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**The Effect of Democracy and Human Rights  
Promotion Through Foreign Aid: *A Case of The  
Gambia-EU Relations from 1994-2014.***

**外援對民主化及人權運動的影響:1994-2014**

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## ABSTRACT

The use of foreign aid to promote democracy and human rights around the world is not a recent phenomenon. International organisations and developed liberal democracies have often used aid to promote good governance albeit with subtle conditionalities. In the last two decades however, there have been emphasis in the conditioning of aid to democracy and human rights principles. Even though studies continue to unravel the low effect foreign aid have on democracy and human rights promotion, there is yet no agreeable explanation why this is so. In this research, I seek to advance an explanation based on perception difference and availability of other non-traditional donors as causal for the low effect of foreign aid on democracy and human rights promotion. Using a case study of The Gambia–EU Relations, I hypothesised that EU foreign aid will have little impact, if The Gambia and EU perception of democracy and human rights are significantly different and The Gambia can access aid from other non-conditional donors. The study concludes that while The Gambia and EU have no significant perception difference of democracy, there is important difference of human rights perception. Moreover the study found that conditional aid effect on democracy and human rights promotions is thwarted by non-conditional aid

**Key words:** *foreign aid, democracy and human rights*

## 摘要

世界上以國際援助提升民主化與人權並非是近期的現象。儘管在援助上需要一些微妙的條件，國際組織與已發展中的自由民主仍然經常使用援助來提升良善治理。但在近 20 年間，援助的重點已經放在民主與人權的原則上。儘管目前已經有研究持續發現國際對民主及人權的援助的效果很低，但是目前為止還沒有找出可被接受的解釋。此研究以感知差異和非傳統援助的能力為基礎，致力於找出更進一步在國際援助上，對於無法有效促進民主及人權的解釋。本研究以甘比亞與歐盟的關係進行個案研究，如果甘比亞與歐盟對於民主與人權的感知有明顯的不同，另外甘比亞也可以接受無條件援助，因此本研究假設歐盟的國際援助對甘比亞將僅有些許的影響。本研究結論是，甘比亞與歐盟對於人權的感知有很大的不同；再者，本研究發現有條件援助在促進民主與人權上的效果，會造成無條件的援助無法發揮其功能。

關鍵字：國際援助、民主化、人權

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## **DEDICATIONS**

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## **ABBREVIATIONS**

ACP-African, Caribbean and the Pacific

AAITG-ActionAid International The Gambia

CEDAW-Convention on Elimination of all forms of Discrimination Against Women

CENA-Commission Electorale Nationale Autonome

DAC-Development Assistance Committee

EDF-European Development Fund

EEC-European Economic Community

EIDHR-European Initiative for Democracy and Human Rights

EU-European Union

ICDF-International Cooperation for Development Fund

KFAED-Kuwaiti Fund for Arab Economic Development

MOFA-Ministry of Foreign Affairs

MP-Member of Parliament

NIP-National Indicative Programme

ODA-Official Development Assistance

OECD-Organisation for Economic Cooperation and Development

PRSP-Poverty Reduction and Strategy Paper

PAGE-Programme for Accelerated Growth and Employment

TEC-Treaty of the European Community

TEU-Treaty of the European Union

TFEU-Treaty on the Functioning of the European Union

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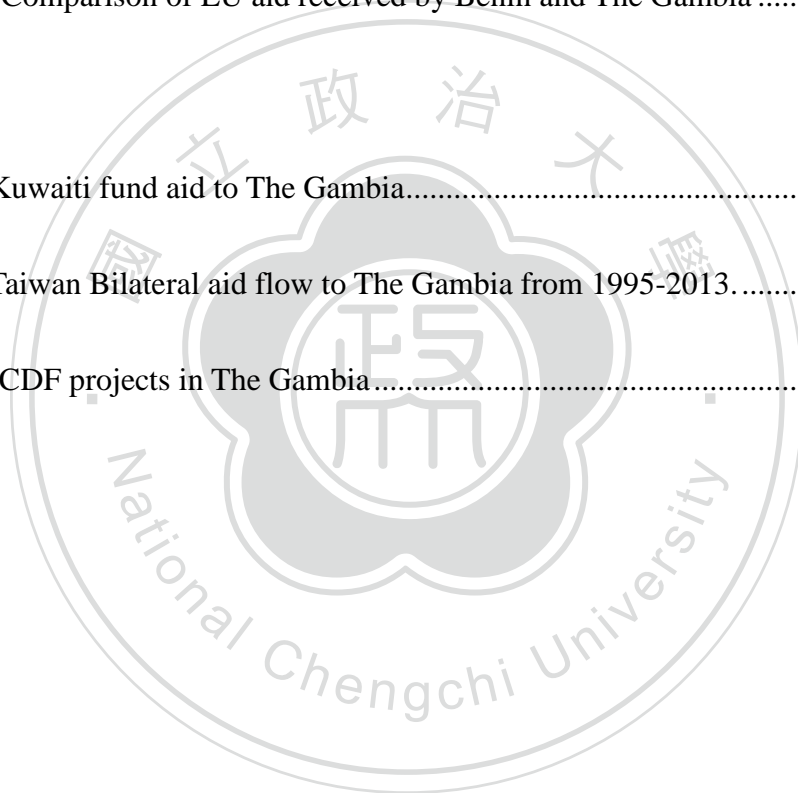
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## **CHAPTER ONE**

### **1.1 BACKGROUND**

Democracy and human rights are highly contested and controversial issues. The effect of foreign aid on the promotion of democracy and human rights is even more controversial and scholars continue to labour on the impact of foreign aid on democracy and human rights promotions. As such, there is plethora of arguments and counter arguments over the effectiveness of foreign aid in the promotion of democracy and human rights, (Alsenia and Dollars, 2000; Dietrich and Wright, 2014; Goldsmith, 2001; Dunning 2005; Flick and Kilby, 2010; Knack 2004). Generally, all of these studies focus on the significances of the donor in the shaping of the impact of aid on democracy and human rights promotions. There is less focus on the recipient's domestic conditions such as its political, social, economic and even ideological setups, which are often significantly different from that of the donor(s).

There is a large disparity in the available literatures on the effect of democracy and human rights promotion through foreign aid. Most importantly, there is limited study on the role difference in the perceptions of democracy and human rights may have on aid effectiveness especially in the promotion of democracy and human rights. This

research therefore creates new opening in the uncharted domain of perceptual differences of democracy and human rights vis-à-vis foreign aid.

The European Union is a normative power (Manners, 2008). It is also a significant donor of The Gambia, providing more than 21% of overall official development assistance (ODA) in 2011 (OECD/DAC, 2011). On the other hand, The Gambia's democracy and human rights, according to Freedom House worsen in the last five years rising from partly free in 2009 to not free in 2013 (Freedom House, 2013<sup>1</sup>). Considering the disparaging record of democracy and human rights in The Gambia under the auspices of EU aid, it presents a case to research whether differences in perception of democracy and human rights between The Gambia and EU affect aid effectiveness in the promotion of democracy and human rights by the European Union.

The European Union has a long history of relations not only with The Gambia but also with many other developing countries. It is one of the biggest donors to most of the developing countries. Moreover, as a normative power, the European Union's beliefs in the principles of democracy, rule of law and human rights guide its interaction with other partners. Over the decades, the Union emphasizes the importance of democracy

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<sup>1</sup> Freedom House Report 2014 declares the Gambia not free and gives it scores of 6.0, 6 and 6 for freedom, civil liberties and political rights respectively. Note 7 is the worst score a country can get.

and respect of human rights as universal values. It has use aid, trade and development cooperation, to promote and help consolidate democracy and respect of human rights around the globe.

The Gambia on the other hand, is a small country with a population of 1.9 million (2013 population census). It is ranked 172 out of the 187 countries in the 2014 UNDP Human Development Index Report. It has a GDP per capita income of \$547 US dollars (World Bank 2014 report) and is hugely dependent on foreign aid. The European Union remains the second largest aid provider to The Gambia. Though The Gambia is largely dependent on EU aid, its relations with the EU has often been erratic due to disagreements over The Gambia's democratic and human rights records. The Gambia's democracy and human rights records according to Polity IV<sup>2</sup> report are appalling. The EU in 2009 expressed concern over the decline of democracy and human rights and invoked Article 8 on political dialogue<sup>3</sup> of the Cotonou Agreement to dis-

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<sup>2</sup> Polity IV Report 2014 gives -6 to -10 as autocratic regime, 6-9 as democracy and 10 as full democracy. In the case of the Gambia it show steep slide from democracy since 1994 to as low as -5 in 2014.

<sup>3</sup> Article 8; 1 of the political dialogue call on parties to regularly engage in a comprehensive, balanced and deep political dialogue leading to commitments on both sides. Subsection 2 of the same article outlined the objectives of the dialogue among them information exchange, foster mutual understanding, facilitate consultation and strengthen cooperation between the parties as well as preventing

cuss various democratic and human rights issues. Disagreements however continued and the EU in reaction to The Gambia's failure to adhere to 'Western' democratic principles and human rights withheld over 13 million Euros of aid to The Gambia in 2014 (Hassian, 2014).

What led to the ineffectiveness of EU aid in consolidating democracy and respect of human rights in The Gambia will be the focus of this research. In this, I mainly hypothesize that a difference in perception of democracy and human rights is one reason why EU foreign aid is not effective in the promotion of democracy and human rights in The Gambia. This argument is based on the understanding that supporting and establishing institutions and procedures, which donors found, much easier to do is not enough to alter political culture as enunciated by similar studies on Benin (Resnick and Van de Walle, 2011). Donors further need to engage both government and civil societies to institutionalize the culture of democracy and respect of human rights in the political culture of the states and people.

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situation arising in which one party might deem necessary to recourse to the consultation procedure envisage in article 96 and 97.

## 1.2 RESEARCH OBJECTIVES

It is important to note that most literatures that examine the impact of foreign aid on democracy focus on donors motives and ideology (Bermeo, 2011; Dreher et al., 2013) few if any examines the effect of democratic and human rights perception on the donor-recipient relations vis-à-vis democracy and human rights promotion. Even where scholars studied perception, the focus is on how donors' perception affects aid instead of the recipient perception.

The objectives of this research therefore are:

1. To find out the impact differences in donor-recipient perception of democracy and human rights have on the effectiveness of foreign aid in democracy and human rights promotion in a particular country.
2. To examine the influence of available non-conditional donor(s) on democracy and human rights promotion by traditional donors.

Since the focus is on The Gambia-EU relations, it will be interesting to examine how effective EU reliance on foreign aid to transpose its values to aid recipient countries in an international environment crowded with other donors without much stringent political conditionalities. Rather than focusing on the EU's aid principles and conditionalities, the research instead focus on why recipients' differences in perception and re-

lations with other non-traditional donors may hinder European Union aid effectiveness in the promotion of its norms of democracy and human rights.

### **1.3 RESEARCH QUESTIONS**

The European Union views democracy and human rights as universal values capable of striving in every society. However, relativist that criticises the promotion of democracy and human rights as western hegemony has often challenged the universality of these values. The promotion of these values particularly through foreign aid has not been successful in many countries including The Gambia. In order to find out why democracy and human rights promotion through foreign aid has not been successful, I ask the following questions:

1. Are there differences in democratic and human rights perception between the Gambia and the European Union? If any, how does this affect EU-Gambia relations concerning the promotion of democracy and human rights in The Gambia?
2. Does the availability of non-traditional donors hinder EU's aid effectiveness for democracy and human rights promotions?
3. Is the use of EU aid enough to promote EU's concept of democracy and human rights?

## **1.4 DELIMITATION OF THE RESEARCH**

The research is limited to The Gambia–EU relations from 1994 to 2014. This is significant since the relation between the two is asymmetrical in nature i.e., EU is economically and politically stronger than The Gambia. Since The Gambia is dependent on EU foreign aid, the assumption is that The Gambia is obliged to comply with EU conditionalities for the continuation of aid. EU also hopes that aid with democracy and respect of human rights, as conditionalities will ultimately help The Gambia attain its developmental goals under a democratic system of government.

1994-2014 is a significant period of the relations because it shows an erratic nature of the relationship beginning from a low point in 1994 military coup to a moderately stable position after 1996 transition to democracy. However, after the 2001 presidential elections, relations between the two deteriorated as the EU raises concerns over The Gambia's appalling democratic and human rights performance.

Finally, the research will be limited to the perception difference and availability of other non-traditional donors as alternative of EU aid thus affecting democracy and human rights promotion in The Gambia.



## 1.6 ANALYTICAL FRAMEWORK

The theoretical framework I apply for analysis is the constructivist approach. This is a most recent approach in international relations that explains the nature of individuals, states and the international community. The main thrust of this theory is that individuals, states and the international community interests are neither fixed nor predetermined but rather constructed through continuous interaction. Alexander Wendt writing on anarchy argues that anarchy is what states make of it postulating that structures will only serve the purpose they established for. Constructivists therefore emphasize on inter-subjectivity as the vehicle for the construction of norms and values that are shaped by interests and identities. Constructivists also offer to explain how change occurs. Instead of material power as a force of change, they argue that change occurs through diffusion of ideas or internationalization of norms and socialization (Finnemore and Sikkink, 2001).

