# *AN APPRAISAL OF THE AFRICAN UNION AND DEMOCRATIC CONSOLIDATION IN AFRICA*

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**Abstract**

*This study sets out to explore the extent to which the African Union has been able to consolidate democracy in Africa, via its election monitoring system. It also examined the obstacles that hamper the realization of the objectives set out in the African Charter on Democracy Elections, and Governance, (ACDEG). Since not much have been written on the aforementioned subjects, therefore, this study seeks to fill these yawning knowledge gaps. The factors that threaten democracy in Africa include, but not limited to, military coup d'etat, tenure elongation, electoral corruption and violence. We anchored our analysis on the liberal democratic theory as espoused by Locke (1939); Rousseau (1950); Montesquieu (1978); Mills (1979); Heyek (1983) and adopted the descriptive research design. The study employed the secondary/qualitative method of data collection, while content analysis was utilized for the analysis of data. Essentially, we discovered that since the transition from the Organization of African Unity (OAU), to the African Union (AU) on 9 July, 2002, several governance institutions and mechanisms have been put in place to accelerate democratic development and socio-economic governance in Africa. These commitments are spelt out not only in the AU Constitutive Act itself, but also in the declaration on observing and monitoring elections, among others. The ACDEG is a vital instrument that underscores Africa's collective commitment to uphold constitutional order, entrench respect for human rights and strengthen the rule of law beyond electoral democracy. However, poor execution, and weak monitoring system among other factors, tend to hamper its implementation. Consequently, the study recommends among others, that the African Union Election Observation Mission (AUEOM) should be fully professional and its reports based on evidence generated over a period of time by trained observers and experts.*

## Introduction

The African Union (AU) was established in 2002, subsequent to the ratification of the AU Constitutive Act in 2001. The Union was intended to succeed the Organisation of African Unity (OAU), founded in 1963 to address apartheid in Southern Africa and support nations remaining under colonial domination in achieving independence. The impetus for establishing the African Union originated in September 1999 when African leaders endorsed the Sirte Declaration.

Busumtivi-Sam, 2006. The proclamation advocated for the establishment of a new organisation to succeed the former OAU. The OAU effectively assisted nations in achieving political independence; nevertheless, it did not succeed in facilitating the consolidation of internal democracy (Munithi, 2007). This desire for increased democracy has been transferred to the African Union. Since its inception, the Union has issued statements regarding the necessity to bolster democracy in nations confronting democratic issues.
Africa has experienced substantial transformations that have enhanced its governance framework over the years. The continent is characterised by civil conflicts (notably in South Sudan and Libya), coups d'état (as seen in Egypt and Zimbabwe), egregious human rights violations (seen in Sudan and Eritrea), and election-related violence (exemplified in Kenya and the Democratic Republic of the Congo). Aniekwe et al., 2019 The African Charter on Democracy, Elections and Governance (ACDEG) is a distinctive instrument designed to tackle these difficulties.

The Charter seeks to strengthen the dedication of AU member States to advance and enhance democratic governance and human rights throughout the continent. It is influenced by several judgements, declarations, resolutions, and normative instruments of the Organisation of African Unity (OAU) and its successor, the African Union (AU). These encompass, among others, the 1981 African Charter on Human and Peoples' Rights, the 1999 Algiers Decision regarding unconstitutional governmental changes in Africa, the 2000 Lomé Declaration on the Framework for an OAU Response to unconstitutional governmental changes, the 2002 OAU/AU Declaration on the principles governing democratic elections in Africa, and the 2002 Constitutive Act of the AU (McMahon, 2007).

Numerous articles have addressed the African Union and democratic consolidation in Africa; however, there is a paucity of literature regarding its election monitoring system, particularly in evaluating its impartiality in organisation and administration. Additionally, there is a scarcity of scholarly work on the challenges that hinder the achievement of the objectives outlined in the African Charter on Democracy, Elections and Governance (ACDEG). An investigation in these areas would have revealed certain factors contributing to Africa's democratic deficit. Consequently, our work aims to address these significant information deficiencies.

