

THE BROOKINGS INSTITUTION
SAUL/ZILKHA ROOM

THE STATE OF HUMAN RIGHTS IN AFRICA

Washington, D.C.

Wednesday, November 20, 2019

PARTICIPANTS:

MICHAEL O'HANLON, Moderator
Senior Fellow and Sydney Stein Jr. Chair, Foreign Policy
The Brookings Institution

TISEKE KASAMBALA
Chief of Party, Advancing Rights in Southern Africa Program
Freedom House

MAUSI SEGUN
Executive Director, Africa
Human Rights Watch

JON TEMIN
Director, Africa Program
Freedom House

* * * * *

P R O C E E D I N G S

MR. O'HANLON: Good afternoon everyone. And welcome to Brookings, and the Africa Security Initiative.

I'm Michael O'Hanlon with the Foreign Policy Program here, delighted to have two friends and colleagues from Freedom House, Jon Temin, who is the Head of the Africa Program there. And Tiseke Kasambala, who works largely on Southern Africa issues. And we expect to be joined soon by Mausi Segun from Human Rights Watch, who focuses on half of Africa there, with her portfolio. We are looking forward to welcoming her as well.

But I want to welcome all of you. Thank you for being here we have a rich and broad topic today of Human Rights on the entirety of the African Continent. And as, you know, this Continent includes 54 countries, we tend to have a -- focus a little more on the Sub-Saharan part of Africa here in the Africa Security Initiative, because we have a separate Middle East Program. But still we're around 50 countries, plus or minus, and a lot of expertise, a lot of people who have spent time working on these countries, living in them.

Tiseke is from Malawi, got her undergraduate education there, went to the Netherlands for her graduate education. Has done a lot of writing for a lot of African, European and American publications, and we're just thrilled to welcome her here, I think for the first time, to Brookings.

Jon has been here before -- (Applause) Yeah great idea, good call, thank you.

Jon hails from Swarthmore College and SAIS across the street, and originally from the Great State of Massachusetts. Worked in the Policy Planning Staff at the State Department in the Obama administration; has a long-standing background of research, and writing, and activity on Africa. Did a Fulbright Fellowship in Ghana back in the day, and has also penned a very important Foreign Affairs article on *Africa's Pivotal States*, that he co-authored last year which led to an earlier event we had done here.

And so I'm going to stop in just a second and ask them to frame the broad question of *Human Rights in Africa*, with a very, you know, wide, sweeping, opening question. And then we'll try to bear down as we also, hopefully, welcome Mausi upon her arrival.

But I also wanted to suggest just by one more way of partial narrowing of the focus at

least to start, you're invited to bring up any country you want because we've advertised this as Human Rights in Africa, and certainly you can also bring up transnational issues, or questions that involve more than one country at a time or, you know, OAU issues sort of -- whatever you prefer.

But I thought we could usefully begin to frame the conversation, at least for my brain, by thinking about the pivotal states that Jon wrote about before, some of Africa's largest states which have been in interesting periods of political transformation, many of them. So, Ethiopia, Nigeria, my old Peace Corps country of DRC, Kenya; Jon wrote about Angola, but certainly if -- and I think South Africa.

If you're going to talk about Kenya you can talk about Tanzania, comparably large country. And if we're going to talk about Angola we can talk about Mozambique, which is having some interesting times. And let's not leave out Sudan as well so.

And Mausi, thank you for joining us; welcome to Brookings. And no trouble at all, we're just -- everybody is listening and putting up with my long introduction. So we're still at that stage.

And so now without further ado, I will ask you to welcome both Mausi and Jon, because we haven't yet applauded for them. And then I'm going to frame my big, broad question to get going. So thank you for being here. (Applause)

So Jon, if I could, really begin by asking you, you know, the big 60,000-foot question of, how do you think about the state of human rights in Africa today? And also, how do you situate that within the broader question of democratic movements, and transitions, and trends in Africa? Since human rights are often partially conflated with political and democratic rights, but they aren't quite the same thing, so I would like to break down the definition, and also see how you would just describe the broad landscape, please.

MR. TEMIN: Sure. Well thanks, Mike, for organizing this. And thanks to everybody for coming. And I'll say we're really fortunate to have a couple of colleagues based in Africa, and to Tiseke and Mausi who are going to bring a lot of expertise here.

You know, it's awfully hard to generalize across 48/49 Sub-Saharan African countries. I think what we are seeing broadly is a real time of upheaval, and that has a lot of positive consequences in several countries that we'll talk about, but it brings with it a lot of flux, and I think we're seeing some of that.

You know, we've talked in a session here before, and I'll raise again now, that you're seeing a lot of leadership change going on in Africa right now. You know, since 2016 -- sorry -- since 2015 there have been 26 transfers of power, you know, more than half the Continent. That's a remarkable rate frankly for any part of the world, and especially for a part of the world that is known, unfairly in some ways, as sort of the place of leaders who stay in power forever, and get into their 90s and so forth.

There's still a long way to go in terms of human rights and civil liberties. You know, part of the reason that we have our colleagues in town this week is that we've spent the last couple days reviewing the scores for Freedom House's Annual Freedom and World Report. I'm not going to tell you what those scores are because they don't come out till early in the New Year, so you have to wait for that.

But I will say, you know, there was -- there was a good deal of negativity, unfortunately, going through country-by-country. But again, that does have a lot to do with some of the changes that are afoot, some groups agitating for reform, I think particularly youth groups, and government crackdowns on some of that activity, and government efforts to surveil, in a lot of cases, people's actions and in a sort of preventive way.

You know, I will flag two positive stories I think we should be talking about, and then maybe we can come back to them. You know, one is the continuing story of Ethiopia, and things are rocky now, but still there is an opportunity for democratic transformation, and already expanding human rights in a way there wasn't for decades.

And the most recent really interesting story being Sudan, and of course a remarkable change in leadership there, with President al-Bashir leaving several months ago, and now in prison and potentially awaiting some sort of trial, beyond the sort of small trial, he's currently undergoing, and indefinite improvements in day-to-day liberties and human rights there.

That is all quickly reversible because of some of the people who still hold a lot of power, but those are two stories, amongst some concerns in a lot of places, that I think we want to be focusing on as well.

MR. O'HANLON: Fantastic. And just one quick follow-up before going to Tiseke and then Mausi. Could you sort of situate this in broad, historical perspective as well, you talked about how

we're not going to hear your scores for a couple months, and your scores have sort of plateaued in terms of democracy around the world, and democracy in Africa, specifically in the last 20 years, to me that's the first word that comes to mind, when I study the trends.

Some people talk about reversals there, there have been some reversals in a number of countries, there have been however, some positive steps. So I wonder, is that a fair way to think of it that you saw sort of a burst of improvement in political and human rights through, let's say, much of the '90s? And then in much of the 21st Century so far you've seen progress here, setback there, and it's sort of netted out to about a no-net, you know, movement in either direction.

MR. TEMIN: I think that's right. I think the first thing to say is that this is a global trend, not an African trend

MR. O'HANLON: Yes.

MR. TEMIN: We talk at Freedom House about 13 years of democratic decline, meaning that for 13 years in our ratings more countries have gone down than have gone up. And I will note the United States has been going down as well. But yes, I mean as you're describing, you do see, you know, as part of the third wave of democratization that really hit Africa in the 1990s, and you had some very positive stories of countries holding their first real elections and some transfers of power.

And some of that has plateaued recently, and I think one of the real concerning trends is that some of the countries that we have generally thought of as in the relatively well-off category are slipping.

