

EVAP Ep. 31 Christopher Fomunyoh

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SPEAKERS

Jaclyn Streitfeld-Hall, Christopher Fomunyoh

J Jaclyn Streitfeld-Hall 00:12

Welcome to Expert Voices on Atrocity Prevention by the Global Centre for the Responsibility to Protect. I'm Jaclyn Streitfeld-Hall, Research Director at the Global Centre. This podcast features one-on-one conversations with practitioners from the fields of human rights, conflict prevention, and atrocity prevention. These conversations will give us a glimpse of the personal and professional side of how practitioners approach human rights protection and atrocity prevention, allowing us to explore challenges, identify best practices, and share lessons learned on how we can protect populations more effectively. Today, I'm joined by Dr. Christopher Fomunyoh, Senior Associate for Africa and Regional Director at the National Democratic Institute. Thank you for joining us today.

C Christopher Fomunyoh 00:58

Thank you. It's my pleasure to be with you.

J Jaclyn Streitfeld-Hall 01:00

Dr. Fomunyoh, while you're an expert on a range of issues related to democracy and democratic institutions, today, we wanted to focus on the intersection between elections and mass atrocity risks. Many countries around the world will hold elections this year and while most elections do not result in mass atrocity crimes, in certain contexts, we have witnessed how all phases of the election process, from before campaigning begins to the days following the announcement of results, are mired by increased atrocity risks. From your experience, can you share what some of the common risk factors for atrocities you've witnessed in the context of elections and election periods are and why these risk factors emerge?

C Christopher Fomunyoh 01:43

Well, I'm really delighted that we are having in this conversation in a year that has been described as an election year for the world, globally. And this gives us an opportunity to talk about elections in transition environments, which sometimes or oftentimes have sparked violence. Definitely, I can remember, I can think of a number of African countries that have gone through processes, electoral processes, that have been contested and that have ended up being violent. In some cases, they haven't been mass atrocities. But also there've been cases where there's been loss of life and destruction of property. I can think, for example, about a country such as Zimbabwe, which unfortunately, has had a lot of issues with his democratization process, and where elections continue to be a moment of tension, of violence, and of fear of atrocities. We also have had the experience of Kenya, around the 2007-2008 elections, which were extremely violent, during which there were gross violations of human rights. And that ended up with leaders, political leaders of the country, being charged before the International Criminal Court for gross human rights violations. So there's a track record there. But of course, the most recent, also, is the situation that that Ethiopia went through, where, because of lack of compromise and agreement and consensus around the electoral calendar, and during the pandemic period, the country ended up not only running the risk, but ultimately sliding into a civil war, which then sparked all the atrocities that Ethiopia is experiencing in recent times. I should also mention that we look at Cote d'Ivoire today. Obviously, it's 14 years since the presidential elections of 2010. But we will all remember that those elections generated a lot of controversy in terms of the outcome, and that in the post election period, there was violence that actually led to the deaths of 3000 Ivorians, including in the city of Abidjan. So, this is a very important issue. This is a an issue that many countries continue to grapple with, not just in Africa, but in the Global South. We just had incidents of violence around elections in Pakistan, and some uncertainty even for an established democracy like India, and I'm really interested that we are discussing these issues at this time.

 Jaclyn Streitfeld-Hall 04:28

I'm glad you brought up Cote d'Ivoire and Kenya, because Kenya is obviously, you know, a case that we often think of as the first instance of, sort of, R2P in action, in terms of how the international community responded to that situation. But Cote d'Ivoire is also close to my heart because it's the first country situation I followed for the Centre when I joined 14 years ago. And so I know that election case very well. Why do you think elections in particular bring about atrocity risks? What is it about either policies or practices, things that are happening in these countries, that makes it such a trigger point?