## Statement of the Problem

The African continent has had multiple military coups. Since 2000, the continent has experienced seven successful military coups that have led to the removal of democratically elected governments. Prior to it, a constitutionally democratic political order appeared to have firmly established itself in the government of African states.
In the past three years, democracy as a governmental system has been significantly jeopardised by seven successful coups in French-speaking African nations located in West and Central Africa, namely Guinea, Burkina Faso, Mali, Sudan, Niger, Gabon, and Chad (Adams, et al, 2025).
Tenure extension, in any form, is contentious; it fosters tensions and lays the groundwork for military intervention, as evidenced by the situation in Niger in 2010, or cultivates detrimental succession politics, electoral malfeasance, and violence, as observed in Nigeria under President Olusegun Obasanjo in 2007. (Adams et al., 2025)

Other African presidents who have successfully changed their constitutions to maintain their tenure include Abdelaziz Bouteflika of Algeria, Paul Biya of Cameroon, Idriss Deby of Chad, and Omar Bongo of

Gabon, among others. Instances of third-term political failures, notwithstanding the ruling party's legislative majority, include Chiluba's Zambia and Muluzi's Malawi, alongside Obasanjo's Nigeria (Adams et al., 2015). The reluctance to relinquish power in Africa poses a considerable problem, marked by leaders retaining their positions beyond constitutional boundaries, frequently leading to instability and democratic regression. This issue stems from a confluence of causes, including feeble State institutions, the centralisation of power within the executive branch, and the absence of strong democratic norms and practices. In Kenya and Zimbabwe, the opposition apparently triumphed; nevertheless, the incumbents either manipulated the final results or declined to admit loss (Omotola, 2011). Elections frequently incite strife in numerous African nations. In several instances, elections have been distorted to validate autocratic regimes or to guarantee dynastic successions on the continent. The fundamental issues stemming from the AU's election monitoring experiences pertain to administrative and implementation obstacles. Moreover, the AU's teams rarely remain for more than three to five days. This is insufficient to acquire a comprehensive understanding of the electoral institutional framework in any nation. Violence continues to afflict roughly 20 to 25 percent of elections in Africa (Bekoe, 2012). Recent high-profile electoral crises in Kenya (2007-2008), Zimbabwe (2000-2008), and Côte d'Ivoire (2010-2011) have resulted in a minimum of four thousand fatalities and the displacement of hundreds of thousands (IPI, 2012).

## Research Questions

i. How has the African Union been able to consolidate democracy in Africa, through its election monitoring system?

ii. What are the obstacles that impede the realization of the objectives set out in the African Charter on Democracy, Elections, and Governance?

## Objectives of Study

The study sets out to achieve the following objectives:

i. To examine the extent to which the African Union (AU) has been able to consolidate democracy in Africa, via its election monitoring system.

ii. To explore the obstacles that hamper the realization of the objectives set out in the African Charter on Democracy, Elections, and Governance.

## Conceptual Clarification

### The African Union (AU)

The 'noble' principles that inspired the founders of the OAU and Pan-Africanism, characterised by a commitment to fostering unity, solidarity, cohesiveness, and cooperation among the peoples and states of Africa, have been reaffirmed in the 2001 Constitutive Act as the goals of the AU. The recently articulated aspirations include a commitment to advance socio-economic development, effectively address the challenges of globalisation, foster partnerships between government and civil society, prioritise conflict prevention as essential for the execution of development and integration agendas, safeguard human and people's rights, and strengthen democratic institutions and culture, which have been identified as core aspirations (Yihdego, 2011).

Article 3 of the 2001 Act reaffirmed African Unity, Sovereignty, and international collaboration as the principal objectives of the Union. The African Union's newly articulated objectives include the promotion of

'democratic principles and institutions,' the 'coordination and harmonisation of policies among current and future regional economic communities,' 'research across all domains, particularly in science and technology,' and collaboration with global partners to eliminate 'preventable diseases and enhance health across the continent' (Yihdego, 2011).

Article 4 of the Act reaffirms the principles of peaceful conflict resolution and the prohibition of force and involvement in the internal affairs of other States. The Union's capacity to intervene in dire situations, including as genocide and crimes against humanity, has been increased (Constitutive Act, Art 4, 2001).

Additional principles that have arisen encompass the 'respect for democratic principles, human rights, and good governance,' the 'rejection of unconstitutional changes in government,' the 'promotion of equitable development,' the 'upholding of the sanctity of human life' concerning political assassination and acts of terrorism, the 'advocacy for self-reliance,' and the 'involvement of African peoples in Union activities' (Constitutive Act, art 4, 2001).

