like Google Alerts, Talk Walker Alerts, or Mention can be very useful.

Engage your community. Ask members (fans and subscribers, readers) to share visuals of the campaign or use the hashtag in publications. Request interviews. Tag personalities and media on social networks like Twitter.

Evaluate the success of your campaign and make improvements if possible.

k) Organize mobilization / peaceful protests

Public or popular actions are sometimes necessary to discourage certain authorities who wish to maintain their power through untimely constitutional amendments.

As John Samuel of the National Centre for Advocacy Studies\footnote{Pouvoir, peuple et politique : Une Nouvelle Trame, page 42} said, “To effectively influence power structures within a government or business, other sources of power must be used. In the context of public advocacy, the six main sources are these:

- The power to mobilize persons and citizens
- The power of information and knowledge
The power of constitutional guarantees

The power of experience and direct grassroots relationships

The power of solidarity

The power of moral beliefs”

In order to succeed, it is necessary to involve the diaspora in citizen mobilization efforts and to advocate internationally and outside the nation’s borders, in order to garner more support and amplify the message. The diaspora can also contribute to mobilizing resources and diplomatic pressure.

To successfully mobilize citizens in support of presidential term limits:

✔ Have strong internal organizational capacities: how will you organize internally? Who will do what? When? Where? And how?

✔ Have a broad and diverse activist base able to mobilize on a moment’s notice

✔ Build relationships, both formal and (especially) informal: this provides access to quick information, which can help you to plan ahead.

✔ Develop security protocols (online and physical) and anticipate risks: this allows you to face any potential retaliatory acts

✔ Have a system / mechanism in place to protect leaders if they are well-known figures

✔ Build affinities and informal ties with the police force (your friends, your study promoters, neighbors, etc.)

✔ Work on your pillars of support. “Pillars of support are institutions and segments of society that provide the regime with the sources of power necessary to continue expanding its capacity to exercise power,” Dr. Gene Sharp, Waging Nonviolent Struggle.

✔ Do not let up on the pressure even when promises have been made but not yet fulfilled. Be sure that these promises are in written form and made public in order to involve the public as witnesses.

✔ Remain vigilant and monitor the fulfillment of promises.

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82 Within each society, many pillars of support can be observed. These pillars include: the police, the army, government institutions such as the legal system and electoral commissions, the civil service, the education system, organized religious institutions, state-controlled media, financial companies and institutions, and other organizations.
✔ If members are arrested or detained, demand their immediate and unconditional release before engaging in any negotiations.

✔ Document any incidents/violence that occur as a result of crackdowns by the state and/or its agents. Publish these abuses to involve the public as witnesses.

✔ Remain nonviolent in your actions: this may trigger defections among the forces of justice and garner public sympathy and support.

✔ Request that judicial authorities record and retain evidence of infractions.

✔ Alert the international community (regional, community bodies): work to gain the sympathy of some regional leaders who would be able to support you.

✔ Use appropriate existing regional and international tools to support your cause and advocacy.

✔ Respect these key principles to guide any action: credibility of leaders and transparency of management.

Be careful of leadership crises and conflicts

Be careful of infiltrations

Conclusion

Individuals, human rights associations, and prodemocracy movements are playing an increasingly active role in bringing about societies that are more stable and more democratic; their place is no longer limited to holding elections and claiming a place among government leadership for an individual or a small group. Although there may have been years of tentative first steps and (sometimes improvised) attempts at recognizing, legislating, and respecting presidential term limits, especially on the part of politicians, in light of the serious abuses and dire consequences left to posterity by the long reigns of African heads of state, we now see that citizens dream of more righteous governance and true democratic changeover characterized by presidential term limits. Up to now, attempts have had varied outcomes, some meeting with success, others with mixed results, and others complete failures. But overall, the dynamic is well-established, and the trend seems irreversible: mobilize at every level to establish and uphold electoral term limits in Africa, particularly presidential term limits.
To have the best chances of success, it is important to have a deep understanding of context, to be familiar with the powers at play and their impact, to follow basic rules and methods, and exercise caution. Citizen mobilization and advocacy are far from being an exact science; but learning, mastering, and following these principles, tricks, and tips can ensure the best results.

Citizens have an important role to play in the balance of political power and in the devolution of state power. This is why they must remain vigilant and mobilize to defend their choices. However, such initiatives may involve certain risks. It is therefore necessary to plan ahead to mitigate these risks and build a critical mass of support for our efforts by expanding our base of allies, by transforming or converting undecideds into engaged supporters.