 05:10

Well, you know, elections are kind of unique in the sense that they always bring to the fore the strength or the fragility of other pillars of democratic governance, of other pillars of state-civil society relationships. For example, it's during the electoral period, that we you can get a sense of how professional the security services are, whether they're able to manage crowd control, are they able to create an environment in which people get mobilized in hundreds or in thousands and can participate in the political process. So by their very nature, elections open up the political process for across the board citizen engagement at multiple layers, that also calls into play interface or interactions between actors from different sectors. And it's the interaction amongst those actors that can spark violence, or that can help mitigate exposure to risk of atrocities. And what I should say, for most of the countries that have gone through

transitions, is that this relational interaction that I just mentioned, gets exacerbated by the lack of preparation, by the fact that in the minds of many people, or many people called upon to administer elections, they still see elections as a one day event that happens on election day when people show up and cast their ballots. But in the countries that have managed not to be exposed to violence or atrocities, that has happened because various actors have understood elections to be a process that begins well in advance of election day that entails a lot of work on voter education, civic education, professional training, capacity building for security services, and the resolution of any other pending disputes that can get exacerbated during the electoral period.

J Jaclyn Streitfeld-Hall 07:26

That's a great point. I know that in many countries that the Global Centre follows, we've seen how even disputes over the structure of the national election institution itself often leads to a lot of tensions within the country, even a year out from the election. This is a really excellent point.

C Christopher Fomunyoh 07:47

Indeed, and I would say that, you know, those disputes, for example, as you just mentioned dispute over the election management body, whether it's an election, independent election commission, or any other configuration of that kind of entity, because there's still a belief that whoever administers the election would definitely determine the outcome. And if citizens don't have confidence in that institution, they're likely to feel that they're going to be cheated out of the political process. And if the legal framework, the legal framework of the electoral process, in its entirety, doesn't inspire confidence amongst citizens, that they could take their grievances to the courts and have their voices heard, then people are likely to think of other ways to make those voices heard. And most of the time, unfortunately, they tend to resort to violence to make their voices heard, or to be able to have the leeway. It happens with regards to litigation or lack of consensus over the election management body. It also happens about with regards to disagreement over the legal framework, the election code, or the election law, sometimes parties that demonstrate for reforms to the electoral process. Those are all flashpoints that we should be looking at when a country is preparing to go into an election. Because where there is consensus around all of these pre election related matters. The likelihood is high that the elections will be peaceful. But when you already begin to see flashpoints around issues of election administration, issues of the legal framework, issues of the ability of political parties and candidates to campaign freely in all parts of the country. Those should be early warning signs, that by the time we get to election day itself, there could be massive violence, and depending on the concentration, the demographics of the country and population, the layout of the population of the country, if those happen in tight spots in tight environments, then the possibility of massive atrocities is actually very high, or could be actually very high.

J Jaclyn Streitfeld-Hall 10:08

Indeed, and you also just mentioned, you know, ability of parties to operate. And I know that throughout Africa, we saw it in Burundi in 2015, we've seen it in Congo, and now we're also seeing it in Latin America this year with Venezuela, the sort of shrinking of civic space and

creation of, you know, laws that prevent political campaigning and meetings of groups ahead of the election has also been, you know, significant flashpoint for obviously populations that support the opposition, but just in general.

C Christopher Fomunyoh 10:40

Yes, in fact, that's a very pertinent observation you make with regards to Venezuela and some of the countries in Latin America and on the African continent as well, is that it's established that the more political space shrinks, the more citizens are going to feel disaffected and disrespectful of the state, and the more citizens are going to be pushed to want to take the laws in their own hands. I mean, the case of Congo, for example, is one situation where you may have a shrinking of political space as you had in Burundi. Plus, that may be compounded by the pre-existence of other armed conflicts already in the same country that is moving towards an election. And what we've seen in most cases is that if you have an election in a country where the armed groups that have not disarmed or have not bought into the electoral process, their presence is likely to be disruptive and likely to inhibit the ability of citizens to participate in the electoral process. And oftentimes, if the state has not succeeded in disarming those armed groups, but at the same time, wants to get citizens to participate in the electoral process, to be able to gain legitimacy for the for the winner of that election, there's high probability of confrontations between those armed groups and State forces, which then by itself could lead to massive human rights violations or mass atrocities, depending on the country's situation and context.