You know, I'll name a couple in West Africa, one being Senegal, where a couple of serious contenders in a Presidential election were disallowed from the election for one reason or another. Another is Benin which has a President who is showing some very authoritarian tendencies, which is having a real knock-on effect in terms of civil rights.

And so, you know, as much as -- of a story that we have of sort of, you know, really troubled countries that struggle with basic rights on a daily basis, we also have a story of countries thought to be doing well that are showing some slippage.

MR. O'HANLON: Thank you. Tiseke, if I could, please just the same big, broad question to you. But narrow it down however you see fit. I know you're focused on one part of the Continent more

than another. But whatever broad generalizations you'd like to, you know, start the conversation with. And again thank you for being here.

MS. KASAMBALA: Thank you. It's a pleasure to be here. As Jon said, I think speaking from a Southern Africa perspective, we have also seen alternations in power and changes in leadership, from Zimbabwe, to Angola, to Mozambique. But the question is whether these this alternation of power, and these elections have actually led to any improvement in the livelihoods of the citizenry in Southern Africa, and whether that has actually translated into the opening up of civic space, and civil liberties.

And speaking from a Southern Africa perspective, what we've seen is elections as just a checkbox, very cosmetic, the very cosmetic holding of elections and yet the dominance of the liberation movements. Whether you're talking about Botswana, and the ruling parties, whether we're talking about Botswana, or we're talking about Angola with the MPLA, or we're talking about Mozambique with RENAMO, and South Africa with the ANC.

So, the trend has been, let's hold regular elections but let's ensure that we cling on to power. At the same time what we can say though, is there has been some positive movement in terms of civic engagement, and citizens challenging this dominant narrative by the ruling parties and the former liberation movements.

We have seen, I think political plurality in places like Botswana with the fracturing of the Botswana Democratic Party. We have seen these challenges coming out in terms of contestation in Malawi in a very closely-run election race, and citizens coming out to challenge these governments, but at the same time, the clamp down in terms of the rights to peaceful protest.

Just this morning in Zimbabwe we saw the MPC attempts to hold new protests against the current economic situation in that country, and the government responding in its usual heavy-handed manner with tear gas and beatings.

So I would say, again, as is expected there are gains, and there have been reversals, but the trends we're seeing in Southern Africa remain of serious concern in terms of how -- the government's attempts to hold on to power have translated to an increasing, narrowing down of civic space.

MR. O'HANLON: Thank you. That's a great first answer, and before I go to Mausi, I'd like to just sort of bear down one more level of detail on the more specific, narrowly-defined question of

human rights.

MS. KASAMBALA: Yes.

MR. O'HANLON: Because of course you got at that as well when you talked about the right to protest, and the suppression of that right, and the violence used against protesters. But I wonder if you could also just give us a quick summary for now, and we'll go further later, about other kinds of human rights. Individual rights in criminal cases, for example, or right to fair trial, prison conditions, the sorts of things that I know Human Rights Watch thinks about, and I'm sure, Mausi, you'll get into as well, and we all will in the course of the afternoon.

But a unique answer that -- as Jon did, as I had asked, at a political level. Could you also now get to sort of more that individual, human rights level, how do you see the trends in South Africa -- Southern Africa over the last few years in that domain?

MS. KASAMBALA: Yes. So we have these traditions that are in place questions -- but questions remain over the independence of the judiciary, the ability of vulnerable and marginalized communities to get equal treatment before the law. We have seen attacks on people living with -- people with albinism in places like Malawi, we continue to see attacks against the LGBTI community.

We see, despite progressive laws in certain countries, continued attacks on women, and gender-based violence at extremely high levels, South Africa being one example, where we continue to see the security services and the police forces behaving in highly partisan -- in a highly partisan manner. The example is of the clampdown on peaceful protest, but in general, detentions, arbitrary detentions, and long-term, long detentions in terms of people who have been accused of crimes.

So there's a huge challenge when it comes to institutions, and I think that's reflected in other parts of the Continent as well. At the same time as I've been saying, we have seen some interesting developments. For example, Botswana and Angola both repealing anti-LGBTI laws in this year, and I think that's been a very positive development for our region.

MR. O'HANLON: Great. Thank you. Mausi, the same big, broad questions to you please, whichever geographic focus you'd like to take. I know you work on a lot of countries so, you know, however you can begin to make sense in the first approximation of overall trends, and then we'll bear down on more detail later.

MS. SEGUN: So, in terms of -- and I'll just start with an apology for community late. My last meeting ran over, and it was just difficult to pull myself out of it. So I'm sorry I got in here late.

MR. O'HANLON: No problem.

MS. SEGUN: So looking at the trends in Sub-Saharan Africa it's, you know, starting from the Sahel, and the Lake Chad Basin area, it's the armed Islamist insurgencies that we see with the attendant response from government forces that's always heavy-handed, profiling and attacking particular ethnic groups, whether it's the poor Fulani in the Mali, Burkina Faso area, or it's the Kanuri, and Kanuri-speaking people in the Lake Chad Basin area, in Nigeria, in Chad, in Niger, and a little bit of Cameroon.

And so you have all of that which defines most of the issues that we work on, Human Rights Watch, and I guess a lot of other human rights organizations in West Africa. But you also have, like both of my colleagues have said, the restriction on civic space, that's becoming a fashion across West Africa.

I think the first country that passed those kind of NGO restriction laws was Sierra Leone, and then every country has gone from Sierra Leone to copy and to paste almost verbatim the same kind of laws about, you know, NGO funding, you know, this space that NGOs work in, the requirement for registration, the requirement for shutting you down and, you know, the activities that NGOs can get involved in, of course affecting organizations like ours as well.

And then you move, you know, into more of Central Africa, the Horn, one of the countries where for a long time was a -- well, it's kind of an oasis of stability in Central Africa in a region has been troubled by conflict and other kind of disasters, is Cameroon. To have Cameroon in the last three years or so devolve into this, you know, crises in the Northwest and the Southwest, has been a huge challenge for us.

For a long time we never had work on Cameroon, but suddenly, you know, we had calls from different partners and, you know, people on the ground asking why human rights organizations were not in the country. And then just going in there and realizing that not just government forces, I mean what started initially as a civil situation, you know, challenges to government policies, on education, on introduction of the French language, in court, in the court system, in the school system, suddenly spiraled out of control with the government response of shooting into the crowd, arresting and hauling thousands

of people into detention.

Essentially it turned into a very volatile and violent situation, with citizens from that part of Cameroon taking up arms against the government, but also against the people accused of being complicit with the government. So they're burning schools, they are abducting teachers and students, they're burning entire villages, and the Military, that the Cameroon Military is doing the same.

At the same time in that country you also have the political situation, President Biya has been in office for more than 30 years, he's in his 80s. I know I know Jon doesn't want us to talk -- doesn't want us to talk about the old autocrats who cling to power in Africa, but that is one example where young people are agitated for a change in leadership. Some people have never known any other President in their lifetime in that country, and they want that change to happen. How the government is responding to that has become a problem for Cameroon.

And then you move into the -- into the Sudans. Sudan is, we're tentatively optimistic that the situation there would only get better, and that at the end of the first half of the three-year period of transition the Military will, indeed, vacate the position, and allow civilians rule, and that there will be elections.

But so far I mean lots of positives, it is the people getting on the streets, and that's been emblematic of the trend across Africa. It is young people getting in onto the street, and staying in the streets, standing off against military tanks, against, you know, live ammunition intended to frighten and scare them back home, back to complacency, and they stood their ground until al-Bashir's Government came down.

