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African Countries and Democratic Oversight of the Armed Forces: Analysis and Prospects

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PLAN

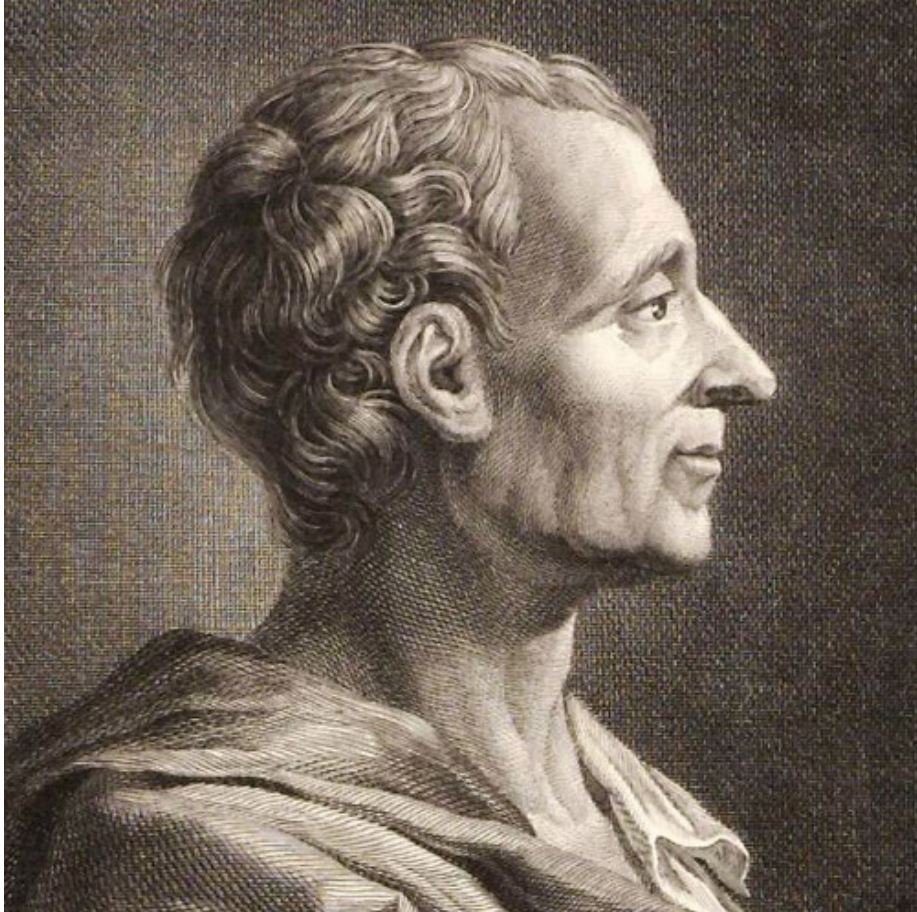


I. African armed forces face up to the demands of democratic oversight

II. How democratic oversight is exercised

III. Success factors for democratic oversight

PROBLEMS



“It is an eternal experience that every man who has power is likely to abuse it, until it reaches its limits.”

MONTESQUIEU (1689-1755)
French philosopher and writer

CHALLENGES

NEGATIVE ASPECTS

- Parallel, uncontrolled armed forces
- Regular armed forces are ill-prepared and ill-equipped
- Transnational crime
- Law-free zones
- Human rights violations
- Impunity

POSITIVE ASPECTS

- Democratic institutions
- Good governance and accountability
- Respect for human rights
- Public confidence
- Enhanced operational capabilities
- Improving living and working conditions for military personnel

LEGAL GROUNDS

- Declaration of the Rights of Man and of the Citizen of **August 26, 1789** (art. 12)
- **Resolution 55/96** adopted by the UN General Assembly December 4, 2000 on the promotion and consolidation of democracy
- **Resolution 2151 (2014)** adopted by the United Nations Security Council on April 28, 2014 on security sector reform, **Resolution 2553 (2020)**

I. ARMED FORCES AND THE DEMANDS OF DEMOCRATIC OVERSIGHT

	Police and Gendarmerie	Intelligence services	Armies
Missions	Ensuring public safety, Safety of people and their property	Produce analyses on state security, vital state interest and society.	Defend territorial integrity, institutions and vital interest, maintain peace
Methods and resources	Intelligence, prevention, repression, intervention	Surveillance of social networks, telephone tapping, interception of communications	Maneuvers, military operations
Action zone	Cities (Police) Cities and rural areas (Gendarmerie)	At home and abroad	Cities and countryside, borders, land, air and sea areas
Risks	Excessive violence, abuse of authority, corruption	Easy access to confidential information and abuse	Disproportionate violence, stigmatization, corruption
Challenges	Citizen's right to safety and to fair and impartial treatment	Citizen's right to privacy and human dignity	Right to life and human dignity

II. WAYS OF EXERCISING DEMOCRATIC OVERSIGHT

2.1 Internal control

EXECUTIVE POWER

- ✓ Organization
- ✓ How it works
- ✓ Areas of expertise
- ✓ Limits



2.2 External oversight

LEGISLATIVE



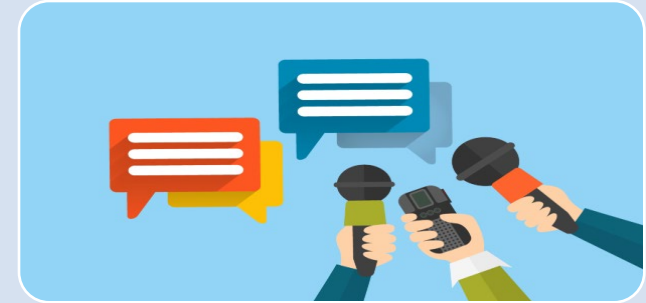
- . Control according to time: ex-ante, ex-post
- . Control by object
- . Control by form
- . Control by scope

JUDICIAL



- . Judging human rights violations
- . Judging military offences
- . Judging corruption and embezzlement

CIVIL SOCIETY



- . NGO
- . Research institutes
- . Media

2.3 Independent oversight

❑ THE MEDIATOR

- ✓ Designation
- ✓ Missions
- ✓ Role in the democratic control of the armed forces
- ✓ Limits

❑ THE COURT OF AUDITORS

- ✓ Auditing accounts

❑ EXPERT GROUPS



III. OVERSIGHT SUCCESS FACTORS

3.1 Democratic oversight as a partnership

- Solid trust between stakeholders
- Open communication and ongoing discussions
- Mutual capacity building

3.2 An adapted and enhanced legal and institutional framework

- A policy
- A constitutional value
- A guide: period, operations, players

CONCLUSION

Democratic oversight of African armed forces:

- **A necessity, not a luxury;**
- **Mixed results;**
- **A process of change;**
 - *Technical approach: awareness-raising, capacity-building, perseverance*
 - *Psycho-sociological approach: adhesion, trust, partnership*

THANK YOU FOR YOUR KIND ATTENTION