The spread of democracy and human rights can therefore be understood through observation of the process of democracy diffusion and internationalization of human rights.

## **CHAPTER TWO: LITERATURE REVIEW**

### **2.1 FOREIGN AID**

Foreign aid was first introduced as a development aid concept of the Truman government to help rebuild Europe after the Second World War. This concept has since transformed to a bold initiative by the developed world to transfer scientific knowledge and capital to help improve the livelihood of people in the less privileged countries. Today's donors often provide aid with intention to transform a country socio-economic and political system and integrate them into a liberal economic and political system.

While foreign aid can be briefly defined as official grants and technical co-operation offered by foreign countries and multilateral actors (Resnick and Van de Walle, 2011), the most common definition of foreign aid is the transfer of resources from the developed to the less developed countries on a more generous and softer term than obtainable in the capital markets. This definition takes clue from the standard definition offered by OECD in identifying three important elements of aid as:

- a) Administer for the promotion of economic development and welfare of the recipient
- b) Concessional in character, and

c) Conveys a grant element of 25% calculated at the rate of 10% discount.

Foreign aid in whatever form has the prime objective of improving the economic and social wellbeing of recipient countries. However, these prime objectives maybe superseded by other core objectives of donor countries thus resulting to the growing debate on the effectiveness of aid.

Morgenthau is perhaps one of the earliest critics of foreign aid describing it as a form of bribery that donors give as payment for political or economic favors from recipient countries (Morgenthau, 1963). Van de Veer (2011) on the other hand, distinguishes foreign aid as being driven by one of seven goals<sup>4</sup>. According to him, these have been used to determine aid policies. While there is progressive view of the altruistic intention of foreign aid, some contending views such as Flick and Kilby (2010) maintained that aid is not entirely altruistic citing shifts in the nature of aid delivery from the Cold War to the War on Terror particularly in the case of the United States. Nonetheless, poverty remains a determinant of foreign aid allocation for most donors (Clist, 2011).

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<sup>4</sup>Van de Veer's seven frames of donors are 1. Security, 2. Power/influence, 3. Wealth/economic self-interest, 4.enlightened self-interest, 5.reputation/self-affirmation, 6.obligation/duty and 7.humanitarianism. (A. Maurits van der Veen, 2011).

Using a 4P framework<sup>5</sup> to determine aid selectivity, Clist concludes that out of the seven major donors he studied only United States exhibits less concern for poverty in allocating aid, which according to him is attributable to its War on Terror. Other studies found rather contrasting evidence that aid patterns are directed by donors' political and strategic interests, not recipients' needs. For instance, while France tends to give more to its allies and former colonies, the Nordic countries like Norway and Sweden are more particular about income level and institutions of recipient countries. The United States aid on the other hand is more focused on its interest to the Middle East and allies in the War on Terror (Alesenia and Dollars, 2000; Fisher, 2012). Even though these studies focus on bilateral aid, they all highlight a weak link bilateral aid has with recipients' development and governance interest. Brown (2005) further elaborates that aid in the early 1960s was driven by competition between two superpowers: United States and Soviet Union and aid allocation was sensitive to strategic alliances. Donors' reason for aid could also be influenced by conflict or proximity to conflict. For instance, Balla and Reinhardt (2008), found that while some donors give to countries close to conflict or in conflict themselves. Others reduce aid to countries in con-

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<sup>5</sup> Paul Clist 4P framework focuses on the use of Poverty, Population, Proximity and Policy to determine donors' aid selectivity.

flict but increase aid to countries neighboring conflicts. Yet still, countries like the United Kingdom and Portugal reduce aid to both countries in conflicts or neighboring conflicts according to their study.

As indicative of the above arguments, scholars are still divided over the foreign aid issues particularly donors' intentions or motives. Generally, those who view foreign aid as purely driven by donors' economic self-interest crowd the debate. However, according to Van de Veen, prediction of donors' motives is harder because motives are not always material interests, but rather often neither material nor straight forward.

## **2.2 FOREIGN AID IMPACTS ON DEMOCRACY AND HUMAN RIGHT**

Like foreign aid motives, the impacts of foreign aid on democracy and human rights promotions are more controversial. Nonetheless, foreign aid impacts on democracy and human rights promotion, controversial as it maybe , can actually be grouped into at least three categories; two main contending views and one that sometimes complement either of the two depending on the nature of governance of recipient countries. Most literatures posit that aid has an impact particularly on democracy. Some of the arguments forwarded are, since democracy thrives better in a modernized, industrialized and economically well off society (Knack, 2004; Lipset, 1959), which foreign aid does contribute to, it therefore inadvertently enhances democratic foundations in recipient countries. This is rather parsimonious because it assumes aid being used for

industrialization instead of used by autocrats to strengthen their rule at the detriment of economic growth. Knack (2004) adduced that aid has potentials to improve democracy through technical assistance that helps strengthening electoral process, the judiciary and legislatures that put check on the executive powers through conditionality and by improving education that increase per-capita income. However, his finding did not substantiate these potentials of foreign aid. In fact, Knack's finding shows that there is no sufficient relationship between foreign aid and democratic promotion and he concludes that this is either aid impact is minor or it is overshadowed by other democracy undermining factors. This finding prompted several other researches that focus instead on the incentives effect of foreign aid and their findings were equally conflictual (Bermeo, 2011; Heckelman, 2010). For instance, while aid per capita has strong association with democratic reform and strong relations with improvement in judiciary, civil society and electoral process, it shows no correlation with independent media. This is probably due to the nature of aid that often targets government agencies or still recipient government negative attitude toward the media. On the other hand, the democratic nature of donor countries influences the effect of aid on democracy in the recipients (Heckelman, 2010; Bermeo, 2011). According to Bermeo (2011), foreign aid can negatively influence democracy if donor is not very democratic. In contrast, however, democratic donors are selective and ensure that aid resources are ex-

pendent on recipients that respond to democratic incentives. However, while Heckelman (2010) tends to ignore the distribution of aid resources and instead focus on the aggregated impact of aid on the overall economy, the rise of aid per capita may have a positive impact on democracy, but this depends on intended goals and utilization of the aid for such goals. Bermeo (2011) on the other hand, negates the strategic importance of the recipient country to the donor and as such, even if the donor is democratic, it may not seriously consider democratic reform in the recipient country (Fisher, 2007). Exploring whether aid operates through conditionality and leverage, Kersting and Kilby (2014) found that donors allocate aid in response to democratization. In addition, recipient countries respond to these incentives for democratic reforms and adopt democracy. Thus, foreign aid has both short and long run effect on democracy. In the short run, foreign aid responds to democracy by providing key and immediate input to successful elections and transition to democracy but this is more effective if the recipient is not of strategic importance to the donor. Over the long run, foreign aid promotes economic and social developments that are preconditions for democratization (Lipset, 1959). When foreign aid is leveraged on conditions, and recipient country expects donors to condition future aid on democratization, democratic reforms will be observed. Finally, foreign aid if conditioned to democratic reforms, acts as an in-

centive to induce government and elements of civil society to undertake or advocate for democratization (Kersting and Kilby, 2014).

The end of the Cold War according to Dunning (2004) increased the positive effect of foreign aid in democratization particularly in Africa, because geopolitics during the Cold War made it difficult for donors to effectively condition aid on democracy and human rights. During the Cold War, threats of making aid conditional on democratic reforms were not always credible because withholding aid from an autocratic country means losing a client and ally. This geostrategic cost of losing an ally, overrides the benefit of insisting on democratic reforms. This made democratic promotion during this period understandably unrealistic. The end of the Cold War enabled western democracies to effectively condition aid on reforms such as democracy and human rights. For instance, the collapse of the Soviet Union, a major source of aid to Benin, provided opportunity for the French government to return aid to Benin and pressed for democratic reforms (Dunning, 2004) *and today Benin is a vibrant democratic country in Africa (my emphasis)*. Dunning's credibility story, may hold some insight into aid effect on democracy. However, the actual credibility of the story is bound to be flawed considering the fact that, the Soviet Union have indeed collapsed but countries still have the tendency of receiving aid from equally undemocratic donors such as Kuwaiti



fund, OPEC, Saudi Fund, and increasingly prosperous China that give renewed impetus to autocratic regimes around the world (Bermeo, 2011).

The impact of foreign aid on democracy and human rights may have little optimism among scholars as outlined in the literature above. The growing discontent as to the impact of foreign aid on democracy can be classified as an extension of the debate over the general effectiveness of foreign aid in inducing reforms for either social development or democracy. Critics of foreign aid impact on democratization usually make comparison of foreign aid and natural resources such as oil and assume that like natural resources, foreign aid is non-tax resources and this erode leaders' accountability to the electorates and reduce institutional effectiveness and rights protection (Burnside and Dollar, 2000; Remmer, 2004). Other scholars interested on political motivations of donors highlight the donor's explicit interest in prolonging rule of autocrats who had better served their interest and as such, aid will not be conditioned on democracy (Dreher et al. 2011; Dunning, 2004). Foreign aid also tends to be less effective when both donor and recipient government have different political ideology. This increases transaction cost and incentive problems and since there is no common view of which action can result to desirable outcome, the effectiveness of aid will be reduced (Dreher et al., 2013; Morgenthau, 1969). Even though Deher et al. study cen-

tred on growth, the same can be said on democracy since economic growth as earlier mentioned by Lipset (1959) has a degree of influence on democratization. According to Resnick and Van de Walle (2011), the explanation for the negative relationship between aid and democracy rest on a number of related mechanisms such as foreign aid may subvert development by severing the fiscal link between citizens and the government and it may encourage rent-seeking behaviour and corruption.

The third category I refer here as the complementary category is based on the premise that foreign aid has an amplification effect on political institutions. In other words, it neither subverts nor spurs democracy. Studies have suggested that foreign aid, neither worsen democracy nor improve dictatorship but instead consolidate existing political institutions and help strengthen them (Dutta, et al., 2013). This study corroborates other studies that indicate foreign aid as having institutional entrenching capability than reversing strength. It also on the other hand supports studies that argue that aid prolongs the tenure of dictatorial leaders by providing them with funds that can be utilised for suppression and oppression. However study by Kano and Montinola (2009) found that aid improves political tenure but, while accumulated aid helps autocratic leaders stay in power more than democratic leaders, current aid on the other hand, help democratic leaders remain in power more than it does for autocratic leaders.

Dutta et al. (2013) however were interested at looking at the level of interaction aid has with political institutions and their discovery refutes both the claim that aid can reverse dictatorship (optimistic view) or reverse the paths of democracy (pessimistic view) but rather, aid only entrenched existing institutions making them more democratic or more dictatorial. While their finding has not put definitive end to the debate of foreign aid in the democratization process, it has indeed provided a pathway in the execution and delivery of foreign aid. Going by their finding, targeted delivery of aid particularly to countries on the democratic trail can help develop institutional capacities and thus enhance democracy and improve the livelihood of the citizenry. Their findings can perhaps make the distinction of foreign aid more relevant and refocus it intended targets.

### **2.3 DEMOCRATIZATION**

Democratization is defined by Bohman (2007a) as a robust realization of human rights sufficient for non-domination and political inclusion in the development of power, statuses and freedom of citizens. Democratization in a simpler term can be referred to as the process by which a state transits to democracy. This transition can sometimes be an arduous process that entails the involvement and transformation of social, political and economic sectors of a society.

The process of democratizations is not a new phenomenon. Huntington categorised democratization into waves and referred the current wave of democratization as the third wave in the history of the modern world (Huntington, 1991). Democratization as a process of transition to democracy does not often follow a natural, orderly and linear sequence of positive and progressive political transformation. According to Santos (2003) more often than not, it is an irregular, erratic and sometimes reversible process. Democratization therefore is not only akin to Third World countries and as outlined by Armony and Schamis (2005), early experience of democratization even in the West entailed major upheavals and transformation.

In Africa and most of the other developing countries, the process of democratization gained momentum in the early 1990s immediately after the collapse of the Soviet Union. This period witnessed waves of countries embracing democracy through liberalization and establishment of democratic institutions (Boadi, 2015; Huntington, 1991). The process of democratization can take different forms for examples popular uprising as seen in the Arab Spring, external forces such as donors' pressures in the case of Benin or sometimes demise of a dictator as in Nigeria (Resnick and Van de Walle, 2011). Carothers (2000) mentioned the erratic nature of democratization and resultant could sometime be hybrid of regimes such as semi-democratic or

semi-authoritarian, similar to Fareed's assertion of illiberal democracies (Fareed, 1997). The 20<sup>th</sup> century however witnessed renewed international commitments to support democratization around the world. International organisations and OECD countries now tie most foreign aid to matters of good governance, democracy, human right and rule of law (Carothers, 2000; Santos, 2003).