J Jaclyn Streitfeld-Hall 12:25

You know, the at the start, you mentioned that this year feels like the year of the world election. There are so many elections and transitioning environments. Are there particular elections coming up in the next year where you feel atrocity risks are particularly high?

C Christopher Fomunyoh 12:41

Well, yes, I would say so, because in some ways, we're looking at approximately 20 elections on the African continent. And we're realizing also that because of what's been happening to democratic space and that civic space in the past two, three years where we've noticed, globally, that democracy was in decline or under attack, and specifically for the continent, that we've experienced considerable backsliding, it's fair to say that some of the countries that are now in transition on the continent, countries in the Sahel, such as Burkina Faso, and Mali, and Niger, that are on a timeline to hold transition elections, some of them this year, especially for Mali and maybe Burkina Faso, could risk seeing, experiencing violence around those electoral processes, in part, because there may be disagreement of the pace of the transition. They also could be the presence of armed groups, as I mentioned, that have not yet fully been disarmed. There also may be a forward deployment of security services or defense and security forces, who in their interactions, especially around elections, are going to have to interface with civilian populations. So one has to be on the lookout and one has to have concerns that, added to the layer of those actors that I just discussed, the eventualities of competitive political processes could spark violence. We also should be mindful that even countries that in the past have been peaceful, such as Senegal, have gone through such political turbulence in the past two years,

that citizens may now, there may now be reason for concern that if people have already died or lives have been lost in the pre-election period because of demonstrations around the electoral framework, the Constitution and the Electoral Code are in the agreement, they need to seek consensus on the electoral date; that Senegal for once in its history, for a country, which I always often get reminded by my Senegalese brothers and sisters, that Senegal, the communes in Senegal that have been voting since 1846, in places like St. Louis and Thies and all the like; and that, since independence in 1960, Senegal has had a transit tradition of elections. But the elections for this year, are not like any other election that Senegal has experienced, and there's reason to be mindful and watchful and set the alarm bells so that some of the pre-election controversies don't carry themselves into election day, in a way that could spark violence and atrocities that could lead to the loss of life and destruction of property.

J

Jaclyn Streitfeld-Hall 15:49

I'm curious if you have any thoughts on countries where it's really sort of government repression, and, you know, the shrinking of civic space, the actions by those currently in power are really kind of driving a lot of the tensions around potential political transitions, the elections, and really undermining processes before they even start?

C

Christopher Fomunyoh 16:13

Yes, I mean, the one country that comes to mind is Zimbabwe, which, unfortunately, unlike many of the other countries, in the Southern Africa sub-region, has not been able to create an environment in which elections could be peaceful, not just on election day, but also in the period leading up to the elections. And the key to that, I believe, is the need for an understanding by the state, by the state and the government, of the fact that citizens' rights need to be guaranteed, not just on election day, but in the period leading up to the elections, so that they can participate fully in the civic space, in terms of being able to have their campaigns, being able to campaign in all parts of the country without harassment, being able to hold rallies without police harassment, being able to write articles in the media and talk about the political process without any inhibition. You know, that is one, you know, one country in my opinion, which is still struggling with an inability to provide a free space in which citizens can participate in the electoral process in advance. And I believe that because of that weakness, if that weakness is not dealt with, that Zimbabwe will continue to struggle with its transition to provide a freer environment where democracy can really prosper and thrive.