The Constitutive Act of the Union has established nine principal organs, in contrast to the four of the OAU. These include: The Assembly of the Union; The Executive Council; The Pan-African Parliament (PAP); The Court of Justice and Human Rights; The Commission; The Permanent Representatives Committee (PRC); The Economic, Social and Cultural Council (ECOSOCC); and The Financial Institutions (Constitutive Act, Art 5(1), 2001). The Peace and Security Council (PSC) and the New Partnership for African Development (NEPAD) are integral components of the AU's institutional framework.

## Democracy

Democracy exemplifies a quintessentially contentious idea (Gallie, 1956). The concept of democracy as a governmental system founded on a certain level of popular sovereignty and collaborative decision-making is mainly unchallenged (Landman, 2007). The concern regarding the supplementary elements of this fundamental formulation has engendered substantial and serious debate about the various definitions of democracy. This study encompasses definitions of democracy, namely procedural democracy, liberal democracy, and social democracy.

Dahl's (1971) procedural definitions of democracy encompass two dimensions: contestation and participation. Liberal versions of democracy emphasise contestation and involvement while incorporating explicit references to the safeguarding of certain human rights. Liberal definitions encompass an institutional aspect that reflects the limitations imposed on leaders and the representation of citizens, among other factors. Social conceptions of democracy preserve the institutional and rights-based aspects inherent in liberal definitions, while broadening the scope of rights to encompass social and economic rights. Democracy can be defined as a system of governance structured around the ideas of popular sovereignty, political equality, public consultation, majority rule, accountability, and human rights, among others.

## Democratic Consolidation

The term "consolidation" signifies movement, arrival, progress, and achievement, which reflects the teleological essence of democratic consolidation (Schedler, 1997). Its explicit objective is solidity, which encompasses two distinct meanings. It conveys strength, resilience, and stability. Conversely, it delineates a more qualitative aspect, characterised by soundness and

meticulous execution. In the majority of scholarly literature, democratic consolidation refers to either the elimination of the risk of democratic collapse or the progression towards an elevated level of democratic efficacy. Consequently, Schedler (1997) delineates five concepts of democratic consolidation: preventing democratic collapse, averting democratic erosion, institutionalising democracy, fulfilling democracy, and enhancing democracy.

- Avoiding democratic collapse: This entails diminishing the likelihood of such an occurrence to a level where there is a reasonable assurance that democracy will endure in both the immediate and distant future.
- Preventing democratic deterioration: In addition to reaffirming military dominance, other forms of erosion undermine various institutional foundations of democracy. State violence and absence can undermine the rule of law; the emergence of dominant parties may stifle electoral competition; the deterioration of electoral institutions may compromise the integrity of vote counting; incumbents may exploit their privileged access to State resources and mass media in ways that contravene fundamental standards of electoral fairness.
- Institutionalizing democracy: The institutional aspect focusses on fortifying institutions; therefore, priority should be given to supporting stable presidencies over individual presidents, stable party systems over amicable parties, and institutions over leaders (Navia, 2008).
- Completing democracy: This denotes the objective of finalising an incomplete transition to democratic governance. Graphically, actors often reflect on the perils of authoritarian regression while simultaneously anticipating the potential for democratic advancement (O'Donnell and Schmitter, 1996).
- Deepening democracy: This denotes the enhancement and expansion of democratic values and institutions beyond basic electoral processes to cultivate a more inclusive, responsive, and participatory governing system. The preceding exposition indicates that democratic consolidation is a process in which the institutions, rules, and constraints of democracy become the exclusive legitimate mechanism for obtaining and exercising political power.

## Theoretical Perspective

This study is based on the liberal democratic theory articulated by Locke (1939), Rousseau (1950), Montesquieu (1978), Mill (1976), and Hajek (1983). The fundamental principles of this ideology encompass individualism, rationality, tolerance, civil freedoms, justice, and constitutionalism, among others. At its inception, liberalism embodied the ambitions of an emerging industrial middle class, opposing absolutism and aristocratic privileges while promoting constitutional representative governance (Heywood, 2003). Toleration in liberal thought is forbearance, an acceptance of individuals' rights to think and conduct contrary to our disapproval. Toleration serves as both an ethical ideal and a social concept (Locke, 1939). The notion posits that humanity have significant potential to advance social progress and individual well-being. Consequently, man is a rational being, adept at identifying and pursuing his own best interests (Rousseau, 1950; Bentham, 1995).