## **2.4 HUMAN RIGHTS**

Human rights are now important elements in almost all instruments of international relations. Attempts to give precise and universal definition of human rights have not reached any consensus; nonetheless, there is a tacit agreement that human rights are fundamental and inalienable rights that people regardless of colour, race, religion and status are entitled to by virtue of their humanity. At least the fact that human beings ought to be dignified had given a consensual basis for common concept of human rights (McCurrudden, 2008). The Universal Declaration of Human Rights, though not a legally binding principle, established the standard for all states, organisations and individuals as well, to give utmost respect to the inalienable rights of individuals. Human rights now generate series of rights that hold prominence on international scale although most of the time a subject of controversies. Among these controversies are two important issues of which one that confronts the state sovereignty and the

other that deals with issue of diversity. While the former discusses human rights principles and threat to states security, the latter questioned if the different conceptions of human rights and the specific protected rights are really universally applicable or not? (Mingst and Arreguin-Toft, 2011).

The application of foreign aid for human rights promotion is equally a debated issue. There is diverse debate over whether donors withhold aid to repressive states (McCormick and Mitchell, 1988; Nielson, 2013). Nielson's finding however shows that donors withheld foreign aid rather selectively. According to him sanctions are applied under three circumstances; if recipient does not have close tie with donor, when violation are widely publicized to donor and when violations have negative consequences for donors. His finding that donors are not keen to apply sanction but they anyway do and the fact that his result has little to say about aid sanction effectiveness is a serious concern to human rights advocates that want to link aid to human rights protection (Nielson, 2013). Donor's interests in human rights are still subjects of discourse. Nielson, (2013) argued that powerful states may act out of self-interest but such interests could be profoundly shaped by human rights.

Recently international organisations and donors particularly the EU and United States have framed their foreign aid to adherent to human rights principles as enshrined in

the Universal Declaration of Human Rights documents (USAID<sup>6</sup>, EIDHR<sup>7</sup>). The European Union, in 2012, further expressed its commitment to the protection and promotion of human rights whether civil, political, economic or cultural and called on all states to implement the provision of the Universal Declaration of Human Rights (EU press release, 2012)<sup>8</sup>. This is in affirmation of its founding principles outlined in article 21 of the Treaty of the European Union<sup>9</sup>, incorporating human rights in all external relations including aid. The shaming and naming of human rights violation especially at the international forums according to Ausderan (2014) affects individual perception of their country human rights. Literatures also show that the naming of

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<sup>6</sup> United States Agency for International Development. information of this agency can be access on <https://www.usaid.gov/what-we-do/democracy-human-rights-and-governance>

<sup>7</sup> European Initiative for Democracy and Human Rights. More information is available at: <http://www.eidhr.eu/democracy-human-rights-development>

<sup>8</sup> Council of the European Union : 'EU Strategic Framework and Action Plan on Human Rights and Democracy' Press release No.11855/12 available online at: [press.office@consilium.europa.eu](mailto:press.office@consilium.europa.eu)  
<http://www.consilium.europa.eu/Newsroom>

<sup>9</sup> The Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law.

human rights violating states at the United Nations General Assembly and other human rights reports affect aid flow and give multilateral institutions bases to adopt sanctions (Lebovic & Voeten, 2009). What is however important is that human rights has become an integral component of aid provision and both donors and recipients countries are cognizant of how human rights violations will influence aid provision .

## **2.5 THE GAMBIA –EU RELATIONS**

The framework of cooperation between The Gambia and the European Union started under Lomè Convention in 1975, after the United Kingdom accession to the European Community that also incorporated British former colonies including The Gambia into the EEC development cooperation signed in Lomè, Togo, 1975 (Babarinde and Faber, 2005).

Current relations between The Gambia and the EU fall under the Cotonou Agreement, first signed in 2000. This cooperation is broadened to cover three complementary pillars: development cooperation, political dialogue, and economic and commercial cooperation, with the ultimate aim of addressing poverty through sustainable develop-



ment. It has been revised in 2005 and 2010 and The Gambia national assembly ratified it in 2012 (Gambia-EU cooperation, 2014)<sup>10</sup>.

In addition to the central government and public institutions, the cooperation now involves local government, the private sector, and non-state actors. This is in line with the article 6:1&2<sup>11</sup> of the Cotonou Agreement (Cotonou Agreement, 2010)<sup>12</sup>. The European Development Fund (EDF) is the main instrument of the Community aid for development cooperation in the African, Caribbean and Pacific (ACP) countries. Over the years, the European Union provide governance support to The Gambia through funding access to justice and legal education, journalism and the media, public fi-

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<sup>10</sup> Gambia-EU Cooperation Annual Report, 2014 covers a detail report of activities funded by the EU in The Gambia. Further information can be access online at:

[http://eeas.europa.eu/delegations/gambia/press\\_corner/all\\_news/news/2015/acp\\_2014\\_en.htm](http://eeas.europa.eu/delegations/gambia/press_corner/all_news/news/2015/acp_2014_en.htm)

<sup>11</sup> The actors of cooperation will include: a) State (local, regional and national), including ACP national parliaments; b) ACP regional organizations and the African Union. For the purpose of this Agreement the notion of regional organizations or levels shall also include sub-regional organizations or levels; c) Non-State: - private sector; - economic and social partners, including trade union organizations; - civil Society in all its forms according to national characteristics. 2. Recognition by the parties of non-State actors shall depend on the extent to which they address the needs of the population, on their specific competencies and whether they are organized and managed democratically and transparently.

<sup>12</sup> The Cotonou Agreement, 2010 is the revised agreement initially signed between ACP and the EU in 2000 in Cotonou, Benin. It is available online at:

[http://www.epg.acp.int/fileadmin/user\\_upload/Cotonou\\_2010.pdf](http://www.epg.acp.int/fileadmin/user_upload/Cotonou_2010.pdf)

nance management and civil society support intended to help The Gambia established a better democratic and economic governance as outlined in The Gambia policy documents such as Vision 2020 (Gambia-EU Annual Cooperation Report, *ibid*). These fundings are in addition to the Union supplement of the government expenditure budget. Through the EU-ACP, The Gambia is among the countries hugely dependent on aid and receives more than 21% of overall foreign aid from the European Union EDF programme.

## **2.6 EU PERCEPTION OF DEMOCRACY AND HUMAN RIGHTS**

Democracy and human rights are the bases of the European Union foundation. Since its foundation, it has become the bastion of democratic and human rights values, values it views as universal thus, it desires to transpose these values to all partner countries as enshrined in the external relations guidelines (Council of the European Union, 2012). Democracy and human rights are the cornerstones for inclusive and vibrant societies where all are free to participate in the development of their communities according to the EU.

However, there is not much clarity on what the EU's definition of democracy is, unlike human rights. The Copenhagen criteria, EU Lisbon treaty, most of the Council's statements, the Lomé Convention and Cotonou Agreement respectively did not give

concise definition of what the EU means by democracy. This presents difficulties for the EU attempts to promote democracy and human rights. Since there is no universally acceptable definition, any attempted definition from the EU might be reproached by other countries. For example, China's sense of democracy and human rights may not correlate with the EU's, so too is most African democracy and human right concepts. Thus, democracy and human rights promotion around the world pose a serious dilemma to all actors in this field.

The Lisbon Treaty also known as the Treaty on the Functioning of the European Union (TFEU) amends the Treaty of the European Union (TEU) and the Treaty establishing the European Community (TEC). It captures the essence of the EU but also fails categorically to outline the democracy and human rights values the EU seeks to promote. Article 2 of the (TFEU) refers to these as the founding values of the Union and common to all as stated herein:

‘...member states society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between men and women prevail’.

Apart from the emphasis on the democratic and human rights values, the treaty also set the democratic principles upon which the functioning of the Union shall be based

upon. It indicates representative democracy as the form of democracy the Union's functioning shall be based upon (art.10).

However, the most important article for this concern is article 21 that deals with the Union's external relations. This article outlines the principles upon which member states interaction with third country shall be based upon. It states:

‘The Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law....’

This article forms the basis of the EU guiding principle on its democracy and human rights promotion around the world. In terms of implementation, on the other hand the exact form especially of democracy promotion remains unclear. The EU claims to pursue a policy that focuses on geographic programs tailor made to particular countries' needs.<sup>13</sup> However, 2012 EU's Council statement reiterates human rights as uni-

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<sup>13</sup> [Europa.eu/rapid/press\\_release\\_speech-06-790-en.htm](http://Europa.eu/rapid/press_release_speech-06-790-en.htm): for the speech made by EU commissioner outlining the EU's democracy and human rights approach.

versally applicable legal norms and democracy as a universal aspiration. Thus in the EU Strategic Framework and Action Plan on Human Rights and Democracy, it outlines freedom of expression, opinion, assembly and association as necessary for democracy to exist and as priorities area to promote in all external relations. Freedom of religion and belief, discrimination in all forms, children and minorities' rights as well as eradication of death penalty and torture are equally in the center of EU relations with third countries.

Often dubbed as one of the most successful EU approach to democratization and human rights promotion in Eastern European countries, the Copenhagen criteria even though failed to outline a clear path of EU's model of democracy, gives an indication of what it is like. Intended for EU neighbours aspiring for EU membership, it is built on three major criteria that aspiring EU membership must fulfill before accession are reached.

- Stable institutions guaranteeing democracy, the rule of law, human rights and protection of minorities' rights.
- functioning market economy and the capacity to cope with competition and markets forces in the EU

- Ability to take on and implement effectively the obligation of membership including adherence to political, economic and monetary union.

This criterion may not define democracy and human rights for aspiring members, it however created clear-cut standards and more importantly a model for the Eastern European to follow (Western democratic model).

It is obvious that the EU pursues a universalist approach to human rights. To a large degree, the European Human Rights Convention has many similarities to the Universal Declaration of Human Rights. The adoption of the EU Charter of Fundamental Rights in 2000 and its subsequent binding principle in the EU treaty in 2009 all further attest to the Union's affirmation of the universality of these norms. Apart from this convention other policies and laws of the EU ensure that the EU continues to defend the universal and indivisible nature of human rights through active participation in international organisations and partner countries, groups and associations at all levels of society. In a speech to the United Nations Human Rights Council on 18 September 2009, Sweden, holding EU's presidency declared that EU upholds human rights and their universality, interdependence and indivisibility. These rights include civil, political, economic, social and cultural rights as all being equal in status (Dahlgren, 2009).

European Union human rights thus are an embodiment of the Universal Declaration of Human Rights recognized and enshrined in the European Convention on Human Rights (ECHR). Such rights include but not limited to the right to life, prohibition of torture, prohibition of slavery and forced labour, right to liberty and security, rights to fair trial, no punishment without law, freedom of expression, freedom of thought, conscience and religion, freedom of association and assembly etcetera.

Finally, ambiguous as EU concepts might seem, judging by its policies and practices around the world, EU concept of democracy and human rights can be outlined as 'liberal representative democracy' (Pace, 2009). EU also advocates for adherence to the Universal Declaration of Human Rights and all other human rights protocols agreed at United Nations General Assembly as well as those embodied on the European Convention on Human Rights. While each of these maybe confronted with some bottlenecks, the Union in all its policies and treaties reiterates the importance of the democratic and human rights values that it seeks to promote around the world.

The Union even though firmly believes in the universality of democratic values, however remains fuzzy and fails to ontologically specify the form of democracy it is, unlike the United States that unequivocally identifies with liberal democracy (Kurki, 2009). The lack of concise outline of European Union concept of democracy has dou-

ble edge consequences. While on the one hand it confirms the variation in the types and forms of democracy due to regional and countries' specificity, it on the other hand contradicts, the core believes of the universality of democracy and human rights that it is determine to promote. The implication of this is inconsistency in advocacy that ultimately put the Union in a position of compromising some of the values it cherishes.

On the other hand if the EU could avoid inconsistency and allows partner countries determine its mode of democratic and human rights values, such outcomes may have varying degree of effects on democracy and human rights around the world.

Notwithstanding, based on its policies and strategies, it is agreeable to state that EU, promotes a form of democracy that emphasises inclusion through participation. This includes free and fair election, openness, or transparency, rule of law, civil control of the security forces, independence of the judiciary, freedom as the 'absence of restraint' which includes freedom of expression, association and assembly and freedom of the media and a free market economy, in short 'liberal democracy'. A form of democracy,

Young (2009) posits is widely view as restrictive, a value-laden and out of favour among citizens around the world. However, in the process of democracy promotion, the European Union is not clear as to whether it is promoting social democracy or a European model of social democracy (Kurki, 2009). More of it democracy and human



rights promotion focus on procedural or institutional, demonstrating the Union's affirmative trust on functioning and independent institutions.

Nonetheless, there have been calls even within the EU especially during the Czech and Swedish presidencies of the EU for the Union to come up with a definition of democracy. The argument is that such a definition will be in the interest of transparency and fairness to European partners (Meyer-Resende et al., 2009). On the promotion aspect, it is contended that the European Union focuses on procedural or institutional promotion of democracy and human rights. It has a strong focus on elections, elections observations missions and institutional supports that it believes is vital for the promotion of democracy, human rights and the rule of law worldwide (European Commission, 2000).

## **2.7 PERCEPTIONS OF DEMOCRACY AND HUMAN RIGHTS IN THE GAMBIA**

The perception of democracy and human rights issues in The Gambia may not be very different from many other people around the world. However, since these issues everywhere are controversial and subject of diverse opinions, the concept of democracy and human rights amongst Gambian equally have diverse interpretation. There is increasing possibility that Gambians especially at the birth of the second republic in

1994 have developed a different but not entirely new perception of democracy and human rights.