What is especially important, even more so than physical and active mobilization on the ground, is to initiate online campaigns that mobilize all segments of society together, including friends (technical and financial partners) and nationals living abroad, and to engage in communication that steers political leaders to understand and conform to the citizens’ will, to uphold term limits (where they already exist) and/or to establish term limits in constitutions.
# The Four Roles of Social Activism

## Highlights

### Effective
- Highlights positive American values, principles and symbols, such as democracy, freedom, justice, nonviolence
- Normal citizen
- Integrated in the heart of society
- Promotes a society in which citizens act selflessly for the common good
- The active citizen is the source of legitimate political power
- Acts on the basis of the concept of "confirmation bias"
- Examples: Martin Luther King and Nelson Mandela

### Ineffective
- Naive Citizen: Believes official policies and does not understand that power holders and institutions serve the special interests of the elite to the detriment of the majority and the common good
  - OR
- Super patriotic: Automatically offers full obedience to those in power and to the country

## REBEL

### Effective
- Says "No" to violations of widely shared positive human values
- Direct action and nonviolent attitude; demonstrations, rallies and marches, including acts of civil disobedience
- Target: those in power and their institutions, such as government, businesses
- Place issues and policies in the limelight and on the society’s agenda
- Actions are associated with a strategy and tactics
- Autonomous, passionate, courageous, willing to take risks, at the heart of the public's attention
- Holds a relative and not absolute truth

### Ineffective
- Both authoritarian and anti-authority
- Anti-American structures and rules, anti-authority, anti-organization
- Identifies as a militant radical, a lonely voice on the margins of society
- All the necessary means: disruption tactics and acts of violence against goods and people
- Tactics without a realistic strategy
- Isolated from grassroots activists
- Victim behavior: angry, dogmatic, aggressive and powerless
- Ideological Totalism: holds an absolute truth and a moral and political superiority
- Virulent, arrogant, egocentric; puts personal needs ahead of the Movement
- Irony of the negative rebel: a negative rebel is similar to an *agent provocateur*
## REFORMER

### Effective
- Parliamentary: Uses official public system and institutions - for example, courts, legislature, city hall, companies - to get the goals, values and alternatives of the movement adopted into the official laws, policies and commonly accepted opinions.
- Use all kinds of means: lobbying, trials, referendums, rallies, candidates, etc.
- The professional opposition organizations are the main agents of the movement.
- Monitor successes to ensure implementation, expand success and protect against backlash.
- OOPs encourage and support grassroots activists.

### Ineffective
- OOP: Domineering or patriarchal organizational structure and leadership.
- Organizational maintenance of travel needs.
- The "domineering" style undermines the democracy of the movement and weakens the base.
- OOPs’ "Realistic Policy": Promotes minor reforms rather than social change.
- OOP co-optation: staff recognize themselves more in the official power holders than in the base of the movement.

## AGENT OF CHANGE

### Effective
- Organizes citizen power and engaged citizens, creating a participatory democracy for the common good.
- Raises awareness and mobilizes the majority of citizens and society at large on the issue concerned.
- Involves existing grassroots organizations, networks, coalitions and activists on the issue at stake.
- Promotes strategies and tactics to lead a long-term social movement and bring it to the sixth stage.
- Creates and supports activism and grassroots organizations in the long-term.
- Puts the issue on the political agenda.
- Fights against new strategies of power holders.
- Promotes alternatives.
- Highlights paradigm shift.

### Ineffective
- Too utopian: Encourages perfectionist visions of alternatives without taking into account concrete political and social action.
- Highlights only minor reforms.
- The direction of the movement and organizations is based on patriarchy and control rather than participatory democracy.
- Close vision: defends a unique theme.
- Ignores the personal problems and needs of activists.
- Disconnected from social and political change and paradigm shift.
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Conventions and treaties

1. Charter of the United Nations
2. African Charter on Democracy, Elections and Governance (Charte africaine de la démocratie, des élections et de la gouvernance - CADEG)
3. African Union Declaration on the Principles Governing Democratic Elections in Africa
4. ECOWAS Protocol A/SP1/12/01 on democracy and good governance, supplementary to the Protocol relating to the mechanism for conflict prevention management, resolution, peacekeeping and security