Consequently, the ability to reason empowers individuals to govern their lives and

shape their futures.
The theory's assumptions are as follows: A liberal democratic political system and the respect for liberties can only emerge within a capitalist economic framework; a just society must therefore allow for freedom and provide opportunities for fulfilling and satisfying lifestyles; individuals must be treated with appropriate respect for the dignity inherent in moral responsibility, which is essential for the existence of moral accountability; liberty is not solely an individual benefit, but also a societal advantage.
This theory is suitable for the study due to its capacity to elucidate the African Union's involvement in fortifying democracy in Africa. The Africa Charter (1981) acknowledges some rights that were subsequently incorporated into the Africa Charter on Democracy, Elections and Governance (ACDEG). In addition to the right to participate in government, other significant rights enshrined in the ACDEG include the right to freedom from discrimination (African Charter, art. 2; ACDEG, art. 8), equality before the law and equal protection of the law (African Charter, art. 3; ACDEG, art. 10(3)), freedom of expression (African Charter, art. 9; ACDEG, art. 28(8)), the right to education (African Charter, art. 17; ACDEG, art. 43), the right to a satisfactory environment (African Charter, art. 17; ACDEG, art. 42), and the right to peace and security (African Charter, art. 23; ACDEG, art. 38).

## Methodology

The study adopted descriptive research design. Qualitative data obtained from secondary sources like journals, textbooks, newspapers, magazines and internet materials were used, while the method of data analysis is content analysis.

## The African Union and Its Election Monitoring System

In order to promote the development of democratic values in Africa, the AU developed certain institutional architectures and norms. Such norms include the declaration on the framework for the AU's response to unconstitutional changes of government, the declaration governing democratic elections in Africa, and the declaration on observing and monitoring of elections.

Election Monitoring is a process through which elections are scrutinized and evaluated for the purpose of determining its impartiality in terms of organization and administration (Adesina, 2012). The International Institute for Democracy and Electoral Assistance (IDEA) defines it as follows;

> Election monitoring is the purposeful gathering of information regarding an election process and the making of informed judgements on the conduct of such a process on the basis of the information collected by persons who are not inherently authorized to intervene in the process and whose involvement in mediation or technical assistance activities should not be such as to jeopardize their main observation responsibilities (Adesina, 2012).

Election monitoring fundamentally includes the three primary phases of the electoral cycle: prior to, during, and subsequent to the elections (Baradei, 2012). The pre-election phase may encompass several operations, including monitoring media coverage of elections, overseeing election expenditures, verifying the voter list, and training volunteers on the monitoring process. On election day, Baradei (2012, p. 14) asserts that "the monitors scrutinise all facets of the polling process and record all pertinent details, including the availability of voting materials,

privacy concerns, security measures, and any exerted pressure." In the post-election phase, election monitoring may participate in ancillary activities, including citizen education and advocacy for electoral change (Baker, 2002, p. 25).
Concerning Africa, some individuals consider election monitoring a viable method for establishing universal electoral standards and a dependable means of evaluating the degree to which African States adhere to these requirements. Consequently, the AU has allocated significant attention and resources to promoting democratic growth in Africa via election monitoring. The African Union (AU) has achieved this by establishing institutional norms, particularly the Democracy and Electoral Assistance Unit (DEAU) within the Department of Political Affairs of the AU Commission. Its primary responsibilities encompass not only election observation but also the execution of the AU's program for the advancement of democracy and democratic elections across the continent (Omotala, 2012). Since the establishment of these electoral and democratic mechanisms, the AU has progressively assumed a pivotal role in overseeing elections in Africa. AU observer teams have been dispatched to more than 50 nations throughout various African countries. In 2021, the election monitoring team was dispatched to witness the election on 21 June 2021 in Ethiopia. The year 2024 was significant for elections in Africa. At the start of the year, 17 African nations were slated to have presidential or general elections. In 2024, 13 nations conducted elections, although four polls being postponed in Burkina Faso, Mali, South Sudan, and Guinea Bissau. The AU observer missions (EOMS) were dispatched to these nations (ISS/PSC report, 2025).