As a nation, The Gambia has a long history of democracy and human rights records since independence in 1965. The Polity IV rated Gambia democratic status from 1965-1981 at 8 out of 10 indicating an almost near ideal democracy. The Gambia human rights records in 1965–1994 also contributed to the hosting of the African Commission of Human and Peoples’ Rights in Banjul. Apart from a constitutional multi-party democracy, The Gambia’s 1970 constitution guaranteed a democratic system of government based on the consent of the citizenry. The same constitution had provision of freedom of speech, association and assembly and the rights to fair trial by an independent judiciary.

Thus, a democratic government that had considerable respect for human rights ruled the society. However, one may not be quick to paint everything good since The Gambia was at that time highly underdeveloped and had limited social infrastructures and high illiteracy rate and was ranked at 167 in Human Development Index 1993 (UNDP, 1993).

After the 1994 military coup that ousted the thirty year, de-facto one party democratic regime, The Gambia in 1996 returned to the constitutional democratic governance

under the disposition of the 1997 constitution of The Gambia. While the country is a democracy in principle, and has laws that guarantees human rights, experts reports on the democracy and human rights remain abysmal as reported by Freedom House ( Freedom House reports, 2013)<sup>14</sup>.

Nonetheless, The Gambia has its variant from of democracy and human rights that perhaps make development issues precede others. In a 2013 interview with the African Magazine, the president called himself a dictator of development. Many Gambian will equally welcome the development registered and this probably account for the significant support for the government against EU and other outside intervention as demonstrated in the 2013 demonstration against the EU showing placards that reads ‘We don’t need EU chicken change’(Ndow, 2013). At the same gathering, the president admonished the EU for not being concerned about agriculture or health development in The Gambia but rather concerned about the conditions of criminals.

However, it is important to note that the 1997 constitution of The Gambia in the preamble and chapter 1 established The Gambia as a republic whose sovereignty resides on the peoples from whom all organs of government derive their authorities and

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<sup>14</sup> Freedom House report 2013 can be access on online at

<https://www.freedomhouse.org/report/freedom-world/2013/gambia>

guarantees a participatory democracy that reflects the undiluted choice of the people.

This is also reflected in the blue print of the developmental plan of The Gambia entitled 'Vision 2020' and the Poverty Reduction Strategy Paper I and II (PRSP I & II).

Vision 2020 in particular, envisioned:

'To transform The Gambia into a financial centre, a tourist paradise, a trading, export-oriented agricultural and manufacturing nation, thriving on free market policies and a vibrant private sector, sustained by a well-educated, trained, skilled, healthy, self-reliant and enterprising population and guaranteeing a well-balanced ecosystem and a decent standard of living for one and all under a system of government based on the consent of the citizenry.'

The constitution of The Gambia goes further to declare the protection of fundamental human rights and freedoms in chapter IV article 17 subsections 1 & 2<sup>15</sup>. These rights,

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<sup>15</sup> Article 17: 1 : The fundamental human rights and freedoms enshrined in this Chapter shall be respected and upheld by all organs of the executive and its agencies, the legislature and, where applicable to them, by all natural and legal persons in The Gambia, and shall be enforceable by the courts in accordance with this Constitution.

Article 17: 2: Every person in The Gambia, whatever his or her race, colour, gender, language, religion, political or other opinion, national or social origin, property, birth or other status, shall be entitled to the fundamental human rights and freedoms of the individual contained in this Chapter, but subject to respect for the rights and freedoms of others and for the public interest.

range from right to life, personal liberty, privacy, protection from slavery and force labour, protection from inhumane treatment, protection from deprivation of property, secure protection of the law and fair play, freedom of speech, conscience and assembly and movement to all the political rights that guaranteed equal participation to the rights of women children and protection from all forms of discrimination. It is however important to note that as the constitution guarantees these rights, the same article subjects them to restriction base on the rights and freedoms of others and for public interest.

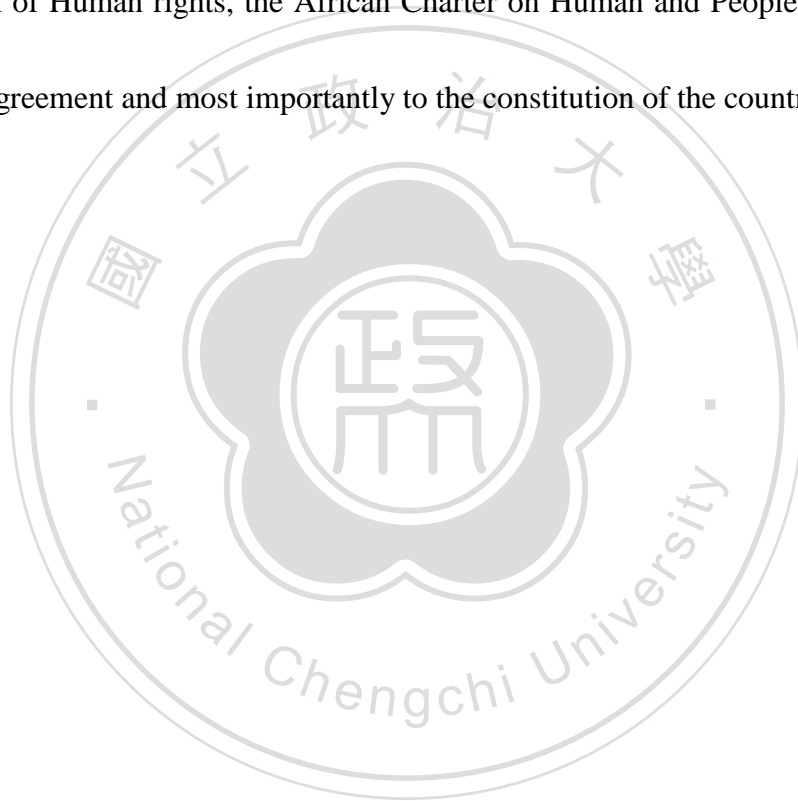
The Gambia also subjects itself to most of the international laws and treaties by ratifying most of them even though sometimes with reservation for instance the Rights of the Child, which it signed with reservation citing economic obstacles to its implementation. The Gambia is a signatory to the Africa Human and Peoples' Rights Charter ratified in 1983 and the Universal Declaration of Human Rights, the Convention on Elimination of all form of Discrimination Against Women (CEDAW). However, The Gambia has also failed to ratify the Convention Against Torture and Other Cruel, Inhuman Degrading Treatment or Punishment, and the Convention for the Protection of All Persons to Enforced Disappearance and the Second Optional Protocol to the

International Covenant on Civil and Political Rights aiming at the abolition of the death penalty.

On the other hand, apart from these conventions, The Gambia also has bills adopted by parliament that are sometimes viewed as antithetical to democratic and human rights principles. However, government continues to argue that most of these bills are in response to growing need for security of the state and protection of the development so far achieved. For instance on September 21, 2009, the president on national television threatened to kill anyone who attempts to destabilize the country. The 2001 indemnity bill also adopted in parliament in response to 2000 students' riot, and is generally criticised for protecting security personnel, and denies human rights victims and defenders access to justice. While it received the support of ruling party members of parliament, opposition in the national assembly called the bill unconstitutional, suicidal and a mockery to our democracy (Daily Observer, 2001). Another bill "Media Commission Bill" was aimed at establishing a code of conduct for media practitioners, regulating the media and ensuring impartiality, independence and professionalism in the media. The opposition leader Ousainou Darboe opposed the bill equating it to dictatorship that use legislature to pass draconian laws, Journalists called it a killer of the freedom of expression of the people (The Independent, May 2002) and interna-

tional organisations such as Article 19 criticized structure and appointment of members and called it excessively coercive.

Despite some of the laws that are often labelled as draconian, a challenge to democratic consolidation and a threat to human rights promotion, The Gambia continues to associate with all international commitment it undertakes. These include the Universal Declaration of Human rights, the African Charter on Human and Peoples Rights, the Cotonou Agreement and most importantly to the constitution of the country.



## **CHAPTER THREE: METHODOLOGY**

### **3.1 RESEARCH DESIGN**

The research largely applies qualitative method. This is rarely used by researchers on the field of foreign aid probably because most of them being from the field of development economics applied the more rigorous and robust quantitative method to do their finding.

I also conduct a survey to increase the robustness of my finding and examine the congruence of policy and laws with people's perception. This also helps to demonstrate how significant such difference in donor-recipient perceptions can influence democracy and human rights promotion. The data in the form of survey as well as Polity IV and Freedom House will be applied chiefly for analytical purpose.

### **3.2 RESEARCH PROCEDURE**

The research is thus based on study of a number of policy statements, treaties, reports and other official documents that are accessible.

I use survey to gauge the perception of democracy and human rights in The Gambia.

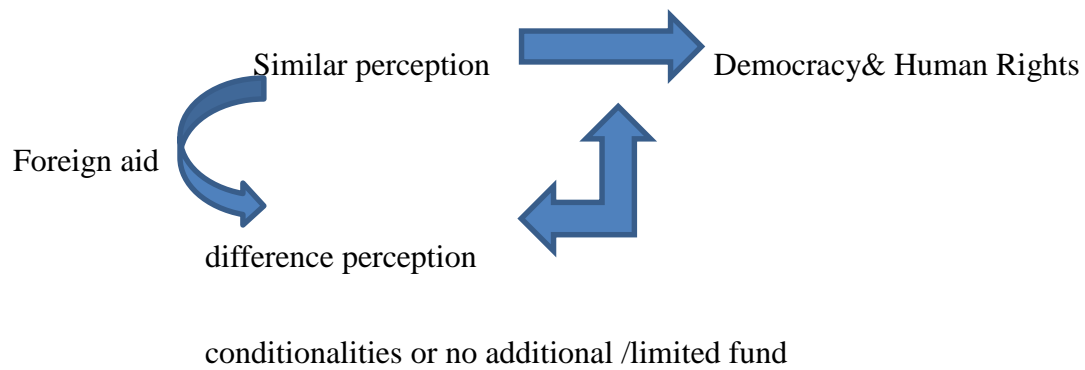
The survey is conducted among few Gambians involved in policy formation and capable of influencing policies. This I hope will elicit an inside policy direction of government which will help determine the democratic and human right perception of the



government and the people as a whole. The survey may not be a thorough representation of the whole country perception, nonetheless the result are significant because the respondents came from a number of people some of whom are senior government officials often involved in policy formulation.

Polity IV and Freedom House data are used to gauge democratic and human right situation in the Gambia over the period to contrast it with aid flow data from EU. Analysis of the finding is based on the political constructivist perspective that emphasises the socially constructed character of actors' interests and identities and beliefs in the possibilities of change through interaction. This is in line with Philip's argument that constructivists provide a better explanation and understanding of the normative and institutional transformation that are shaping international politics (Griffith, 2007.). Through this, we will observe the level of interaction between The Gambia and EU to examine how this interest is being influenced by identities, interests and how similarity or difference in identities and interest affects the relationship.

The analysis will follow the framework shown on figure 3.1, which indicates how foreign aid is likely to have effect on democracy and human rights promotions.



**Figure 3.1 research framework**

The survey element of this study is meant to validate the theoretical findings based on the official documents. I set twenty-nine questions categorized in three sections. The first section deals with the respondents' detail with respect to gender, age and education. The second section relates to democracy and human rights issues. In this section, respondents are asked questions meant to gauge their perception of these concepts and ask to indicate the status of the concepts in their own country. The final sections is about foreign aid effectiveness for democracy and human rights promotions and respondents are asked which of the two forms of aid is more effective and preferable. For further information about the types of questions, please refer to the appendix II on page 104.

The limited number of respondents might not be a representation of the entire country of 1.9 million people. However, the respondents were selected carefully to have a diverse selection of people with in-depth knowledge of government policies and a range

of influence in the formulation of policies or otherwise influential in their respective communities. Their opinion therefore might not only reflect their individual thoughts but also represent that of the general populace of the country.

For the sake of clarity, I use Robert Dahl's concept of democracy (polyarchy) as guideline to outline the common concept of western liberal democracy in other words refer to as political democracy. I use this measure against common belief in democratizing countries that democracy is a western value, contrary to this belief; I understand democracy as a rule without violence that embraces participation, competition, tolerance, equality and freedom. These values are not only western values but as Dahl posits are necessities for an inclusive and open government. Democracy therefore cannot be distinguished even though its practices around the world may be different, but the fact that its key elements anywhere are the same makes it a universal value and an objective for any society that aspires for stability, inclusiveness and liberty.

## **CHAPTER FOUR:**

### **4.1 DEMOCRACY AND HUMAN RIGHTS PERCEPTION**

The end of the Cold War was a victory for capitalism and liberal democracy. It heralds the new thinking that authoritarian countries need to be put on the path to democracy that includes respect for human rights. Developed countries thus emphasized the need for countries to democratize in order to end poverty, abuse of human rights and corruptions.