Now, I mean our role is not to support the pulling down of one government or the other, but it is amazing to see the power that people have, and their seizing of the power from governments that have denied them the opportunity to participate actively in their own government, or to have their rights respected.

So as basic as, you know, economic issues, the price of bread and fuel, the same thing we saw happen in Zimbabwe. The people got on the streets but were able, in Zimbabwe, to quickly put out that fire, and the people went back home.

But in Sudan the young people stood on the streets until the change happened. You

know, and we can almost put that -- but the same scenario in what happened in Ethiopia, it was really people protesting month, after month, after month, until the point where it was impossible for the government to continue to resist or to ignore their claims, and the changed happened in the government.

So that's the trend that we're seeing everywhere, but we're also seeing governments responding in places like Tanzania, out of fear for what protests could do with Internet shutdowns, with censorship of social media, of traditional media, they tried it in Sudan, it didn't work. I think it succeeded to some extent in Zimbabwe; it quelled the protest in other places.

So you see government looking for ways to seize back the control, but across Africa, the youth bulge in Africa is real, and we have really restive young people who understand the power that they hold as citizens, who know their rights, and are willing to face off any kind of military or harsh clampdown from the government.

MR. O'HANLON: That's an encouraging way to conclude, thank you, for a very complex picture. I just want to press further, for all three of you, maybe on one point that I think became apparent as you were speaking, which is how much people in Africa in different countries watch what the other countries are doing.

And this is a reflection I think -- you know, when I was in Peace Corps in the early-'80s, in Zaire, we all got the magazine *Jeune Afrique*, every few weeks, and we got the *Radio France Internationale*, and we got a couple of other ways in which we could track what was going on in other parts of the Continent, but not much.

You know, there was no social media, there was no Internet, and things were a lot different. As you say, the youthful populations in Africa have a sense of their own rights, and also of where protest has worked, where pursuit of their own rights has worked elsewhere. Unfortunately, the bad guys learn too.

MS. KASAMBALA: Oh, yeah.

MR. O'HANLON: And you know that as well. So I just want -- it's a sort of a broad question, but I wondered to what extent do you find this sort of cross national communication, a new dynamic that is really offering a lot more opportunity? I don't want to sound too giddy, because we saw with the Arab Spring we were all thinking in 2000, hey, everybody is on Twitter, and what happened in

Tunisia just brought down Mubarak, and now Gaddafi is on the way out, and then all of a sudden the Arab Spring turned into an Arab nightmare for the most part, with a couple of exceptions.

So I don't want to sound overly, you know, Pollyannaish. But I'm just curious, to what extent do you feel like these cross-national dynamics have become a big part of how Africa pursues human rights and political reform; if I could begin with you, and just work down, Mausi.

MS. SEGUN: I mean I think -- I think that there's a lot of communication going on between different groups, and so where you have organized civil society it's easier, but there are also these young individuals have just the term, called influencers. You know, they're different people, young people who have massive followship on social media, whether it's on Facebook, it's on Twitter, it's, you know, Instagram, whatever platform that they find, and it is across borders.

So for example, if I take the example of Cameroon, what's happened in Cameroon, a lot of the support and organizing happened with Nigerian groups, supporting Cameroonian groups to protest, to fight against the government, and the Government of Cameroon responded with the cooperation of the Nigerian Government to arrest the activists in Nigeria, and take them back to Cameroon, and put them to trial.

But, you know, the agitation and the activism helped from across the different -- I think maybe across the borders with Nigeria and Cameroon. But it's beyond just with -- among African countries. I'll give you a very negative example of how what happens in one part of the world can be manipulated and, you know, instrumentalized by, you know, a bad government or a bad institution.

When President Trump issued -- made that statement about the U.S. border police authorities, you know, given them the permission to shoot at I think it was children trying to cross into the U.S. There was a video on it, just about the same time, that same week, the Nigerian Military had been in a confrontation with a minority Muslim Shi'a Group in Abuja, and shot and killed about 42 of them.

We, Human Rights Watch, and several other organizations had begun to engage with them, you know, to hold them to account for these abuses, and the next thing the Nigerian Military did, was to put up the video of President Trump on their Twitter page, this is the Nigerian Military, Nigerian Army Twitter page, and said if this is happening in the U.S. and it is okay for it to happen in the U.S., why can it not happen here?

You know, so you're finding -- people are finding justification, and finding that they are being emboldened by bad behavior somewhere, elsewhere in the world, and for a country like the U.S. who, you know, for many years, for good or for bad, the U.S. has never been perfect, but has been I think a worthy ally on human rights issues in terms of advocacy and pushing the frontier of human rights across the world. To have a government, a senior government official in the U.S., you know, pushing out the message in that autocrats and abuses of human rights can utilize to justify their bad behavior is shocking.

So, you know, the Internet has created this borderless ecosystem that no one can control, but there are attempts to manipulate and to control it, for good or for bad.

MR. O'HANLON: Thank you very much. Jon, I wonder if yet any comments on this.

MR. TEMIN: Well, just a couple quick things. There's definitely the sort of cross-border learning and interaction as you're talking about, there's also a lot of learning going on within the countries. And again look at Sudan. In 2013 there were large-scale protests that the government violently put down, more than 200 people killed.

That was a real setback for the pro-democracy, human rights section of the population, but a lot of people really learned and studied that experience, and there was a ton of planning that went into the protests that started last December, continued for six months or more, and that were able to resist the typical government pushback. People learned from that past experience, and other past experience, people studied experiences from elsewhere and they were able to develop a lot of tactics that allowed them to stay on the street and to occupy the square right in front of Military Headquarters in a way they never could have in the past.

I just want to pick up on a point that the Mausi, and Michael, you've raised too, which is on the authoritarian learning and the pushback; and Mausi, in particular, the NGO legislation that is happening across the Continent.

We did a research project on this last year. There are 12 different countries in Africa, Sub-Saharan Africa, that over the last 15 years have adopted various versions of repressive NGO legislation that seeks to constrain their registration that seeks to constrain their funding sources.

There are six more countries that have versions of this kind of legislation working their way through the system, this is I think an increasing threat that we see. You know, it's not sort of out on

the streets killing people, but it's in some ways just as sinister because it doesn't even allow people to get to the streets in the first place.

A lot of this, you know, Mausi mentioned legislation in Sierra Leone, a lot of it was also modeled on a terrible piece of law from Ethiopia, which has actually since been removed and the new version is much improved, but nonetheless the model was still there,

MR. O'HANLON: Tiseke?

MS. KASAMBALA: So, in terms of organizing we have seen that kind of organizing at a national level across the Continent, right, amongst social movements civil society groups. The flip side, like Jon said, is the NGO legislation. Another thing we're seeing now is the introduction of cybercrime, and cybersecurity laws, and this of course is designed to prevent the type of organizing and mobilization of social movements, and civil society organizations on the ground.

So not just Internet shutdowns, but preventing people from discussion, and from criticism online under the guise of cybersecurity, and in Southern Africa we've seen this law in countries such as Lesotho, we have seen discussions around introducing it in Zimbabwe, in Malawi, and that's a red flag.

And so I think the challenge for us, and the organization we've seen in Southern Africa has been particularly different because it's mainly centered in the urban areas. And we have not seen countrywide demonstrations for a number of reasons. The first one is the stranglehold that in many countries, that the bureaucrats have, the militarization, and particular in countries such as Zimbabwe, the stranglehold in countries such as Angola where people in the rural areas in particular are unable to mobilize, to organize themselves.