Two issues stemming from the monitoring experience may compromise the anticipated benefits of election monitoring: (1) contextual variables present in the host country, and (2) administrative and operational obstacles. Regarding contextual variables, multiple concerns are involved. The first pertains to the institutional frameworks of electoral administration, particularly concerning the election management bodies (EMBs). When EMBs are structured according to the independent model, characterised by significant administrative and financial autonomy, there tends to be an elevated level of professionalism and job security, which may empower election administrators to operate without bias or undue influence, and vice versa. Regrettably, in several African nations where the Electoral Management Bodies are ostensibly autonomous, the existing circumstances often suggest otherwise. Reports from numerous independent election observers regarding contentious election outcomes that resulted in significant post-election violence, such as the disputed presidential elections in Kenya (2007), Nigeria (2007), Zimbabwe (2008), and Côte d'Ivoire (2010), have indicated that the electoral management bodies were complicit in the irregularities. A recent assessment by the United Nations Economic Commission for Africa has characterised the overall performance of EMBs in Africa as inconsistent (Omotola, 2014). The factors that instigated this violence are multifarious, encompassing flawed or failed elections, inadequate electoral governance by responsible bodies, exclusionary political practices, socio-economic anxieties related to the loss of political power, and the complications inherent in partial democracies, among others (Adolfo, 2013).
The paramount issues stemming from the AU's monitoring experiences pertain to significant administrative and execution obstacles; hence, the fundamental challenge is inadequate representation and coverage.

Consequently, in Tunisia's October 2024 presidential election, the AU dispatched 40 short-term observers to 17 of the nation's 24 governorates, encompassing almost 70% of

the territory. In Mozambique, merely 42 observers were sent to oversee 265 out of 25,000 polling sites, rendering it the smallest observation contingent among international organisations. In 2024, the mean deployment consisted of 42 observers, irrespective of the size, complexity, or fragility of the election context (1SS/PSC Report, 2025). This situation, due to constrained resources and logistical limitations, undermines the AU's potential to monitor and detect structural vulnerabilities in remote regions, hence impairing its ability to mitigate risks through early intervention.

A further aspect that restricts the extent of coverage is strongly associated with the aforementioned point, namely that the majority of the AU's election monitoring activities are often short-term, mostly concentrating on events occurring on election day. The implication is that essential pre-election events, including campaign activity, media accessibility, and other matters, which are typically volatile and establish the tone for election-day proceedings, are inadequately addressed, if not overlooked. This applies to post-election activities, during which the focus of election monitors and foreign media may have diverted elsewhere. Consequently, the AU teams, with the sole exception of the Republic of Congo in 2012, when they remained from July 6 to 21, typically do not exceed a duration of three to five days (Omotola, 2014). This is insufficient to get a comprehensive and accurate understanding of the electoral framework in any nation, encompassing electoral legislation, voter registration, and electoral geography.

The AU's election monitoring reports have, on various occasions, contradicted those of affiliated organisations, both international and domestic. Contradictions were evident in its reporting on the 2007 Nigeria elections (Adebayo and Omotola 2007) and Nigeria's 2011 Presidential election (Adesina, 2012). In a pertinent instance, although foreign and domestic observer groups denounced the 2011 Republic of Congo election for its lack of integrity, noting several anomalies, the AU observers characterised it as 'successful' (Ogude, 2012).

These conflicts may be attributed to the presence of unwritten norms and informal coalitions that often compel the AU to demonstrate solidarity with its members. The principle appears to be that, except in dire situations, incumbents ought to be shielded from humiliation. This solidarity thesis is particularly relevant to second-term elections, as exemplified by President Joseph Kabila in the DRC in 2011 and President Goodluck Jonathan in Nigeria in the same year. A somewhat more notable instance was the Obasanjo-led movement in Senegal in 2012, which aimed to provide a soft-landing arrangement for Wade (Omotola, 2024). In these instances, the AU's reports' tendency to overlook evident inconsistencies identified by other monitoring organisations is readily apparent.