However, two decades since the end of the Cold War, democracy remains to be consolidated in many developing countries and the human rights abuses continue unabated. Burnell (2000) advocates for ideas beyond the limitation of liberal concept of democracy and suggested the use of the notion of democracy as ‘political construct’ that will include ideas from social and economic democracy and a reflection on communitarian instead of an individualistic notion of society. Perhaps apart from the absence of rife conditions for democracy such as market economy, middle class society and well organised civil society, perception equally have great impact in the process of democracy and human right promotion in Africa in general. Liberal democracy and universalist human rights are perhaps perceived differently in The Gambia and Africa as a whole thus posing critical challenges to promotion of these values.

By perception, I mean the process by which individuals and states select, evaluate and organize stimuli from the external environment. Perception that is held affects behaviour formation and reaction toward the stimuli emanating from the external environment. Thus the higher the degree of similarity of perception between two entities: a) the easier communication between them, b) the more they will communicate and c) the more likelihood that their perception similarity will be recognized and the more likely a group identity will be formed.

On the other hand, when there are significant perception difference there will be communication breakdown, less communication and no possibility of group identity been formed unless rigorous socialization processes are undertaken.

Perception is important in shaping a society's values. It helps to legitimize behaviour, ideas or policies. Perception is significant in the formation of motives for political participation. Perception of democracy and human rights are usually communicated through policies, treaties, constitutions and general agreements. However, even though parties may agree in terms and principles, it often emerge that perception of these held in one country or place does not match with another. This becomes recipes for conflict between partners with opposing perception on the same issues. Understanding perception can help us avoid the pit hole that can turn chaotic and unpleasant

especially when communication come to deadlock. Fisher, (20012) noted that, International relations are largely based on abstract issues such as foreign policies agreements, international law, morality, projects and programmes that have greater potentials to generate mismatch and conflicts even if there is will to cooperate.

#### **4.4 THE GAMBIA AND EU RELATIONS THROUGH THE EU-ACP**

##### **ARRANGEMENT**

The Gambia and the EU may be miles apart, however the two had until recently very close partnership drives from historical links and developmental desires. The Gambia, a former colony of Great Britain, joined the Georgetown Agreement that established the ACP countries in 1976 after Britain's accession to the EC. Since then, The Gambia, and EU had had fruitful partnership through both participations in the EEC/EU-ACP forums and treaties signed between the EU and ACP countries. Largely, this demonstrates the shared interests and values between the EU and The Gambia. However, it is important to note that until recently these shared interests and values were centred mainly on developmental objectives and trade. The EU provide significant budgetary support to The Gambia through the European Development Fund that comes in various EDF programmes tailored made in accordance to the Lomé and Cotonou agreements.

#### 4.4.1 THE LOMÈ CONVENTION

The Lomé Convention succeeded the Yaoundé Agreement that was designed only for former French colonies. It was introduced in 1975 and revised multiple times to factor in new developments. As the first agreement between the EEC and African, Caribbean and the Pacific (ACP) countries, it did not stress much on democracy and human rights values but rather focuses on trade and development cooperation aiming at opening European markets, controlling economic shocks and reducing poverty in the ACP countries as cited in art.2, 12, 16 of the convention<sup>16</sup>. It is clear in the first EEC/EU-ACP agreement; the concerns were not focus on democracy and human rights. Therefore, these never became issues of controversies. Both ACP countries including The Gambia and EEC/EU had common and shared implicit interests in trade, industrialization and development cooperation, which was the basis of the 1975 Lomé Convention.

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<sup>16</sup> The first Lomé' Convention signed in 1975 article 2 allows products originating from ACP countries access to EC markets without customs duties. Art.12 focuses on trade promotion that shall enable ACP countries drive maximum benefits from trade cooperation, arrangement, and industrial cooperation (tittle I, chapter 1 and tittle III). In addition, article 16 focuses on remedying the harmful effects of instability of export earning helping ACP countries achieve stability, profitability and sustain economic growth.

Democracy and human rights began to feature on the agreement between EEC/EU and ACP countries in the revised convention of Lomé IV, 1989 and Lomé IV BIS, 1995. Earlier concerns of the partnership was on human rights and the revised version of 1989 article V for the first time, commits all signatories to respect the principles of the Universal Declaration of Human Rights and mentioned a suspension clause to that effect. Article V had three dimensions, the first deal with the relationship between development cooperation and human rights. The second focused on the indivisibility of rights and issues of discrimination and the third focused on allocation of financial resources for the promotion of human rights. However, since the introduction of the human rights language, the ACP countries had always been disappointed in the EC'S interpretation of the convention on delicate matters such as human rights (Moi Avi, 1995). This was an indication of the possible difference of interpretation human rights matters is prone to. Notwithstanding, in the mid- term review of the convention, there was a consensus on the inclusion of democracy and human rights on article 5 as essential elements of the cooperation. For the first time EU and ACP member countries acknowledged the application of democratic principles and consolidation of rule of law in the cooperation agreement (ACP-EU Courier, 1996).



#### 4.4.2 THE COTONOU AGREEMENT

The Cotonou Agreement is the successor of the Lomé Convention. Signed in June 2000, it has been revised in June 2005 and 2010. The Cotonou Agreement is a departure of the EU from business as usual with the ACP countries. EU has become a global actor in the multiple realms of international politics such as human rights, democracy and climate change issues. This means EU relations with other countries need fine-tuning to factor in changes in EU's global approach to concerns of human rights and democracy (Babarinde and Faber, 2005). This agreement, unlike the Lomé Convention, laid emphasis on the partnership and provided framework of agreement consisting of objectives, principles and options for instrument (Art.1, 2 &3)<sup>17</sup>. The Agreement goes beyond just a mention of observation of human rights and democratic

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<sup>17</sup> Article 1 laid down the objectives as expediting economic, cultural and social development to ACP states, with a view to contributing to peace, security and to promoting a stable democratic environment, as well as reducing and eventually eradicating poverty consistent with the objectives of sustainable development and gradual integration of ACP countries to the global economy.

Article 2: outlined the fundamental principles such as equality of the partners and ownership of the development strategies but in due regards for the essential and fundamental elements in article 9 and participation of other actors such as ACP parliament, and local authorities and different kinds of other actors in ACP states.

Article 3: commit all parties to the framework of the agreement to take all appropriate measures for the achievement of the objectives.

governance as concerns but rather includes them as ‘essential fundamental elements’ of the agreement (article 9) and also introduced a political dialogue component for parties ‘to engage in comprehensive, balanced and deep political dialogue leading to commitments on both sides’(article 8). The dialogue is aim at avoiding recourse to the consultation procedures in article 96<sup>18</sup>. The political dialogue according to subsection 4: ‘shall focus, inter-alia, on specific political issues of mutual concerns or of general significance for the attainment of the objectives of this Agreement, such as arms trade, excessive military expenditure, drugs, organized crime or child labour, or discrimination of any kind, such as race, colour, sex, language religion, political or other opinion, national or social origin, property, birth or other status...’

Countries that signed this Agreement commit to all the articles of the agreement, also resort to the political dialogue in case of dispute, and only use article 96 as last resort. The Gambia and the EU as signatories of the Agreement had since 2001, initiated discussion on a number of factors particularly relating to human rights. While there is progress in the area of women and children rights, the dialogue faults immediately the EU requested with a timescale, the execution of a seventeen points demands mostly

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<sup>18</sup> Article 96 calls for consultation procedure and appropriate measures as regards human rights, democratic principles and rules law when political dialogue fails.

relating to human rights issues such as prohibition of torture and abolition the death penalty.

#### **4.3 EUROPEAN UNION APPROACHES TO PROMOTE HUMAN RIGHTS AND DEMOCRACY**

The approach includes the focus on country-specific, dialogue and partnership as often applied in the agreements it signed, EU outlined key factors such as coherence and coordination, mainstreaming, international cooperation and visibility approach as its aid strategy and democracy promotion. (See the European Union Council, 2009).

The Union's major instrument in dealing with ACP countries as outlined earlier is the Cotonou Agreement signed in 2000 and has a life span of 20 years. This agreement embodies the code of conduct for members and determines the mundus operandi of the cooperation. In this, the political dialogue clause remains the most instrumental tool for EU that it often uses to address issues particularly relevant to democracy and human rights.

In The Gambia, the EU relied on the ACP agreement that The Gambia ratified for the promotion of democracy and human rights. The agreement provides conditionality for aid eligibility and continuous relations with the EU. These are attached to the party's

adherence to article 9, paragraph 2 of the agreement, violation of which can result to further consultation under article 8 and possible suspension.

Well before 1994, EU provides budgetary support among others to The Gambia. In addition, in the aftermath of 1994 military coup, EU suspension of aid to The Gambia was an important measure that hastens the transition to democracy.

Through the budget support, the European Union is engage in financing sectorial reforms and institutional development. It is currently engaging in access to justice projects, conducting parliamentary training for MPs and providing financial support to women groups to promote their economic rights. The EU does this in tandem with local authorities, civil society organisations and NGOs such as Action Aid International The Gambia (AAITG) through the provision of finances.

As a provider of almost 12% of The Gambia budget, the EU exercises leverages to condition The Gambia's adherence to the principles of democracy and human rights.

In the days after 1994 military coup, acting under the Lomé Convention, EU suspended aid to The Gambia causing immense pressure on the military to transition to democracy. The 2012 execution of inmates on death roll also sparked row between the EU and the Government of The Gambia resulting to the intense dialogue under article 8 of the Cotonou Agreement. In this dialogue, the EU made a 17- points demand. This

includes a moratorium on the death penalty, amendment of the newspaper act 1994; to remove restrictive barriers, amendment of the information and communication act 2009. This provides government the power to revoke, suspend or amend the terms and conditions of license lies with an independent authority, removal of restriction on accessing and sharing of information, improvement of prison conditions (The Point Newspaper, 2013). The government rejected these demands, referring the imposition of these conditionalities as an infringement on its rights as a sovereign and independent nation that undermines not only its integrity but also peace and stability as a state with its fundamental rights to operate within the parameters of duly constituted laws (Government of The Gambia press release, 2013). This was followed by a resort to article 96 of the Cotonou Agreement and ultimate suspension of aid to The Gambia in 2014.

#### **4.4 EU AID TO THE GAMBIA FOR DEMOCRACY, AND HUMAN RIGHT PROMOTION**

The European Union is the historical assistance provider to The Gambia. Since independence in 1965, the government of The Gambia significantly relied on aid from the development partners to supplement its budget. EU has been the leading provider consisting of about 12% the GDP. However, of recent the prominence of EU aid to

The Gambia government has evidently declined. The Gambia being small in size and population and cognizant of its existential condition as both strategically surrounded by Senegal and resource constraint and dependence on foreign aid has diversified its development partners. The EU as a major player in The Gambia declines as The Gambia reverted to assertive foreign policy toward the East and succeeded in getting fund from the east and other developing countries.<sup>19</sup> The Gambia established diplomatic ties with Libya in 1994 and Taiwan in 1995. Relations with Saudi Arabia, Kuwait, Iran and Cuba were also strengthened. Even though assistance from these countries is not enough to upset EU's influence, the fact that they provide support without stringent conditions on democracy and human rights make them alternative to EU aid. Since 1994, EU assistance to The Gambia through its EDF programmes has been erratic. First suspended in 1994, then EU aid declined in the subsequent years and more recently large sum withheld over complaints of rights violation in contravention of the Cotonou Agreement.

EU assistance to The Gambia though not only limited through EDF, larger chunk of it is through the fund that targets government activities such as budget support and sectorial assistance. The focus of this paper is on the fund that targets government and in

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<sup>19</sup> See Touray (2000) *The Gambia and the World: a history of foreign policy of Africa*.

this case, it is mainly the European Development Fund (EDF). Other EU fundings are available to The Gambia, but this the EU allocates to support regional integration and other specialized projects such as humanitarian assistance.

Below is chart of the EDF funding to The Gambia from 1994-2013.

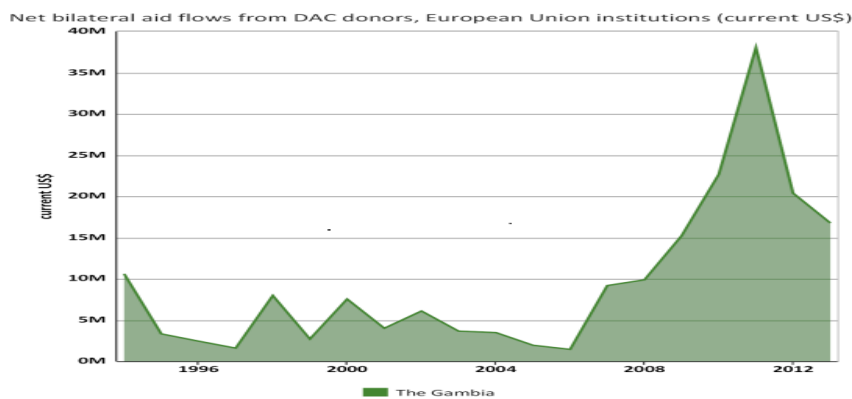


Figure 4.1 net EU aid to The Gambia

Source: <http://data.worldbank.org/data-catalog/world-development-indicators>

#### 4.5 KUWAITI FUND FOR ARAB ECONOMIC DEVELOPMENT (KFAED)

The Kuwaiti Fund established since 1961, is the organ of the state of Kuwait that manages and distributes financial and technical aid. It provides forms of direct loans, grants, as well as co-financing of projects in collaboration with multilateral donors.