J

Jaclyn Streitfeld-Hall 17:52

Despite our acknowledgment of the connection between atrocity risks and elections, you know, you've just talked about how, you know, now is the time to prepare in Senegal, you mentioned how a lack of preparation is often an issue. You know, too often, preventive efforts start to close to an election day when the window of opportunity for effective preventive action may already be closed, or early warning signs of election related violence are completely ignored. Is there any particular reasoning you've seen as to why we don't see any real investment in preventing election-related violence, especially since we know that it is a risk? Yeah, to the extent that we have seen preventive measures taken, they tend to be focused on

institution-building, democratic standards, ensuring monitoring fairness of the credibility of the elections, which is important in principle, important in terms of ensuring that the elections are carried out fairly, and obviously has some impact on atrocity risks, because, you know, if elections are not perceived as credible, that increases grievances among communities, but atrocity prevention and even human rights monitoring and violence prevention is not often part of these efforts. So what do you think can be done to ensure policymakers assess and take steps to address atrocity risks, human rights restrictions that are coming up ahead of the election, rather than focusing exclusively on technical aspects of the elections? Obviously, acknowledging technical aspects are important, but they shouldn't be kind of implemented in exclusion of other things.

C

Christopher Fomunyoh 18:33

My sense is that there also, there often has been an assumption around elections for countries that have held elections before, there has always been an assumption that they would find or model their way out of the situation and that the benefit of the doubt has always been that countries or governments would conduct themselves and conduct elections in a way that would avoid the loss of lives for their own citizens or the destruction of property. So that assumption, in some ways, you know, tends to slow the pace of involvement of civil society organizations such as yours, who have taken on the responsibility to alert the world and countries around the world to the potential for mass atrocities, and the loss of life around electoral processes. My recommendation and my hope would be that, as we have seen, more and more countries deal with issues of shrinking political space and violence in the pre-election period, that those indicators should be taken as precursors for potential violence around election day itself, and therefore, raising the decibel level of the warning signs of the warning signals that gets sent out would be one constructive step that could be taken to alert both domestic actors, as well as partner organizations, to watch out for those incidents that could trigger mass atrocities around the election period. I mean, that's an excellent question. Because all too often, and we all agree that these technical issues are important, that good institutions, well, functioning institutions are critically important. But it's also important for us to make the case that people, elections is all about people. And the people, the people who have to participate in voting, or in maintaining peace around election day, or in conducting the polls, the people have to buy into the process of peaceful elections. And I believe it's through advocacy by domestic civil society organizations, by international organizations and partners, that we can continue to sensitize the powers that be to the fact that the investment in institutions should also be accompanied by investments in people, that when you spend resources to do civic and voter education, that you minimize, or you mitigate the potential for conflict, because the citizens will then conduct themselves properly around the electoral process in its entirety. When you spend resources to provide training, adequate training, to those that go out and administer the polls, then you create an environment where there'll be no reason for citizens to feel aggrieved by the manner in which the polls were conducted. I think that advocacy also needs to extend to the groups that you mentioned in the first category, the groups that are interested in elect and participate in election monitoring, whether they are citizen observation groups, or international observer missions, that in their, in their questionnaires, they should also integrate into their indicators for how the past judgments on electoral processes those indicators that have to do with potential flashpoints for mass atrocities. And if these organizations, domestic and international, begin to integrate, integrate those indicators in their questionnaires, then they will have to report on those indicators every time the issue reports around elections. Happily, we have seen the evolution, the development, the real massive development of citizen observation efforts across the continent. They need to be encouraged and also motivated to begin their monitoring

process early enough so that they can pick up on those signs, because if they wait until the election day, then they will have missed the mark. But if they begin early enough, and they integrate in their questionnaires questions that pertain to those potential flashpoints, they're likely to pick them up early, they're likely to sound the alarm bells early, and that will call the attention of both national and international stakeholders. One innovation that we've also seen with citizen observation organizations across the continent, is the deployment of long-term observers. This is an innovation because it didn't exist a decade ago, or 15 years ago. There were no longtime observers. But my sense is that with time, as citizens have seen that there are incidents that occur in the pre-election period that could spark or exacerbate potential tension and conflict and mass atrocities around election day itself, these civil society of decisions are now deploying long-term observers way in advance of election day, and we just need to support those kinds of effort and increase the investment in those long-term observer missions so that they can observe and report accurately on things that are already happening in the pre-election period, incidents of violence that are already happening in the pre-election period, that should be picked up in time. And that should enable concrete steps to be taken to deal with them early on, or to also preempt their being exacerbated in the lead-up to election day itself.