## The African Charter on Democracy, Elections and Governance (ACDEG) and Its Implementation Impediments

### *The objectives and principles of the Charter*

Section 1 of the text requires a robust institutional history of safeguarding and advancing democracy within the African regional system. The Preamble of the charter acknowledges this and establishes its foundation in the current human rights and democratic framework by referencing historical documents, such the Algiers and Lomé Declarations, the Cairo Agenda, and pertinent parts of the African Union's Constitutive Act (Glen, 2012). The Preamble articulated its objectives through deliberate language concerning the institutionalisation and entrenchment of democratic norms. It

aims to establish a political culture on the continent characterised by the regular, free, fair, and transparent transfer of power through elections administered by competent, independent, and impartial national electoral authorities (African Charter, preamble, 2007). It aims to enhance and fortify good governance by institutionalising transparency, accountability, and participatory democracy. The second item enumerates thirteen distinct aims that pertain not only to the establishment and reinforcement of democracy but also to additional anticipated advantages arising from such institutional development. They encompass, but are not restricted to: • The advancement of commitment to universal democratic values and the respect for human rights.

• The promotion, rejection, and condemnation of unconstitutional governmental changes in any Member State pose a significant threat to stability, peace, security, and development. • Advancement and safeguarding of judicial independence.
• Foster, support, and reinforce effective governance by advancing democratic culture and practices, enhancing governance institutions, and instilling political pluralism and tolerance. • Promote and establish essential conditions to encourage citizen participation, transparency, access to information, freedom of the press, and accountability in public affairs management. (African Charter, Article 2)

### *Assessing the import of the Charter*

The African Charter on Democracy is strongly rooted in the enduring commitment to democratic administration, as demonstrated by the numerous declarations and decisions of the OAU and AU. The Charter partially institutionalises its predecessors while also representing a progression beyond the provisions of those earlier documents. Consequently, it encompasses a more expansive definition of what constitutes "unconstitutional changes" in government, and this terminology ideally indicates a commitment to more vigorously address autocrats who attain power through unconstitutional methods, such as the abrogation of term limits or electoral manipulation, rather than solely those who seize power via coup d'état (Glen, 2012). The Charter emphasises constitutionalism, establishing State authority based on written Constitutions and constraining future actions by that Constitution. The Charter tackles the issue of Constitutional loyalty in two ways that extend beyond unconstitutional transfers of administration. It seeks to delineate the essential function of a Constitution within a State, mandating AU members to 'entrench the idea of constitutional supremacy in the political framework of the state.' It mandates that no alteration or reform of a Constitution shall occur without 'consensus' and underscores the importance of referenda as the mechanism for amendment (Schnably, 2008). The aforementioned observations substantiate the claim that the AU and its member States are progressively departing from a notion of Sovereignty that prohibits external involvement in all situations (Bassett and Scott, 2011). The Charter enhances the Peace and Security Council's activist role in both reinstating democratic governance and preventing unconstitutional transitions of government. The African Commission is assigned a crucial function in overseeing and monitoring elections, as well as in assessing whether the prerequisites for a democratic election have been fulfilled, even before a domestic election occurs.

The Charter innovatively extends the discourse on the interconnectedness of the promotion and consolidation of democracy, the protection of human rights, and the establishment of democratic governance within a reformed economic, social, and political framework.

This illustrates the correlation between economic growth and democracy; the establishment of democratic governance facilitates development, while progress in development fosters the emergence of democratic government. The Charter also promotes social problems, including poverty alleviation, education, literacy, and healthcare (Glen, 2012).

A notable innovation resulting from the ACDEG is the establishment of an African Governance Architecture (AGA). The AGA is envisioned as a forum for dialogue among diverse stakeholders tasked with promoting good governance and reinforcing democracy in Africa (African Governance platform, 2010). The platform's major purpose is the implementation of the ACDEG. The secretariat is located inside the Department of Political Affairs of the AU Commission, which is tasked with coordinating the execution of the ACDEG as stipulated in Article 45(C) of the ACDEG.

The primary method to oversee and improve adherence to the ACDEG is the State reporting process. Every biennium, State parties are mandated to submit a report detailing the steps implemented to actualise the principles and obligations of the ACDEG (ACDEG, art. 49(1)).

The ACDEG mandates the AU Commission to prepare a synthesised report on the implementation of the Charter (ACDEG, art. 49 (3)). This study presents precise suggestions to the Assembly and State parties regarding the steps required for the proper implementation of the Democracy Charter. The compilation of this report and the framework of information provided by the AU Commission bestow upon it a significant role in shaping the themes and discussions that the Assembly and Executive Council will address. The treaty reporting systems underscore the importance of transparency and information sharing as essential prerequisites for ensuring compliance.