The Fund objective according to KFAED, (2000b) is to “assist Arab and other developing countries in developing their economies and to provide such countries with loans required for the implementation of their development programmes”

#### **4.5.1 AID CONDITIONALITY**

Apart from the legal condition required, KFAED does not impose any additional political or macro-economic conditionality on loan, grants or projects implementation. It is however concerned about loan repayment and could suspend programme if repayment delayed.

#### **4.5.2 RELATION WITH THE GAMBIA**

The Gambia and Kuwait have long established relationship spanning to the times of the two countries independence. As early as 1990 Kuwait was already funding development projects in The Gambia including rural water supply, construction of roads and wharves. Even at the time of payment default in the mid-1980s, Kuwait bilateral aid continues to flow into The Gambia (Touray, 2000). From 1994 to 2014, the Kuwaiti Fund continued to support the government and embarked on series of infrastructural development support to The Gambia amounting to millions of US dollars. The table below shows number of developmental projects KFAED supported in The Gambia since 1997.



**Table 4.1 Kuwaiti fund aid to The Gambia**

All amount in Kuwaiti dinar (millions) (1KD=US \$3.40 of current rates)

Sector	Project Name	Loan amount	Date of agreement	Interest rate	Loan period (years)	Grace time (years)	Grant
Transportation	Kombo Roads	2.580	11.11.97	2.50%	22.08	4.08	50.14%
Transportation	Banjul Intel. Airport improvement	3.100	14.06.99	3.00%	21.50	4.50	46.80%
Agriculture	Irrigated rice development	1.009	27.4.01	1.50%	23.83	6.83	62.65%
Transportation	Frafenni-Lamin koto road	3.000	20.11.01	2.00%	24.92	2.92	54.13%
Transportation	Madinaba-Soma road	3.063	29.03.05	2.50%	25.58	4.58	53.47%
Transportation	Banjul Intel. Airport improvement (phase II)	3.100	28.03.08	2.50%	31.25	9.25	61.40%
Social	University of The Gambia	4.000	12.07.10	1.50%	26.75	6.76	64.63%
Transportation	Laminkoto -Passimus road	6.000	12.11.13	2.00%	27.00	7.00	61.16%
Grand Total Kuwaiti Dinar	25.852	Grand total in US dollars			87.8968		

Source: [www.kuwait-fund.org](http://www.kuwait-fund.org)

#### **4.6 TAIWAN-THE GAMBIA RELATIONS.**

The Republic of China (Taiwan) establishes diplomatic relations with the Republic of

The Gambia in 1995. After the military coup, the military regime in The Gambia sev-

ered relations with the Peoples' Republic of China and recognised the island of Taiwan.

The government of Taiwan provides series of assistance to The Gambia without any conditionality attached. Such assistance is provided through the Ministry of Foreign Affairs and the International Cooperation and Development Fund (ICDF). Over the years 1995-2013, the Taiwanese government has sponsored key Gambia government development projects without any democracy or human rights conditions attached. Such projects include budget support for education, President Girls' Empowerment Programme, procurement of ferry engines, rehabilitation of police residence, medical grant, personnel training programmes (MOFA, 2014).

#### **4.6.1 CONDITIONALITY FOR ASSISTANCE**

The government of Taiwan pursue a flexible diplomacy placing progressive partnership and sustainable development at the heart of its foreign aid policy (MOFA, 2009).

Taiwan aid policy centres on the following:

- 1) Promoting friendly relations with diplomatic allies
- 2) Fulfilling it responsibility as a member of the international community
- 3) Promoting human security, and
- 4) Giving back to the international community and developing humanitarianism

Though Taiwan is not a member of DAC, Taiwan has committed itself to conform to global trends and play the role of a responsible stakeholder in the international community. However, Taiwan aid continues to be influenced by diplomatic ties and about 92% of the aid provided is bilateral and largely spent on allies basic infrastructures, technical assistance and education. Table 4.2 below shows a breakdown of Taiwan aid to The Gambia through its Ministry of Foreign Affairs

**Table 4.2: Taiwan Bilateral aid flow to The Gambia from 1995-2013.**

<b>SOURCE</b>	<b>Amount US \$(millions)</b>	<b>date</b>	<b>purpose</b>
MOFA	5,000000	August,1995	Grant(open)
MOFA	35,000000	August,1995	Non-interest loan(open)
MOFA	7,262,771	23/08/96	Barra-Banjul road
MOFA	500,000	June,2006	Motorbike for the AU summit
MOFA	50,0000	March,2007	Military equipment
MOFA	400,000	July,2008	President empowerment girls' education project
MOFA	626,000	2/06/09	President empowerment for girls' education project
MOFA	700,000	7/06/,2011	President empowerment for girls' education project
MOFA	805,735	2012	Rehabilitation of old police line
<b>TOTAL</b>	<b>US \$ 50,344,506</b>		

Compiled by author from collection of reports covered by The Gambia daily newspapers from 1995.

Apart from the Ministry of Foreign Affair special support, the government of Taiwan also through International Cooperation and Development Fund (ICDF) provides more structural and technical support to The Gambia. This ranges from agricultural projects

to vocational training and capacity building projects. The table 4.3 below gives a breakdown of the major projects ICDF executed in The Gambia for the period 1995-2013.

**Table 4.1: ICDF projects in The Gambia**

<b>sources</b>	<b>Amount in US\$ (Millions)</b>	<b>period</b>	<b>purpose</b>
ICDF	500,000(loan)	11/08/04	Microfinance and capacity building project
ICDF	350,000	24/12/08	Technical vocational education and training project
ICDF	8,073,385	2009-2012	Upland rice expansion project
ICDF	3,620,437	2011-2012	Sustainable rice production
ICDF	372,288	2011-2013	Tilapia cultivation & technology transfer projects
ICDF	1,080,568	2011-2013	Vegetable producer group guidance project
ICDF	2,252,712	2013	Upland rice consolidation project
<b>TOTAL</b>	<b>US \$ 16,249,390</b>		

Sources: courtesy of ICDF office Taipei, Taiwan

In addition to the financial support for project implementation, Taiwan government through ICDF provides over forty-four youth service and nineteen volunteers who provide technical expertise in various sectors in The Gambia particularly in the areas of agriculture, health, information technology and vocational training.

## **4.7 THE GAMBIA DEMOCRATIC AND HUMAN RIGHTS STATUS**

To observe The Gambia's democratic standing and human rights records, I use the Freedom House and Polity IV respectively.

### **4.7.1 FREEDOM HOUSE REPORT**

The Freedom House dedicates itself to promoting liberty and free institutions. It publishes surveys measuring freedom defined as the opportunity to act spontaneously in a variety of fields outside government control or other centres of potential dominion.

It focuses on two separated but significant areas for democracy and human rights, thus making it a critical tool for measuring countries' performances.

Political rights is used to survey participation in political processes such as voting, competing for public offices, joining political parties and organisations and accountability of elected representatives to their electorates.

Civil liberties on the other hand, focuses on the freedom of expression and belief, association and organisation rights, rule of law and personal freedom without government interference.

It provides a country rating of political rights and civil liberties on a scale of 1-7 where by 1 means highest degree of freedom and 7 means lowest degree of freedom.

This is further categorised to indicate a country as free, partly free or not free. Fur-

thermore, scores 1.0-2.5, 3.0-5.0 and 5.5-7.0 are considered free, partly and not free respectively.

According to the Freedom House report available from 1998, The Gambia from 1998-2001 scored very high that indicates a not free status. Political rights and civil liberties were recorded as high as 7 points and 5 points respectively. However, from 2002 to 2008 The Gambia made a moderate improvement moving down to 4.0 representing partly free with both civil liberties and political rights lowering to 4 points. This gain was because of the lifting of decree 89 that ends the ban on former government politicians and parties as well as the conduct of generally fair 2006 elections. 2009 to 2010 even though were still categorised as partly free, scores on the status as well as civil liberties and political rights worsen from 4.5, 4, and 5 in 2009 to 5.0 for freedom status to 5 for civil liberties and 5 for political rights respectively. This deterioration according to Freedom House is due to executive control over judiciary, threat of violence against civil society organisation, harassment of media personnel and the death sentence of 2006 coup plotters. Conditions worsen in the period of 2012 to 2014 with The Gambia finally being declared not free according to scores recording as high as 6 for freedom status, 6 on civil liberties and political rights. This period

also witnessed the execution of inmates on death roll and the amendment of the information act and the criminal code act.

#### 4.7.2 POLITY IV

Polity IV project is a polity research that code the authority characteristics of states for comparative purposes. The polity project has evolved over the years and has become useful resource for monitoring regime change and studying the effects of regime authority. Therefore, it is an important tool for measuring democracy or authoritarianism in a state.

Polity IV measure both institutionalised democracy and autocracy and since polities can exhibit a mixture of both, measure of values of +10 for full democracy and -10 for autocracy are used to categorise authority in a polity.

In the case of The Gambia, the Polity IV report from 1965 to 2014 shows the characteristics of government authority. The focus here however is from the period 1994 to 2014.

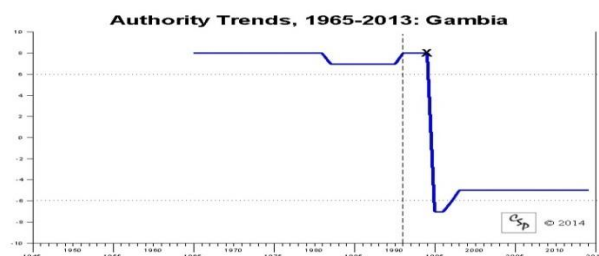


Figure 4.2: Polity IV graph of the trend of authority in The Gambia

Source Polity IV (<http://www.systemicpeace.org/polity/gam2.htm>)

The report shows a drastic decline of democracy in The Gambia from the period 1994 in the aftermath of the military takeover that ended the thirty years of multiparty democracy. The Gambia polity at this period, record -7 of the Polity IV in 1994 to 1996 being the period of military rule. In 1996 however, The Gambia conducted election that returned the country to civil rule. Nonetheless, Polity IV scores although improved a little indicating a move toward democracy, yet falls short of the democracy threshold remaining constantly at -5 from 2000 to 2014.





## **CHAPTER FIVE**

### **5.1 ANALYSIS AND DISCUSSION**

The use of aid has double effect potentials. While it can trump up democracy and respect of human rights in a country, it also has equal potentials to trump up anti-democratic and human rights sentiments. This will depend a lot on donors' integrity and approach. Aid recipient countries have the greater role in the democratization process and it's important for donors to understand that.

Recipients' capability to switch donors and sway domestic perceptions also affects democratization and human rights promotions. Democracy and human rights promotion is especially effective when democratic donors do not compete with non-democratic donors for influence couple with incumbent need to deliver much needed development to remain in power. Emerging donors most of whom unbounded by international norms have transformed the landscape of foreign aid and have contributed to the shaping and shifting of democracy and human rights values.

Most of the time leaders in whatever form they acquire leadership do not exert authoritarian tendency at the beginning. They rather assume legitimacy through their demonstrated efforts to stamp out corruption, reduce inequality, provide essential welfare services and increase political participation; in short introduce a version of

‘democracy’. However, real objectives change when confronted with security issues and further citizens’ dissatisfaction due to unmet expectations. For donors to therefore influence democratization and human rights, they must ensure that their behaviour supports ‘unelected leaders’ efforts to re-establish democracy and human rights instead of antagonise them and perhaps strengthen such leaders and shift their objectives.

## **5.2 ARE THERE PERCEPTION DIFFERENCE BETWEEN THE EU AND THE GAMBIA?**

The Gambia and the European Union agrees in many areas particularly the need for development and improving the social life of people. Nonetheless, the two of recent have significant disagreements over democracy and human rights issues. It is difficult to construe such disagreement is because of perception difference and not blatant violation of democratic principles and human rights by The Gambia.

The findings however suggest that theoretically, there is no significant perception difference of democracy. However, on human rights, The Gambia and the EU have not only significant disagreement but also significant perception difference.

Even though the EU had not ontologically defined the democracy it promotes, The Gambia’s laws including the development programmes blueprints contended that The

Gambia be governed under a representative system of government based on the consent of the citizenry expressed through regular elections (1997 constitution, vision 2020). This to a large degree resonates with the democratic principles advocated by the EU. In fact, the EU sponsored and observed all last four elections, and even though the Union cited some anomalies in the elections it declared all the elections generally free and fair. The partial funding of elections in The Gambia and the supervision of these elections by the EU demonstrates significant similarities by both the EU and The Gambia that elections are instrumental mechanism for democracy.