J

Jaclyn Streitfeld-Hall 25:46

I think you've already started answering my my next question. But I think I'll just push you a little further on this, which is, you know, as someone who's participated in organizing and advising observation missions, you know, what role do you think missions and their public findings can have in preventing atrocities and leveraging the concerned state to address risk? So I think, I think you've already, you know, come up with some good ideas around how to include atrocities in their findings, but how do you think we can leverage this into an actual response either from the state or from, you know, international community who has some influence on the state?

C

Christopher Fomunyoh 26:24

Well, first of all, I think we need to enhance the capacity of citizens to monitor and report on election-related violence and incidents in their respective countries. Citizen observation, happily, has now been adopted as a matter of principle in most of the countries or almost all countries where governments have recognized the right, as part of the Universal Declaration of Human Rights, for citizens to participate actively in their own election, and that participation also entails the right to be able to monitor and report on election related processes and incidents. So I think we need to capacitate those organizations even further, so that rather than organizing long term observers for the last three months in the electoral period, we have them deployed six months in advance. They are citizens of the country, and they can see the early signs, they can understand the local languages, they can understand what is being communicated by some of the candidates. When they speak to their constituencies, or in their constituencies to their constituents in languages that may not necessarily be understood by the international community, they can see, they can feel the tensions, inter-communal tensions that are already arising, because candidates for one seat in one race may come from communities that are in competition for resources, for access to power, and they, and in those situations, tensions begin to mount or begin to build in the pre-election period. And now if you have a huge substantive deployment of citizen observers six months in advance, four months

in advance, they are likely to pick up on those tensions and to report on them. And so I think that even for the international partners and organizations that get involved in election observation, we all collectively should be making the case for citizen observers to be empowered even further, for resources to be also allocated for these citizen organizations to be able to do this monitoring in the pre-election period and way in advance. You know, we have dealt, had to deal with situations in countries where the partners come in with some resources and they allocate all their resources to the election management body or the election commission. And I think that's really a misstep, because they should almost be a permanent quarter of resources that are provided as technical support around elections to go to the citizen observers, so that they are encouraged and motivated and equipped to deploy long-term observers in advance. And if they take to the advocacy of including in their questionnaires indicators to those factors that will spark armed conflict and mass atrocities and to report on them in advance, they could, they could really succeed in moving the needle and raising the alarm and in pushing state institutions, regional organizations, and even continental bodies such as the African Union, to be able to activate their early warning system and to utilize those findings in a way that can help mitigate the potential for mass atrocities around elections.



28:15

You know, I want to return to some of the cases that you mentioned at the beginning of our conversation, you know, Kenya and Cote d'Ivoire come to mind, but but others as well on the continent. You know, do you have any examples, from what you've witnessed, of best practices in mitigating risks surrounding elections, or steps and reforms done at the national or international level that have effectively alleviated tensions? You know, Kenya and Cote d'Ivoire come to mind because I think the violence that preceded the elections we mentioned was so on a scale that was so shocking. And then both countries have had elections since that haven't had that level of violence. So were there things implemented that you think helped prevent atrocities in the future? You know, what changed the conditions in those spaces?



Christopher Fomunyoh 31:03

That's also an excellent question. And the two cases, if we use those two countries, as case studies, do provide some lessons learned, some best practices that could be implemented by other countries or even in those countries continue to be implemented going forward. My sense is that in the case of Kenya, there was a realization, having been really struck by the scale of atrocities around those elections, there was an understanding amongst political elites that they had to redo their political alliances, or coalitions, in a way that would not exacerbate pre-existing competitive relationships amongst communities. And so what came out of Kenya were more broad-based coalitions. There were multi-ethnic coalitions, and that mitigated the sharp edge of inter-communal or inter-ethnic competition in Kenyan politics. And I think that had a considerable impact in subsequent elections, when there were larger coalitions that brought in representation and leadership from multiple ethnic groups, some of which had been in competitive postures in the past. The lesson that I draw out of Cote d'Ivoire, is the work that has been done in the post-conflict, post-2010 period, where Cote d'Ivoire has invested a lot of effort and Ivorians across party lines have formed local inter-party committees, with representation from different political parties at the local level, in communities at the local level, for the purpose of identifying issues of potential conflict and working at the local level within communities to mitigate those incidents. Right now, they have something that is