***Obstacles to the implementation of the African Charter on Democracy, Elections and Governance (ACDEG)***

The ACDEG's performance in its initial decade presents reasons for both optimism and apprehension regarding its execution. A primary difficulty is insufficient infrastructure and capacity to efficiently manage the process. The ACDEG serves as an extensive manual for the reinforcement of democratic governance across the continent. Nonetheless, in the absence of a robust monitoring and evaluation structure, even the most effective device may falter due to inadequate execution or insufficient oversight.

The access rule is a crucial factor that affects the implementation of the ACDEG. The word "access rule" denotes the stipulation for obtaining remedy in instances of Charter violations, encompassing the exhaustion of local procedures and the submission of grievances to the African Commission on Human and Peoples Rights (ACHPR). This serves as the conduit for civil society organisations to solicit direct political support from the AU, specifically from the AU Commission Chairperson or the PSC, in the enforcement of ACDEG regulations, especially during an impending political crisis. Inadequate access would compromise the AU's credibility and legitimacy, while jeopardising crucial alliances in the advancement of improved governance across Africa (Witt, 2019). Consequently, restricted access impedes the establishment of a thorough continental accountability framework.

The ACDEG's extensive thematic focus engages a diverse array of stakeholders at both the State and AU levels. The execution of the ACDEG will rely on the degree of collaboration among the implementation partners, including, for instance, the Pan-African Parliament and national Parliaments; the AU's Economic, Social and Cultural Council (ECOSOCC) and Civil Society

Organisations; the ACHPR, constitutional and supreme courts, along with the wider legal community encompassing judges, lawyers, legal scholars, bar associations and (transnational) NGOs; the DEAU and electoral bodies, as well as other essentia This collaborative initiative will promote more vigorous enforcement of the ACDEG. Consequently, in the absence of adequate local and global political backing, the emergence of broad agreement is improbable. The degree of implementation will differ according on the efficacy of the governmental regimes. Consequently, the execution of international agreements is more likely in democratic regimes than in authoritarian ones (Engel, 2019). However, if the ACHPR's vigorous assertion of its mission, including the enforcement of the ACDEG, is not accompanied by a corresponding dedication from States to uphold human rights and democratic principles, a political backlash against the ACHPR may ensue (Daly & Wiebusch, 2018). This backlash may encompass systematic non-compliance with decisions and the formation of a multinational alliance aimed at dismantling the court (Madseen et al, 2018).

## Conclusion

This study aims to assess the degree to which the African Union (AU) has successfully consolidated democracy in Africa via its election monitoring system. It also examined the impediments that hinder the achievement of the goals established in the African Charter on Democracy, Elections, and Governance (ACDEG). Our analysis was grounded in the liberal democratic theory articulated by Locke (1939), Rousseau (1950), Montesquieu (1918), Mills (1976), and Hayek (1983). We found that since the transition from the Organisation of African Unity (OAU) to the African Union (AU), various governance institutions and mechanisms have been established to enhance democratic development and socio-economic governance in Africa. These commitments are articulated not only in the AU Constitutive Act but also in the declaration regarding unconstitutional transitions of administration, the declaration controlling democratic elections, and the declaration on the observation and monitoring of elections. The AU's election monitoring reports have, in some occasions, contradicted those of both international and domestic sister organisations. Moreover, the AU election observation teams often remain for only three to five days. This is insufficient to acquire a comprehensive understanding of the electoral institutional framework in any nation. By adopting the ACDEG, AU member States aimed to enhance democratic governance through various measures, including conducting regular, equitable, and transparent elections; fostering respect for human rights; repudiating unconstitutional governmental changes; and establishing robust institutions that underpin democracy. Nevertheless, insufficient infrastructure, a lack of ability for efficient coordination, and the engagement of several stakeholders tend to obstruct its implementation.

## Recommendations

i. The AUEOM should be fully professional and its reports based on evidence generated over a period of time by trained observers and experts.

ii. Apart from proper monitoring and evaluation of the ACDEG, cooperative engagement among the implementation partners should be enhanced to encourage more robust enforcement of the Charter.

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