And this in some ways has deterred the kind of widespread mobilization that we've seen, I think, in places such as Sudan, which have brought countries to a standstill one to a halt. And so these red flags are the kind of things that we need to see addressed in terms of how people can challenge the structures, the current structures that exist in the authoritarian regimes that we have across the Continent, in the region. And I'm also going to add Uganda and Tanzania to the mix in terms of this general trend.

MR. O'HANLON: I want to come back in a minute to ask you all about U.S. policy implications, what we should be trying to learn. But before I do that I want to sort of begin with one other big, broad philosophical question that's occurred to me listening to you, which is, the kind of narrative that

strongman leaders used to try to suppress political and human rights. You know, they'll do specific things like you mentioned, suppress NGOs, put in new cyber restrictions.

But I'm just curious, comparing Africa to other parts of the world, and I was very taken by Timothy Snyder and his book at Yale *The Path to Unfreedom*. And Bob Kagan here is written about *The New Authoritarianism* as well, where leaders like Putin or Erdoğan, or Orbán in Hungary, maybe even Duterte to an extent in the Philippines, they use a very nationalistic narrative to justify clamp downs on their own people, because they claim that the domestic dissidents are actually tools of the West or of the international community. And therefore they need to be suppressed because they can't be viewed as authentic to Russian, or Turkish, or Hungarian, or Filipino politics.

And I know we see this in a few other places too, but all those places I mentioned are outside of Africa, and we know that Africa, the countries tend to have borders that were drawn by Colonial powers, and so it's not always as clear to me, if that same sort of nationalistic message would be imposed or, you know, superimposed on top just old fashioned strongman desires to keep power.

So, if you see what I'm driving at. Are there certain kinds of excuses that autocrats in Africa tend to make, and again we're being very sweeping here and talking about 50 countries at once; but do you see a trend that any particular approach is being adopted that echoes some of what's going on in Russia, or Turkey, or anywhere else? And I don't know if you'd like to start with that one.

MS. KASAMBALA: Very quickly I mean we're seeing this type of populism Magufuli in Tanzania. This type of sentiment of the identity of Tanzanians, and this sort of xenophobia even cutting across East Africa, in terms of the relationship between Tanzania and Kenya, we have seen these types of attempts in Zimbabwe. And as we sit here continentally, Mausi and I are puppets of the West and in the view of the Zimbabwean authorities.

So, certainly, yes, I think this appeal to nationalistic tendencies is something that we see across the globe, and something that African governments also kind of referred to. And to a certain extent, in a country as democratic as South Africa, that kind of populist sentiment, and nationalistic sentiment, especially around elections, talking about the others and the foreigners coming into our country it's quite -- it's quite popular.

MR. O'HANLON: And Jon, in addition to putting that same question to you, let me invite

you to put questions to your colleagues. I want to thank Jon for helping me conceptualize this event, realizing the kind of talent we would have in Washington this week. So, thanks again, and please feel free after you give your own answer to add another question for Mausi that, you know, we could all then address about anything else on the agenda. But do you see this sort of nationalistic narrative being employed more than before?

MR. TEMIN: I think one of the wrinkles to that in Africa is you have the dynamic between nationalistic identity, and ethnic identity, which is not unique to Africa, but I think differentiates it from some other parts of the world, and you have some places where leaders, not for mean-spirited purposes, are trying to elevate national identity in order to balance that out with some very strong ethnic identities that bring with it violence, frankly.

And that's the case in Ethiopia right now, where the Prime Minister is trying to create sort of this single political party, and trying to talk about an Ethiopian national identity, whereas a lot of Ethiopians think of themselves as part of one of the many different ethnic groups.

You know, it's actually notable that today there was a Referendum in the Southern part of Ethiopia for one particular ethnic group to have its own ethnic state.

And so Prime Minister Abiy, I think for a lot of noble reasons, is trying to push back against that. We'll see how that goes. You know, in terms of the sort of justifications that authoritarian leaders use for their actions one of them is nationalism, another one is counterterrorism. And some leaders have been very good at sort of playing the counterterrorism card and, you know, we have to do these tough things in the interest of fighting back against extremism.

And of course that plays into a Western narrative as well and that, you know, in their eyes, and sometimes in the Western eyes too, provides cover for some very harsh, excessively harsh responses to extremism.

And I think in countries like Burkina Faso and Mali we're seeing that, whereas, you know, a lot of people are as afraid of the official forces, of the military, as they are of any extremists.

MR. O'HANLON: Fantastic. Thank you.

MS. SEGUN: Yeah. So, I'll just add to that and beyond the context where you have, you know, terrorism and counterterrorism operations, it's a national security question. So, you know, whether

it's, you know the -- we have a tension with a neighboring country, or we have, you know, an internal group that is tending towards insurrection.

In Cameroon, for example, or you know Eritrea for many years instrumentalized the tension between the country and Ethiopia, to impose a national service that is indefinite in nature, and could last for many years. You know, starting with secondary school children in their final year of secondary school, and they could be in it for 20 years, or they could in it 40 years, it is a major driver of refugees from that country.

I think the last estimate was about, 4,000 every month, leaving Eritrea for elsewhere in a country that is -- has a population of about 6 million people, that's huge. But in other places you also have the claim to African values. So, you know, in the pushback against LGBT rights, other minority rights, you know, these are all African. And so, you know, the imposition from the West is, you know, they're trying to bring what is alien to Africa African culture and plug it in the garment of human rights.

And so we constantly face those challenges and the pushback, especially in advocacy it's always interesting to hear Africans, and they say, well yeah, I'm African too. I don't know what values you're talking about. What people also instrumentalized the history of colonialism?

Most African countries have been free of colonialists for at least a decade, and many have been for more than 60, 60 years, most have been for more than 60 years, and yet till today the reason why human rights values, and norms, and standards, that they I have to say, would sign up to, especially the international conventions, but then rejects the obligation that that imposes on them to ensure the enjoyment of those rights for citizens in country.

Because certainly they have become Western, because of course there is a cost to those who would want to impose power on others, to ensuring, and protecting, and promoting human rights in the country. And so you have all of these arguments but, you know, I -- it's very easy to defeat most of them.

MS. KASAMBALA: And can I just add that we do have an internal -- a regional continental human rights framework that is quite robust in their African Charter On Human Peoples' Rights, which is one of the most progressive human rights instruments globally.

We have the African Commission on Human and Peoples' Rights, we have the African

Courts on Human Rights, but the problem is the lack of enforcement and implementation in terms of the frameworks -- the framework itself, and the norms and standards that exist on the Continent.

MR. O'HANLON: Jon, is there anything you want to comment or ask of our panelists?

MR. TEMIN: Well, no. If I can take up your offer to --

MR. O'HANLON: Please.

MR. TEMIN: -- to introduce a new topic with my colleagues, and it builds on what Mause is talking about in terms of definition of human rights. Because, you know, when I am on the Continent, and particularly speaking with government leaders, and I guess this is especially true in Southern Africa, there's an accusation that, you Westerners you think of human rights in a very narrow sort of term.

You think about civil rights, civil liberties in particular, but there's also a strand of thinking that we should be talking equally about social rights, and economic rights, right to housing, right to education, right to health care, and so forth. Now, that's a very valuable view in some ways, but I'd be curious how my colleagues think about that, you know, as we sort of push for adherence to human rights.