referred to by the French acronym of C, I, E, D, or the CIED, which is this assemblage of local communities, almost you could say they're formed by representatives of different political parties represented in the localities. But their main purpose is to facilitate inter party dialogue at the local level and to find ways to resolve issues that arise in the localities at the local level before they expand or before they get exacerbated into open blown conflict at the local level, which can then trigger other incidents of violence in other parts of the country. And I think the creation of this inter-party dialogue committees has been very effective, because in subsequent elections in 2015, in 2020, we heard reports of many of these inter-party committees being activated to respond to potential incidents or incidents of potential conflict at the local level to resolve them and then to report at the national level about how efforts are being made by political party representatives in X locality or Y locality, to temper tensions and to make sure that citizens can participate in the elections and accept the outcome without pre-existing relationships being tested and rendered tense by the fact of those communities participating or competing in elections. So those two countries have gone through very difficult experiences in the past, they have learned their lessons, they've now adopted processes and institutions at the local level that respond or cater to these incidents of potential violence, and I think they're not doing much better in having elections than may still be competitive, but not violent, and therefore not likely to cause atrocities or mass violations of human rights.

J

Jaclyn Streitfeld-Hall 35:32

What role do you think that, sort of, new and emerging technologies are playing in increasing risks, either in the African continent or around the world, particularly around elections? You know, we see, you know, a rise in disinformation, fake news, misinformation campaigns on social media, in print media, particularly around election periods. So what what do you think that impact of this is on elections?

C

Christopher Fomunyoh 36:02

I mean, the the impact is huge, and I'm so glad you bring this up, because we see, especially around political events, around elections, the emergence, which is a new phenomenon, unfortunately, on the continent of Africa with a lot of disinformation and fake news. While this is also a global phenomenon. In some of the other more established democracies, the media is well placed, even citizens themselves are well placed to do fact check in real time and to knock down some of the disinformation and fake news. Unfortunately, in transition environments, those facilities are not there for citizens to be able to fact check in real time information that starts circulating on social media, for example. And given the inability, that inability to fact check in real time, sometimes rumors can build up, can spread very quickly, and some small incident that happens in one community then gets exacerbated and exaggerated in the way it's reported in other parts of the country, and all too often can then spark additional conflict. So it will be very important that as various stakeholders think through organizing elections, that they also make an investment in how they can curb disinformation and fake news around political processes and especially around elections. And one lesson, one best practice that I've seen in a number of African countries, for example, in Ghana, the journalists, the media houses, decided to come together and create a situation room where journalists from various media outlets were represented and where that situation room could be verifying, tracking social media, tracking reporting around the elections. And when they in unanimity could agree that it was inaccurate, they would immediately put out a flash news item or put out a corrective

information or a press release to say, the situation room of the media-monitoring civil society coalition is putting out this fact about something that is being carried out or being propagated on social media. So I'm happy to see that these homegrown solutions, creative, innovative approaches are being taken by media outlets, by media professionals, journalists, and civil society. And I believe that's also one area in which we need to make investments with regards to guaranteeing that elections could go hitch free, and to be peaceful, and not lead to violence. They could be a celebrated moment for the country's democracy and an opportunity for citizens and all other actors to participate meaningfully and peacefully in a process that will allow them to determine their leaders and for those leaders to be able to govern with the legitimacy that's required as the turn, as they seek to move their countries forward.



Jaclyn Streitfeld-Hall 39:19

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