Apart from the elections processes, the EU treaty and The Gambia's 1997 constitution both express the fundamental rights of the people to live in democratic society where all adults have the legitimate rights to compete and participate in public offices. This is further highlighted in the treaties The Gambia signed and rectified as member of the ACP group since 1976. Even though the Lomé Convention does not stress much on democracy, the 1989 revised Lomé Convention at least commits members to the principles of democracy and rule of law. The Cotonou Agreement signed in 2000 became the newest treaty between the EU and ACP countries including The Gambia that put emphasis on principles of democracy human rights and rule of law. It does not only commits to these principles but also established mechanism to discuss these and a

suspension clause in case of their continuous violation. The Gambia's signing of and rectification of this treaty indicates acceptance of the principles and commitment to abide by them. On the other hand, the EU commitment to sponsor aspect of The Gambia National Indicative Programmes (NIP) further attests to the congruence of Gambia-EU policies.

The similarity in perception of democracy is not only indicated by the content of democracy as a form of government as per the constitution or the number of treaties The Gambia signed within EU-ACP but also reflected by the people that completed the survey questionnaire.

Based on the survey questionnaire, people were asked to choose highly agree, agree, disagree or not sure to indicate their position on the statement(s) provided. From the thirty-one respondents, they were asked several questions geared toward matching their understanding of democracy and human rights to the most basic principles of these concepts.

The result indicates that the people perception of democracy and human rights resonate with the general perception around the democratic world. However, few variations do exist particularly concerning human rights. The survey suggests that even though Gambian perception of democracy and human rights is similar to the widely

accepted worldview, their accommodation of the full value of liberal democracy and universalistic human rights fall short of western understanding.

For instance, Gambians are more concerned of a government that is transparent and responsive to their needs. According to the survey transparency and responsiveness to their needs is enough to qualify any government as a democracy. In fact 61% highly agrees and 32% agrees that such a government is a democratic government. This nonetheless is not to conclude that concerns for opportunities and development supersede democratic and human rights principles such as elections and restrained executive. Only 16% highly agrees with that as oppose to 54.8% that disagrees. Similarly, 58.1% highly agrees and 32.3% agrees that a government restrained by law is preferable to one that functions arbitrarily. The analogy here is that though concern with development and opportunities, most of the respondents, 58.1% highly agrees and 38.7% agrees that democratic government is most capable of delivering to them a stable and developed society as opposed to just 3.2% that disagrees. Moreover, only 10% highly agrees while 66.7% disagrees that a strong fearless leaders unrestrained by laws is necessary for a stable and progress society. Over 70% of respondents believe that a democratic government must guarantee freedom of belief, opinion and association as well as separation of powers and have a genuine openness and competition for

public office. This indicates that the people are aware of the necessities for democracy.

On human rights perspective, there exist significant variations with the European Union. The main disagreement is the issue of the death penalty and sexual rights. While the EU is against the death penalty, The Gambia on the other hand maintained the death penalty in the 1997 constitution. Even though there has been a moratorium on the death penalty until 2012. The Gambia for the first time executed inmates on death rolls in 2012. Other area of differences includes the rights of homosexuals and treatment of political dissidents. While the EU recognises the rights of homosexuals and respectable treatment of convicts, The Gambia government rejects homosexual rights and continue to introduce bills that criminalised homosexuality, information sharing and maintained decrees that empower institutions to detain suspects beyond seventy-two hours. The Gambia also fails to ratify the Conventions against Torture and Disappearance of Person as opposed to the EU that firmly forbade torture in all its forms.

This disagreement is not only reflected in the official documents of The Gambia but also extends to the opinions of the people that completed the survey. However, I must

mention that the respondents endorsed not all government actions against human rights.

The survey suggests that respondents might hold to their communitarian values and sometimes held values that are contrary to the liberal universal value of rights. For examples while over 64.5% highly agrees and 22.6% agrees that every individual is entitle to right to life without any reservation and 76% highly agrees to freedom of worship and belief like rights to security of person and property as well as rights to fair trials should be guaranteed and protected by every government. A close percentage 61.3% on the other hand disagrees that individuals should have rights to sexual orientation. So many factors could explain this phenomenon; however, the most obvious explanation is the religious belief of the population. Since over 90% of the population are Muslim and the rest Christian or animist all of whom have particular sanctity for life but also equal profanity for gay and lesbian in their religious teachings, the acceptance of rights to life and condemnation of rights to sexual orientation is understandable.

Generally, perception held by the people apart from the few outlined variation are similar to the equally held perception within the European Union. Thus, Gambians are not undemocratic people neither are they adverse to human rights. This view was jus-

tified by their respond to the questions that asked if their country is democratic, only 6.5% says it is democratic and 38.7% says it is a democracy with a problem while 48.4% says it not a democracy. Equally, only 6.7% are very satisfied with the type of government while 73.3% are not satisfied with their type of government. This survey correlates with the measurement of the Polity IV that both express dissatisfaction over the type of government in The Gambia.

In the same vein, when asked if human rights are respected in their country, only 9.7% says it is fully respected, 35.5% says partially respected and 48.4% agrees that human rights are not respected in The Gambia. Again the respondents views correlates with the well-researched reports of Freedom House that for the past years gives very low scores to The Gambia with respect to civil and political rights of individuals. For a breakdown of responses, refer to appendix on page 1002.

## **5.2 NON -TRADITIONAL DONORS VERSUS EU AID**

EU aid to The Gambia with all the attached conditionality for democracy and respect of human rights failed to produce a respectable system of democratic governance that also respects basic human rights. Thus, I ask the questions whether the availability of non-traditional donors affects EU aid effectiveness for democracy and human rights promotion in The Gambia. I observe that the European Union is still the second larg-



est donor to The Gambia since 1994. However, such amount of aid and the manner EU provide the aid do little to move The Gambia toward best democratic and human rights practices. The data indicated that from 1994 to 2014, the volume of aid EU provided through the European Development Fund far outweighs aid from Taiwan and Kuwait. Nonetheless, the allocation of the aid differs, while EU aid targets government institutions and budget supplement, most of Taiwan aid and Kuwait aid targets projects that have most significant impact on the lives of the populations. For instance while the EU is engage in supplementing government budgetary programmes base on national indicative programmes (NIP), Taiwan and Kuwait sponsor programmes that impact on the basic day to day lives of the people such as the girls educations programme and agriculture in the case of Taiwan. The Kuwaiti fund like that of Taiwan also targeted road infrastructures, University of The Gambia and irrigated rice development. The funds from Taiwan and Kuwait also provide the regime with not only physical projects that attracts loyalty and supports but also provide extra unaccountable cash for the free utilization by the regime. For example the Taiwanese government in August, 1995 provides a grant of five millions US dollars and a interest loan of thirty-five millions US dollars to the Government of The Gambia, purpose of which until now is unspecified.

Thus, EU leverage over The Gambia is lessening due to the availability of funds from not only Taiwan and Kuwait but also other non-traditional donors. As demonstrated by the impact of EU leverage had in 1994 prior to The Gambia's established relations with Taiwan especially, the sanction chiefly from the EU was enough to pressure the military regime to reduce the transition period from four years to two years and lift the ban on political parties. However, after continuous sanctions from 1994-1996, the military regimes was pushed to look elsewhere for support and this led to the establishment of relations with Taiwan , Libya, Cuba and strengthened cooperation with Kuwait, Iran, and Saudi Arabia. These provided live blood for the regime. After the 1996 elections and transition to democracy, data indicates the EU aid declined while aid from the new donors slightly increases particularly in the social sector. For instance, total net EU aid from 1994-2014 to The Gambia amounted to US\$192,880,000. On the other hand, Taiwan alone provides the regime with more than US\$50,344,506 through Ministry of Foreign Affairs (MOFA) and US\$ 16,249,390 through international cooperation development fund (ICDF) from 1995-2013. Kuwaiti fund also provides a total of US\$87, 8968 in the same period. Even though the EU aid compared to aid from Taiwan and Kuwait still outnumber them in total, the fact that

these sources are available and provide comparable amount is a vital explanation to why EU conditionalities may not be coherently adhered to.

The availability of these new donors do not only serves as substitute of EU aid that keeps declining over the years, but also is more reliable, flexible and consistent.

The new donors also enable the regime to carry on significant development projects that until today greatly serve as reasons of support to the regime. These projects funded by either Taiwan or Kuwait unlike EU projects are not based on government fulfilment of conditional requirements such as adherence to democracy and human rights but rather commitment to strengthen relations in the case of Taiwan and repayment obligation in the case of Kuwait.

### **5.3 FOREIGN AID CONDITIONALITY FOR DEMOCRACY AND HUMAN RIGHTS PROMOTION**

Donors in order to inculcate certain principles and norms to recipient countries have often relied upon aid. Aid as conditions in itself has been used to promote reforms in trade and economic policies as well as establishment of bilateral relations. The European Union as bastion of democracy and human rights has gone beyond conditioning aid to trade and economic reforms to also attach democracy adherence and respect of universal human rights for continuation of cooperation and aid.

To find if EU aid is enough to promote democracy and human rights in The Gambia, I look at the various efforts by EU in the promotion of democracy and human rights in The Gambia. Apparently, apart from the Cotonou Agreement that serves as bases for cooperation between The Gambia and EU, the Union is also engaged in democracy promotion through institutional reforms in the form of training for judiciary and national assembly members. It is also engaged in the media and the public finance management as well as advocacy such as the access to justice programme. These are all geared to make institutions responsible and accountable to the people. Regardless of all these efforts, institutional reforms in The Gambia remain to be desirable. The independence of the judiciary is still far fetching as the executive still controls the appointment and dismissal of judges. The national assembly after series of training on budget scrutiny, human rights and rule of law still enact draconian bills such as the indemnity bill 2001 and media bill enacted in 2012. The media also remain critically short of basic standard as the state media reports cover only government policies and other views hardly aired on both national television and radios while private media exercises self-censorships. Therefore, on a general assessment, EU democracy and human promotion activities in these institutions have little or no significant impact.

The most used leverage is the Cotonou Agreement that has obligation for The Gambia government to fulfil in order to receive EU aid. These obligations can also be discussed through the Cotonou Agreement mechanism such as the political dialogue. In this, the European Union provides incentives in form of aid for countries that show improvement in democracy and human rights while it also under the same Cotonou Agreement applies aid suspension and cancellation to countries that default or violate the agreement.

In the case of The Gambia, this agreement and use of aid as incentive have failed to improve democracy and human rights. Since the resumption of EU aid to The Gambia after 1996 elections, EU net aid were intermittent from as low as 1.6 million dollars in 1997 declining further to 1.4 million in 2006 and rising considerably to its highest ever of 38 million in 2011. Either this rise and fall of aid could be as result of the decline of democracy and respect of human rights or yet still the inconsistency of aid on the other hand resulted to the decline of democracy and human rights in The Gambia.

This study could not establish the causality here. Nonetheless as the Polity IV and Freedom House data indicate, The Gambia from 1998-2001 scored very high on the Freedom House scale at 7 points for political rights and 5 points for civil liberties indicating not free status. This occurred at a time when the average aid to The Gambia

from the EU was US\$ 5.5 million. Human rights however improved moderately from 2002 to 2008 to 4 points for political rights and civil liberties indicating partly free status. This occurs at a time when EU aid steadily increases rising as high as \$9.8 million in 2008. Conversely, 2012-2014, human rights conditions deteriorated to not free status scoring 6 points on both civil liberties and political freedoms again approaching the 1998 status at a time the EU had threaten sanctions and even withheld aid. The same is equally true for the Polity IV data that shows stagnant scores of -5 from 2000 to date. This data does not show the causality of the failure of democracy and human rights promotion in The Gambia, what it however indicates is that foreign aid from the European Union regardless of its flow, had little or no impact on democracy and human rights promotion. Slight increase and consistence of aid yielded some positive gain for democracy and respect for human rights, but was so minimal to relate the gains to the volume of aid. Furthermore, observations from these data indicates that since The Gambia has other reliable bilateral donors, EU's sanctions or threats of sanctions have not been successful but rather further pushes The Gambia away from the norms promoted by the European Union.

In order to correlate data to the general view of Gambians concerning EU aid and democracy and human rights consolidation in The Gambia, I initiated few questions.

On the availability of foreign aid particularly from the European Union, respondents were asked to answer 'yes' or 'no' to three question statements intended to view their opinions over the use of foreign aid conditionalities and if aid is enough to democratize and promote human rights in a country.

Most of the respondents 67.7% agree that EU aid should be tied to liberal democracy and respect of human rights in recipient countries. It is important to note that these respondents support for conditional aid has much to do with the trust of their government in the dispensation of the fund instead of the benefit of democracy and human rights. one of the respondent say ' aid without conditions breeds corruption, misappropriation, embezzlement on the side of elites and suppression of political opponents, so aid with conditions could help improve democracy, human rights and increase chances for individuals to realize their natural potentials'.

Another respondent is similarly concerned with dispensation of aid by recipient countries and says that countries should welcome aid with condition for the following reasons:

1. Conditions on aid might increase incentives for policy reform by recipient's developing country government.

2. Allocating aid to countries with good policy environments might increase the impact of aid spending for intended purposes and

3. Aid conditions might help increase our ability to account for how the money was used and what effects it had in the recipient end’.