MS. KASAMBALA: So what I can say is, I mean there's been this push that we have to have -- place equal weight on economic and social and cultural rights, and civil and political rights on the Continent, and that's been the debate. But at the same time what we have seen is that this hasn't been as successful as governments have argued. So we still, we are still seeing marginalization, and gross inequalities in places like South Africa, that have not delivered on the rights to housing, the rights to education, the rights to health.

And that's because of the kind of gross corruption that we see on our Continent, that we see in Southern Africa, which is coupled with the democratic deficit and the accompanying human rights violations in an attempt to entrench themselves within the small political elites across the Continent, clinging on to power desperately, committing violations and marginalizing communities, and the wider majority.

So, that argument does not actually hold water because there have been very few concerted attempts to actually improve the social and economic rights of the people in Southern Africa and in the -- on the Continent I would argue.

MS. SEGUN: I mean it's one area that we constantly get that argument, and it's been

very easy for us to respond to because we actually do a lot of work on economic and social rights. The challenge is that economic and social rights by their nature require government funding, and the pushback we get from government is, oh, you cannot, as civil society impose on the government certain standards when it comes to access to health care, access to education, because that would mean that you are questioning the sovereign power of the government to determine how it utilizes and deploys its resources.

So for example, there is the Universal Basic Primary Education which governments across Africa have failed to implement for people, especially in rural areas. We've done tons of research and presented them to government, and they say, oh, actually we don't have the money to do this. So since you work for a Western organization why don't you help us get the funds?

But then we bring the proof of loans taken from the World Bank, from different organizations to fund these institutions that never really get to this source -- to the point of providing the service. And then we trail it all the way back to the funding institutions and organizations, because it's difficult to hold African governments, many African governments to account on how this -- on how they prioritize their spending.

And that is what economic and social rights are about. It's about housing, it's about education, it's about health, it is about how the exploitation of natural resources failed to benefit the people who -- from whose land the resources are being exploited. And so we constantly face that pushback, and we end up back focusing our advocacy using the supply chain all the way back to the end user of the raw material.

So whether it's coal, whether it's aluminum, whether it's bauxite, whatever it is we trail it all the way back to IFIs, IFCs, you know, operations in the West who are a lot more amenable, and then through their own influence on African governments can assert pressure.

MR. O'HANLON: By the way where do we situate the right to have a safe neighborhood, because that gets into a complex space of policy where we're asking police forces to be effective and tough on crime, but fair to suspects. And of course that's always a conversation that's complicated. How do you situate, sort of, the right to a safe neighborhood, the sort of safety from crime within this broad taxonomy? I don't know if any of you want to answer that. Jon, do you have an answer to that?

MS. SEGUN: I mean it's a really tricky one because it's easy to fall in that trap of asking for a police state one overly militarized state.

MR. O'HANLON: Yes.

MS. SEGUN: And so for -- I'll give you the example of something that happened recently in Nigeria, now Nigeria has been backing Boko Haram for the past what, 10 years now. And just earlier, I think it was the beginning of October, the Nigerian Military, not the government, not the civil authority, the Nigerian Military issued an instruction that every Nigerian, everyone moving in Nigeria between the 15th of November and the end of December needed to hold an identification document with them, and that they would be stopping to --

And at the end of it was a line that said, please dress appropriately. And, you know, that, it gives you a pause. Where is this coming from? And when there were questions raised, the instruction was challenged, and the Military said, oh, we're trying to fish out who is Boko Haram and who isn't because, you know, Boko Haram doesn't have a name plate on their heads saying, this is who we are.

And so we need to check. It is for the protection of everyone, because we don't want Boko Haram to spread out of the Northeast where it's traditionally operated, to the rest of the country. It's been successfully challenged in court, and so the Military has shelved that plan, but if you'd recall, it's the same thing that we've seen with the NGO bills, it's around national security, it is funding of terrorism that we're trying to control.

And then, you know, so they bring in these laws, and you challenge that, and they say, oh, it's because -- it's because of money laundering. It's, you know, to protect the economy of this country. So, you know, almost every time when you're asking for over-involvement of the state you run the risk of them going the other end of the pendulum, and bring in human rights restrictions.

MS. KASAMBALA: And you're raising a key trend which is extrajudicial killings by the police.

MR. O'HANLON: Yeah.

MS. KASAMBALA: Which is something that is -- it is something that is of huge concern across the Continent again, and in Southern Africa in places like Malawi, Zimbabwe, attempts to address crime often lead to people who are suspected of crimes, and South Africa dying in the streets so -- and

with little accountability on the part of the police.

So I think when we talk -- and then actually what you talk about in terms of policing neighborhoods, one of the big issues in South Africa is about the privatization of policing, and the security of services in South Africa in the name of combating crime, which is a big problem. But at what point in terms of private security forces legally accountable. And so those are the fundamental questions, and we do see these types of problems and issues in the region.

MR. O'HANLON: Jon, any comment or follow-up question? I think we'll go to the audience. I'm going to suppress my own interest in asking about U.S. policy, on the assumption that I'll probably come up with some of your questions, and if necessary I'll interject it later.

Let's begin all the way back. We'll take about three or four questions at a time, and then come back to the panel. So we'll take those two in the far back row, and then one more here in the middle.

MS. ACHEBE: Hi. My name is Pearl Achebe. Thank you very much for their broad issues that you discussed today. So, before I get to my question I just want to add a bit of a story, in particular about what happened in Zimbabwe today. Okay. Right now, it's way after 8:00 o'clock p.m. at night in Harare, and a 10-month-old baby is tonight sleeping in the Harare Central Police Station because her mother was arrested and beaten up at the protest today.

One thing that I'm not hearing you talk about is these, I want to call it liberation brotherhood leaders across the Continent, in particular in SEDI countries, whose tactics are evolving, and also the issue of the Junta who have now, pretty much, the state institutions have been, I want to say militarized, so they have infiltrated all the state institutions.

What recent research or gaps in research, in policy research are you aware about that is following the new tactics that are being used particularly by security sector? These new pieces of legislation, and this, I want to say brotherhood agreement amongst African countries to -- in their approaches to freedom of assembly, and this violence? So, if you could speak to gaps in research to the evolving situations. Thanks.

MR. O'HANLON: Thank you. And if you could hand the microphone to the gentleman to your left, please.

QUESTIONER: Hi. My name is Tim Chukuma. So, I have a question for you, Mausi. I think you touched on the fact that governments are learning how to push back so by controlling social media and so many other avenues, and we also seeing a trend, so they're using legal institutions, the courts, to actually push back Nigeria for example.

So, I don't know if you're aware of the case where the *Sahara Reporters*, reporters, publisher, and so many other journalists who have been recently arrested and taken to court and charged on treason. I would like to hear what your thoughts are about that.

And also Tiseke, I think you mentioned something about LGBT rights, and talked about some of the successes that we've seen in terms of Zimbabwe -- sorry -- Botswana but also in Zimbabwe -

MS. KASAMBALA: And Angola, also Angola.

QUESTIONER: Yes. But also, Zimbabwe, how a transgender woman recently won a case against the government -- so, I'm curious to hear what your thoughts are about, you know, the law is changing and people go into courts, but also we haven't seen so much change in terms of people's attitudes, and their understanding of these issues.

MR. O'HANLON: Then we'll take one from the gentleman at about the seventh row here on the aisle, and then we'll come back to the panel.

QUESTIONER: Thank you. I'm Leon Warnshaw, a retired member of the Foreign Service. With my experience in Africa in the Foreign Service, I've learned about a lot of attempts working through the Human Rights Bureau, with AID, with the National Endowment of Democracy to develop institutions that are strong enough to outlast the whims, let us say, of individuals. There seems a lot of the progress that you've cited has been made because of change of certain individuals, or only in the face of protest.

I'm wondering if any of you can cite some examples where through the strengthening of maybe a Bar Association, civil society, or strengthening of legislatures to fight against overly-strong executives, other examples of strong institutions that are able to outlast the whims of individuals.

MR. O'HANLON: So why don't we start with Mausi, because you've got one pointed right to you, and feel free to take maybe one or two of the questions, and we'll just work down the panel,

MS. SEGUN: Okay. I'll take the Nigeria question about, you wanted to know what we are doing, or what we think.

QUESTIONER: So the trends that you're seeing.

MS. SEGUN: So, I mean in the past one year, we've documented, I don't know how many cases of arrests and detention of journalists, and breaking into media houses, whether it's *Media Trust Communications* and, you know, several others. And, you know, journalists covering the protests recently got arrested, got beaten, and some covering the elections in Bayelsa and in Kogi State just over the weekend, got beaten and arrested.

And usually what happens is one, the Military, the Nigerian Military is over active in this civic space. The police have been reduced to incompetence of the worst levels, and so where the government wants, you know, a really heavy-handed response, and wants to quell protests and uprising they bring in the Military.

The other institution of state that has been used to repress and to, you know, just exemplifies government's intolerance, is that DSS, is the Nigeria Secret Police. This police that is supposed to be secret is so unsecret. It's in your face, its issuing press releases, its arresting individuals, you know, what but sure -- well I want to just say that Sowore's case is a lot more complicated than just the usual journalist repression.

Sowore, as you probably know, ran for four presidencies but he's also an activist, so he crosses the boundaries between just, you know, media rights and journalism to being an activist. He was calling for protests with the tag, Revolution Now. And that phrase alone the government took and insisted meant a call to arms against the Nigerian State, and this is why they have chosen to label him with a charge of treason.

Of course all of that is being -- is being challenged in the courts, and so I will quickly jump to that last question. The institutions that can be strengthened or have been strengthened to push back against the excesses of the Executive; I would say number one is the judiciary. In many countries it has been the savior for many, when it shuts down in a number of these NGO laws, it shuts down and held the government to account for disappearances of individuals, for the detention without trial.

But, you know, in some countries these institutions are only as strong as the executive

allow them to be. So the laws can be changed, the constitutions have been amended to whittle down their power, the judges have been intimidated, removed from office, some have been -- completely disappeared, some have been killed because they are doing their job, but I think that if there's any strength anywhere it lies in the judiciary.

The legislature can also be one where it is independent of the executive, you know, it because it represents, you know, a plurality and, you know, the wide spectrum of strata across the country, you can find what my colleague likes to call "positive deviance" in legislators who do not represent the dominant view, but have influence to walk behind the scenes to change things.

In some places, you know, if you if you're looking at government institutions, the National Human Rights Commissions have some measure of success as well, very measured because, again, once they become overly powerful and effective, the government has a way of cutting down, one, their funding, their independence, imposing the government's stooge to man the office.

And, you know Africa presents a challenge in transposing remedies that have worked elsewhere, you have to apply a lot of nuance, and conceptualization in applying some of those principles that have worked in other places. But we've seen it work in a few places, and we can only continue to try.

MR. O'HANLON: Well you've got some first-hand experience in that, because one of your previous jobs was with the Nigerian --

MS. SEGUN: The (inaudible) Commission, yeah.

MR. O'HANLON: Jon, over to you.

MR. TEMIN: Yeah, let me pick up on a couple of these. First, the question on institutions, and I fully agree that a dollar invested in institutions is better than just about anywhere else. One country in particular I would note is South Africa, and Tiseke might want to pick up on more of this. But when you talk to a lot of South Africans about how the country got through some very difficult years under President Zuma, they'll point to three things, they'll point to their judiciary, and to the media, and to civil society.

All of which stayed strong and exposed incredible levers -- levels of state capture and corruption which is part of what contributed to President Zuma's downfall, and right now him facing trial for a lot of what happened on his watch.

Another country I'd point to is Ghana, which is a good achiever in terms of governance, and human rights as well. If you look at the Election Commission in Ghana, which at this point is a pretty strong, independent entity, you know, it wavers sometimes, but for the most part has overseen five elections of pretty good quality, and improving quality, and has really gotten good at doing that.

You know, another example with Ghana is how the country has managed some of its natural resources, you know, Ghana had oil coming online a few years ago, I don't want to overstate it, but it has generally done well in terms of transparency, and in terms of having civil society input into legislation that governs the natural resource sector. Some of that can be attributed to donor support, and to investments over the years, a lot of it is attributed to, you know, fantastic Ghanaians who have done great work over the years.

So the first question on sort of the solidarity amongst liberation movements, I'm not sure about gaps in the research, but I would just point out in addition to the very clear dynamics in Southern Africa, I think we see a lot of that right now in East Africa, and I would point in particular to dynamics between Uganda and South Sudan, where President Museveni is the real protector of President Kiir in South Sudan, a President who in my view is not a legitimate leader of that country.

And throughout East Africa you see a real reluctance to challenge President Kiir, in particular, although there's a lot to challenge there, but to question anybody else because of the sort of Brotherhood, and unfortunately it is all brothers, that exist amongst those leaders.

MR. O'HANLON: Thank you. Tiseke?

MS. KASAMBALA: Thanks, Paul, for your two questions. I'm just going to take on, from what you just said, Jon, about this history in terms of liberation movements. This is a sad indictment of the Southern African Development Community, where we have seen this emphasis on a shared history of political liberation, national sovereignty and the protection of these regimes of the Continent.

Oh, it is in the name of the liberation struggle, and the sense of entitlement that they want independence for their countries, are therefore entitled to the resources and to rule in perpetuity.

This leads me to the protection of the Junta in Zimbabwe, and when you talk about gaps in research, there have been a couple of -- there a couple of reports before Mnangagwa came into power talking about the securitization of the State in Zimbabwe, and the militarization of the state, and the

influence of the likes of Chiwenga and (Inaudible), throughout Mugabe's rule but also going into Mnangagwa's rule at the moment, where these guys have now removed their uniforms, and they've put on suits and they're pretending that they're now democrats.

And as we are seeing, in light of the protests that we've seen, and the clamp down, what we know is nothing has changed. What I can say, it's very telling that a lot of political positions, a number of Military, former Military officials who are involved in the bloodless coup that took place in 2017, who have been involved in Gukurahundi, for example, have now been placed in ambassadorial positions, and most of them, what Mnangagwa has done, to send them out ambassadorial posts, away from the local dynamics. Part of it of course was to preserve his own source of power.

But at the same time is to protect them, from stepping in sanctions and being held accountable, for past abuses. And it is this that I think the international community, when Mnangagwa came into power, chose to sanitize in many ways, and did not want to address. And those of us who are saying this is just, you know, overwriting the new skin but not listened to

But now this is coming to the fore, and what we're seeing, sadly, is a return to the old tactics of Mugabe in terms of the levels of repression. And I think there is a need to document in more detail just how militarized Zimbabwe is, and has always been, and I think there's not enough policy research in that area.

On the issue of LGBTI rights and the laws, the two countries that we've seen, Botswana and Angola, what is telling in the case of Botswana is that there are now attempts to bring back the law, and that is because of "public opinion", in quotation marks, but what I would say is a challenge from the religious right, from some Christian groups complaining about this decision by the judges to actually repeal these anti-gay laws.

Across the Region in Southern Africa, we know that these rules are archaic, they're Colonial anti-sodomy laws. For the most part the governments have chosen not to actually enforce them in places like Malawi, but we cannot run away from the cultural sentiments, and public opinions that a lot of governments use as an excuse to clamp down on LGBTI activists.

And so for me, these two cases are actually precedent setting, because we have not seen this on the Continent before, and so it's only the beginning, the next step is how to sensitize

communities to the cultural changes, bringing in the religious institutions, and the churches, some of whom have been engaged in this -- in this battle, and having this general movement that will pressure other governments to bring about these laws, but also to fully implement them, to end discrimination against the LGBTI community.

I won't speak to the institutions, Jon has spoken about South Africa, I'll speak a little bit about Botswana, which is an interesting example though under Khama things changed. I would argue that's another example where strong institutions led to the proper management of resources, a relatively independent judiciary, we saw this unravel under Former President Khama's rule, and we have seen a continued clamp down, to some extent, on the media. But it is one example where it wasn't just civil society.

MR. O'HANLON: Excellent. I think we have time for another big round. So let's do that, and then we'll come back to the panel for what's probably going to be the wrap up. So let me start here and work this side of the room, the woman about seven rows in, please. And gentleman in the row right in front of her, and then up here as well, and then we'll see if I have -- see how quickly these first three questions get posed.

QUESTIONER: Hi. Tiseke, I'm from Malawi as well, so it's a really -- it's pretty nice to see you here. I was wondering -- I'm looking at what's going on in Malawi right now I mean we've had our fair share of corruption, electoral rigging, you know, political instability, and just general economic, social struggles. But we've never seen Malawians really come up and challenge the government like this.

What do you think is the reason that leads -- you know, that needs people to this tipping point, where they're like, you know, enough is enough, we will put ourselves out there and it doesn't matter how the government hits back, but we are going to continue to put pressure on the government until we see change? So that's one.

And two, speaking of trends, do you think that Kenya has set a trend looking also --

MS. KASAMBALA: You said Kenya?

QUESTIONER: Yeah. With the overturning of the court judgment to have a rerun, an electoral rerun, do you think that that's something that we will now see trending in Africa as well? Also looking at Malawi, I mean we have our case in Malawi right now. Do you -- do you see any change

happening there?

MR. O'HANLON: Thank you. And the gentleman here, right in front here, yeah.

QUESTIONER: Hi. My name is Augustine, not quite a question but a comment, which I overheard you, Michael, talk about the influence of the U.S., or the impact of the U.S. in all these discussions and, you know, mostly mentioned the learning from what other countries do, both within the Continental region and outside, using the Trump example, and shooting of the Shi'as in Nigeria.

So, I want us to, you know, appreciate if they can talk more about, and find ways that, you know, we can delink, you know, the different learning and in-learning between the African leaders and their international community, or international counterparts. And, you know, if we can, you know, make up or, you know, draw up a mechanism that can ensure that, you know, for some reasons what happens here because it can lead a multiplier effect that in time -- in time now, you know, not distant time it's going to spread all over and for some reasons it's going to, you know, muffle the public space.

And they wouldn't just let anything happen because take for instance Nigeria as a giant of Africa, or whatever they call it, maybe is a pushing on a Hate Speech Bill, although it got a lot of pushback lately, I mean two, three days ago.

But you can imagine what happens if that, you know, if it comes to play in Nigeria, it's like it's going to spread very fast in West Africa, and with the support of -- or I wouldn't call it support, but with the West looking away, they always look away from whatever is happening in Africa, and the African leaders copy whatever it is that they looked away from, and they are doing in the West to use it to justify their actions. So if you can talk to more of that.

MR. O'HANLON: Thank you. And then we've got a question here in the fourth row, please.

QUESTIONER: Thank you to everybody on the panel for this commentary and your perspectives. Just real quick, I heard a lot of reference to the failure of, you know, having strong institutions, but I don't hear a lot about what I would call popular civic education, which I think is a fundamental distinction between the human rights framework here in the United States, where I think there's a much more general concept of what the Constitution actually says, and the parameters it gives just the general average citizen, versus the framework in many African nations.

I come from Nigeria originally, and where I would say your average citizen actually doesn't have much familiarity with the National Constitution or with the African Union Charter on Peoples' Rights. So could you guys speak to the process by which we're going to promote a popular education that can now provide the impetus for a push back on those weaker institutions.

And a real quick, secondly, I think we're being a little bit disingenuous just discussing human rights in a vacuum without acknowledging the socio-economic struggles on the Continent. And why I say this is that, look at the nation Singapore, right. I think Singapore, actually, if we look at some of its ratings by like Freedom House, and some of these other things, it's not always really rated high, but because it has such great socio-economic success it escapes being, you know, looked at in terms of all these human rights frameworks and discussions.

And I want to say that, to what extent can we say that because of, you know, the lack of socio-economic progress, like that basically many citizens in African Nations might, seemingly, be willing to trade some human rights protections for some socio-economic progress? And what would you guys say to that, you know? Thank you.

MR. O'HANLON: Well, those are some pretty big questions, so let's -- we'll leave it at that and go to the panel. So, who would like to begin? And we'll just work through everybody's views. Take one or two questions each if you like.

MS. SEGUN: Yeah. Maybe I'll start from the very last question.

MR. O'HANLON: Sure.

MS. SEGUN: And using the example of Rwanda. Rwanda has been touted by many as the economic miracle and development miracle in Africa. But you just need to look beneath the surface and talk to ordinary Rwandans, especially outside if Kigali, to realize that there is an underbelly to all of that development that is totally unsavory.

It is, you know, the human rights abuses, the costs to the individual, the fear that pervades the environment, people are afraid to speak, those who dare to challenge the President in elections are, you know, hounded into detention. Rwandans who wonders who speak against the state or the government, whether they live in Rwanda, or they live here in the U.S., or in Australia, or in South Africa, get disappeared from the streets where they are.

People are afraid to talk, so, you know, how do you balance that? I think it was Tiseke that said earlier, you know, do we do we focus on just economic and social rights, or do we focus on just political and civil rights? Our argument has always been: the two are indivisible, you cannot separate the two. How does -- what is my -- I think Augustine is from Nigeria, he talked about -- oh, Rwanda, it actually you who talked about education.

What is the right to education without an attendant right to access to information? If you have all of the education and you have no access to getting the information that you need to educate your mind, to educate you about your rights, it's meaningless.

And so the both sets of Rights have to go hand-in-hand and we cannot prioritize one above the other. Now, when it comes to educating and raising awareness about human rights, a lot of the education is happening in schools, but what is the percentage of Africans that are in formal school environments?

And so we still continue to leave a large number -- or percentage of the population out of that education until we can get them into functional literacy settings where they can, one, understand who they are, their place in society, and then what their rights are. And so it's almost like a building block, but I would say that human rights organizations are probably not the best to do that.

It comes in many forms, you know, but for those who are within formal school learnings it is easier to get them educated and that's what this country has, that's what the West has. Most people at least have the very basic education and that's the entry point into learning about human rights, and civic rights, and other issues.

If I can quickly jump to back to Augustine and his question about U.S. foreign policy on human rights, or maybe just Western human rights policies. A lot of Western, countries, including the U.S., are grappling with domestic issues, and a lot of those issues also raise questions about the legitimacy of their own human rights intervention outside of their borders. And so where you have, you know, the U.S. -- I'll give you this example the U.S. challenging and whittling down the power and the influence of the International Criminal Courts.

Now, African governments have the issues with the courts, some of it is totally understandable, but to have the U.S. attack that one institution that has had, until recently, the largest

support base of the ICC has been in the African Continent. It is African governments, for example, the Congolese Government who would submit their own people to the ICC.

And then you have the U.S. not only threatening the judges of the International Criminal Court, but as well as canceling the visa of the prosecutor or of the court, because the court was about -- the prosecutor was about to open an investigation into what happened in Afghanistan.

This raises -- this is what we hear from Africans all of the time, it is hypocrisy you cannot preach what you are not practicing. So we need to see Western leadership on human rights values advancing these norms domestically before it can get translated to foreign policy. And until that happens there's going to be resistance from anywhere to any kind of lecturing.

MR. O'HANLON: Thank you, Mausi. Jon, over to you please?

MR. TEMIN: Let me just pick up as well, on this eternal debate on democracy and rights versus development. And Mausi is absolutely right that Rwanda is, you know, sort of at the center of this debate, and is in fact referred to as the Singapore of Africa, sometimes, but I fully agree with what Mausi is saying. I also just want to note on Rwanda, that there are a lot of questions about how real that economic success is, and a lot of suggestion is about how the numbers are not what they may seem to be.

But the other example, that is Ethiopia, and of course under Prime Minister Meles for more than two decades, you know, he oversaw it what he called a developmental state and, you know, it showed very large economic growth rates 9, 10, 11 percent a year and. And you know, almost without question, millions of people were lifted out of extreme poverty during that time.

But let's keep in mind that, as was noted earlier, millions and people took to the streets for a sustained period in protest of the basic rights that they lacked under that sort of regime, and I think a lot of people were voting with their feet in that regard. The debate is ongoing but I think when you look at an example like that it says a lot about at least what Ethiopians, and I suspected a lot of African's value.

And I want to make one sort of comment about U.S. policy as it's been coming up and, you know, of course things around here are difficult when we talk about promoting human rights. You know, we have a lot of wonderful human rights champions come through Washington, a lot of them come to see organizations like ours and we love that.

But, you know, what I say to a lot of them is, it's great you're coming to Washington, New York, Brussels, I hope you're also going to Pretoria, and Addis, and Abuja, and I think some of them are, but I don't think in nothing with them are. And I think there's still sort of too much of looking for solutions in Western capitals, and those solutions are not coming from Washington sort of on a macro-level right now, even though there's still good work that happens.

And I really do encourage a lot of that advocacy happening within Africa. I mean one of the ongoing stories is: is South Africa going to make any sort of a pivot in its foreign policy under the new President Ramaphosa? Who, you know, in his heart of heart probably cares about these issues, and shares a lot of the values that many of us do. He is constrained in many ways, and unfortunately, at a macro level, South African policy hasn't really pivoted in any meaningful way from where it was under Zuma.

You know, that administration and that President needs to be feeling the pressure on championing these values, as do -- as is President Buhari for all of his limits. As does Prime Minister Abiy, and some of the other big men on the Continent, because there needs to be as much progress, and as much pressure eventually coming from those places as there may be from Washington and elsewhere.

MR. O'HANLON: Tiseke?

MS. KASAMBALA: So, very briefly, on Malawi. Thanks for the question. And I think again, Malawi is a symptom of what we're seeing when it comes to the holding of elections in Southern Africa, where most countries can validly claim that they hold regular elections but the quality of those elections remains very, very questionable.

And the inability of the SEDI community to deal with that despite the guidelines that exist on democratic elections, and what, often that translates into is the lack of trust and confidence by citizens in the outcomes of those elections, even in the cases where they may have the results themselves may be pretty credible and valid.

And I think that is what has happened in Malawi for a long time. Malawi has held regular elections since Multiparty Democracy in 1994, and yet the quality of those elections has always been highly questionable to the frustration of its citizenry. And I think what we saw now was a combination of frustration over the quality of the elections, the economic conditions that Malawians face, the corruption

scandals that have tainted the current President's presidency over the past four years.

And all that just came together and has boiled over into the frustrations where we've seen Malawians now coming up out into the streets and saying, enough is enough.

But at the same time I think a positive thing that you're talking about is the case being brought by the opposition before the High Court, and being open to all Malawians to hear the proceedings, which is something that we rarely, you know, have in Southern Africa where Malawians are able to hear the proceedings on radio, and to see what's going on.

I think that's a positive thing although, again, as I said it's highly unlikely that the hike -- that the Constitutional Court in Malawi is going to find in favor of the Opposition for a number of reasons, including whether the evidence is material enough to have affected the outcome of those elections, right.

But that leads me to the Kenya scenario, I don't see that happening in this -- in the case of Malawi, because as I said the questions over the constitutional courts, and its independence, and whether it would actually find in favor of the opposition. That is very rare in Southern Africa, at least. But perhaps my colleagues can speak to the Kenya outcome, and maybe the effects on other parts --

MR. TEMIN: What was interesting there is that, you know, the court intervened in Kenya, and then soon after in Liberia, the court intervened in a case there, and so there's a real concern, like, oh, this is going to be a trend like we're going to keep seeing this haven't seen it since I don't think so --

MS. KASAMBALA: But we didn't -- yes. No. It hasn't happened.

MR. TEMIN: So it doesn't quite make a trend.

MR. O'HANLON: As we wrap up we have about 60 more seconds, so I'm just going to put my peace corps country on the table, DRC hasn't come up a lot today.

MS. KASAMBALA: Yeah.

MR. O'HANLON: Any interim any interim assessment of how things are in the Human Rights space under President Tshisekedi?

MS. KASAMBALA: The DRC presents and interesting case. The elections were, you know, nothing to write home about. But we have become, I think, very cautiously optimistic that there are some pressure points within the Tshisekedi presidency, especially one on accountability for past crimes. He's been very vocal around that, right now he's in the process of planning a conference on

accountability, and criminality, and international justice, and all of that.

But also he's been amenable to pressure from a lot of groups not to appoint certain individuals who've been implicated in human rights abuses into office. He's not been successful with some others, so we're still finding traces of them. But I think that on the whole, I think that there might just -- the DRC might be on it on the cusp of some change.

Now Kabila remains very visible, still very powerful and influential, but I think that the -- Félix Tshisekedi is doing the most that he can to maintain some sort of control on power.

And I think that for as long as it has that little window, we all, in the different ways and access that we have to him, need to help steer that in the right direction, and ensure that he lives up to all of the promises that is made. He continues to make the right noises, some take some good decisions, but some not so good, but I think that overall there is reason to be positive about the DRC.

MR. O'HANLON: Unless one of you wants to add, I think that might be a very nice note to finish on in general for the Continent, very cautiously optimistic. And remembering where we can collectively make whatever small difference, we can all make.

I think the three of you are making a big difference. So, please join me in thanking them.

(Applause)

* * * * *

CERTIFICATE OF NOTARY PUBLIC

I, Carleton J. Anderson, III do hereby certify that the forgoing electronic file when originally transmitted was reduced to text at my direction; that said transcript is a true record of the proceedings therein referenced; that I am neither counsel for, related to, nor employed by any of the parties to the action in which these proceedings were taken; and, furthermore, that I am neither a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

Carleton J. Anderson, III

(Signature and Seal on File)

ANDERSON COURT REPORTING
1800 Diagonal Road, Suite 600
Alexandria, VA 22314
Phone (703) 519-7180 Fax (703) 519-7190

Notary Public in and for the Commonwealth of Virginia

Commission No. 351998

Expires: November 30, 2020