This was evident in the response to the second statement that asks if respondents think aid conditionality can lead to transition or consolidation of democracy and respect of human rights in recipient countries. Contrary to the support for conditional aid, 63.3% believes that conditional aid cannot lead to democratic consolidation or respect of human rights. Moreover, 90.3% believes that foreign aid is not sufficient to condition developing countries to consolidate democracy and improve human rights. This attest to most literatures on foreign aid and democracy promotion such as conclusive researches by Bermeo, (2011); Knack, (2004) and Morgenthau, (1969) all which show a zero impact of aid on democracy consolidation.

Asked which form of aid should developing countries prefer? Of the respondents, 61.3% prefers aid without conditions attached as against 38.7%. This question complicated my puzzle since it created some self-contradiction in the respondents’ answers. Even though 61.3% still prefers aid without conditions attached, 67% of the same respondents nonetheless believe that aid should be tied to democracy and re-



spect to human rights while still having low expectation of the impact of such conditionality on democracy and human rights in their country. What this information somehow indicates is that respondents do not have enough faith in the transparency of their leaders and since there are no sufficient mechanisms for accountability, conditional aid remains one undesirable option to ensure accountability. As such, most view these conditionalities as accountability mechanisms instead of effective democracy consolidation and human rights promotion tools. This keeps resonating in their response to why recipient countries should prefer either of the two. While some think aid without conditions might not be transparent, others expressed concerns of the bad records of accomplishment of developing countries concerning the utilizations of aid fund. The table on the appendix I page 102 /give a detail of the responses.

#### **5.4 A COMPARISON OF THE GAMBIA AND BENIN**

Successful cases of democracy promotion in Africa are very few if any. Most of the often-referenced successful cases in Africa are in real sense only superficially democratic with only the basic tenets of democracy. Most will fit the label of Dahl's anocracy -description of states that have incoherent autocratic-democratic mix (Dahl, 1982).

Many efforts have been focused on building democracy and respect of human rights in Africa by the western liberal countries and international organisations, unfortunately such efforts' dividend are minimal. While some of the aid recipients made some gainful improvement, some like Mali has skewed to the dismay of many observers. Benin, however remains among the very few where international aid particularly European Union aid has favourably helped consolidate democracy and adherences to human rights.

Thus, it presents a better contrast to the role of foreign aid in the promotion of democracy and human rights. This provides an insight of why aid to some extent successfully consolidates democracy in Benin and yet seems to abysmally fall short in The Gambia. Development aid according to Resnick (2011) provides much support to democracy through the exercise of leverages that attach political conditionalities on aid. This is further enhanced by the country's dependence on aid, increased aid coordination and the growing domestic dissatisfaction. This development aid leverage greatly impacted on the consolidation of democracy that subsequently influenced human rights improvement in Benin.

Benin like The Gambia receives huge aid from the European Union. Since her break away from communist Russia's camp, Benin has remained highly dependent on

France's support. Nonetheless, Benin and The Gambia have different historical paths. Apart from being colonised by distinct colonial powers (France and Great Britain respectively), both countries became independent without much struggle for liberations. However while The Gambia for thirty years since independence was ruled by multi-party democracy at least by name, Benin on the other hand experienced its first military coup just three years after independence and had since been embroiled in coups and countercoups until 1972 when Kerekou took over and was able to stabilize the country under a single-party military dictatorship.

Interestingly, events have turned over and the two countries according to data on democracy and human rights have changed positions. While Benin has matured or consolidated its democracy since 1998, The Gambia on the other hand shrunk its long democratic history and in 1994 experienced the first successful military coup. Unlike Benin, The Gambia did not have a number of military rulers, nonetheless after two year of transition to democracy and now two decades into its second republic, the country's democratic and human rights records still remain way off the early independence gains. A closer study of the data below in figure 4 shows the change of events in the two countries. While Benin emerged democratic after a long period of autocracy, The Gambia's past experience of democracy has little impact in the con-

solidation of democracy after a brief relapse into military rule. Figure 5.1 below shows a stark comparison of the shift in the trend of authority between the two countries since their respective independence to date.

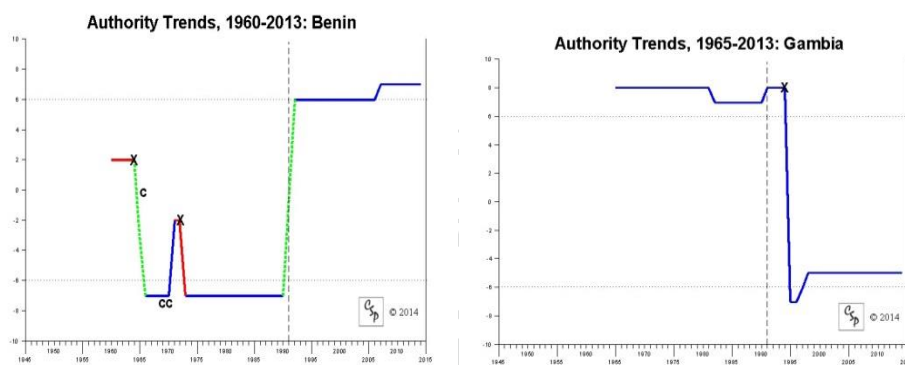


Figure 5.1: a comparison of Benin and The Gambia trend of authority since independence

Source: <http://www.systemicpeace.org/polity/polity4.htm>

Stark comparison of the Polity data of the two countries indicates an interesting contrast of events in the two countries. Did aid contribute to the consolidation of democracy in Benin and not in The Gambia, are there other factors such as perception and the presence or absence of other sources of fundings.

The wave for democratization in Benin began in 1989 after seventeen years of military dictatorship. After a long period of Marxist-Leninist dictatorship under one-party led by General Kerekou, the collapsed of Soviet Union; Benin's major sponsor, worsened economic conditions that ultimately triggered series of demonstration by

students and public workers (Gazibo, 2012). Demand for democracy by the public and France's aid suspension pressured General Kerekou to abolish Marxist-Leninism, legalize political parties and call for a national conference to discuss the path to democratization. The conference delegates consisting of professors, civil servants, political parties' leaders, women groups, human rights organisations, religious groups and the army drafted a constitution against Kerekou's wish and organized elections in 1991.

The role foreign aid played prior to this event apart from the collapse of the Soviet Union and France's aid suspension was minimal. However, the absence of a major source of income particularly from two key donors is the causality of the defiance and subsequent change of government policy in 1989. Donors' support came at the beginning of reforms and it is today credited for Benin's democratic success (Gazibo, 2005). According to Gazibo (2012), aid does not only help the new regime gain social peace, avoid instability and prevent the rise of non-democratic elements such as popular uprising or military coup but also help solidify the internal cohesion of Benin's political and civil society and their confidence in the democratic process.

A survey by Afrobarometer conducted in 2008<sup>20</sup> that polled over 1,200 people found out that 81% of Beninese respondents prefer democracy than another form of government and 79% of the respondents agree that political leaders should be elected through regular, open and honest elections. On freedom of opinion, about 83% agree that people should be able to express their opinion about politics free of government influence no matter how unpopular her views maybe. This survey reflects that Beninese have a strong belief in democratic values and the importance of political freedom such as freedom of opinion.

European Union is the major multilateral donor to Benin. Like The Gambia, Benin is signatory to the earlier Lomé Convention and later on the Cotonou Agreement. This agreement signed in Beninese capital Cotonou is the current framework of EU – Benin's relations.

European Union aid flow to the Benin follows the EU-ACP agreements. Benin as ACP member signed. Cotonou Agreement as the framework of EU Benin relations that obliged Benin to adhere to democratic principles and respect human rights in return for continuous EU aid and cooperation. Funding of the European Union to Benin targets budgets supports focused on improved governance, enhanced local devel-

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<sup>20</sup> Afrobarometer publications are available on line at <http://www.afrobarometer.org/publications.html>.

opment and improved infrastructure, notably regional road networks. It is also engaged in improving competitiveness, furthering social cohesion, protecting the environment and boosting civil societies (EU country strategy paper for Benin, 2008-2013).

Since 1991 democratic transition in Benin, EU has view Benin as a barometer for democracy promotion in Africa. As such it has devoted huge resources to strengthen democracy through the provision of substantial amount for budget support and other democratic institutions such as the National Electoral Commission (CENA), parliament and the judiciary (Gabizo, 2012). This support according to Gabizo (2012) was crucial to avoiding Benin from sliding to undemocratic tendency.

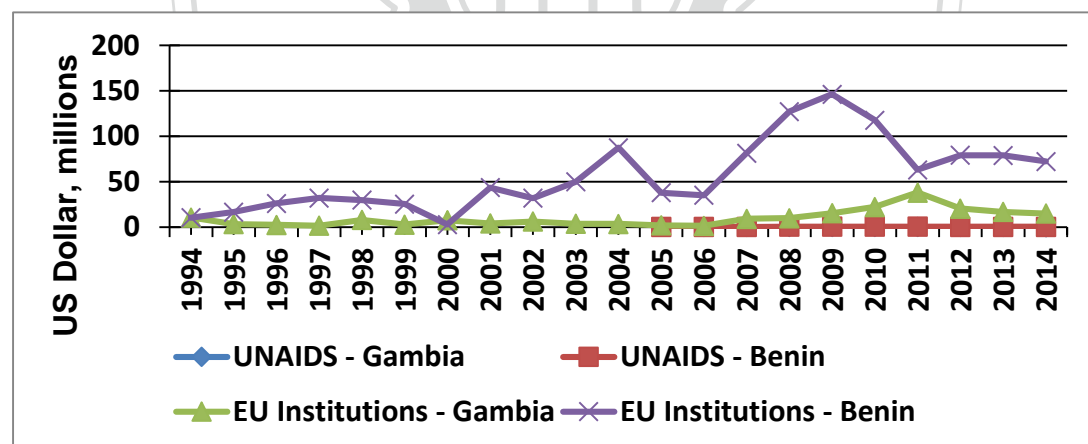


Figure 1.2: comparison of EU aid received by Benin and The Gambia

[http://stats.oecd.org/Index.aspx?DataSetCode=REF\\_TOTALOFFICIAL](http://stats.oecd.org/Index.aspx?DataSetCode=REF_TOTALOFFICIAL)(Created by knoema.com)

EU spends much more in Benin as compared to The Gambia from the period of democratic transition to consolidation. This is not to say that EU aid was responsible for the democratization of Benin; however, the aid was instead crucial for the survival of democracy in Benin. Thus, EU aid to Benin was successful in strengthening democracy and respect of human rights because there was already a demand by the people from their government for democratization. Unlike The Gambia, thirty years of multi-party democracy did not do much to change the economic and social welfare of people, therefore undemocratic change of government became welcomed by the people. The new government's rapid transformation of the economic with the help of allies such as Taiwan and Kuwait in particular created a modest support for the regime. Another important element that was present in Benin but absent in The Gambia was the role civil societies played. From 1960-1972, Benin had the most vibrant civil societies in Africa. During the military dictatorship in Benin, Kerekou's government was able to mobilize all civil societies into the structure of his one-party dictatorship. These groups became the very spark for reforms in the government and subsequent demonstrations especially when the government was faced with economic huddles. The Gambia on the other hand, never had vibrant civil groups and until today, local civil groups are not active in the political arena to check on government. In Benin also



the constitutions drafted during the transition was drafted by cluster of delegates representing every interest group in Benin, thus a democratic constitution was set up based on the demand and aspirations of the people. The Gambia on the other hand had a nine-member commission selected by the junta to serve as constitutional review commission to draft the constitution that was submitted to the junta for approval before final endorsement by the people through referendum (National Democratic Institute Report on Gambia, 1995).

All the above elements that were present in Benin but absent in The Gambia coupled with huge EU support for Benin contributed to the consolidation of democracy in Benin. It can however be argued that EU aid to Benin is more because, Benin unlike The Gambia have laws abolishing the death penalty and there is tacit acceptance of homosexual rights. The Gambia unlike Benin did not have vibrant civil societies and EU aid to The Gambia apart from being suspended was minimal. This pushed The Gambia to find new alliance elsewhere and therefore ignored EU's calls for democratization and respects of human rights.

## **CHAPTER SIX**

### **6.1 CONCLUSION AND POLICY IMPLICATION**

The European Union and The Gambia continue to brawl on the state of democracy and human rights in The Gambia. While the EU keeps condemning The Gambia, the government of The Gambia insists that it is democratic and respects human rights.

I however found out that The Gambia and EU may brawls over practicalities. In theory the two had generally agree on democracy however disagree slightly on human rights. Perception difference between The Gambia and EU over democracy is not significant. Both EU and The Gambia theoretically accept a variant type of democracy that is representational. The two however practically disagree on the functionality of democracy. While the European Union views democracy functions on the basis of operation of institutions, The Gambia's democratic credentials is measured against development priorities and security as often stated by the government and people's reference to the mammoth infrastructural face lift and stability in the country.

On human rights, the difference of perception seems wider. The difference here is both that of constitutional and cultural or maybe religious interpretation of certain rights. The European Union holds human rights as universal and unrestrained by culture or religion. The Gambia however, is not clear on her position on human rights, it

however, often refers any act of government as derived from the constitution or other laws of the land. Whether this is so or not is out of the range of this study. The Gambia's 1997 constitution guarantees human rights but nonetheless maintains the death penalty which is a major EU criticism of The Gambia. Another area of difference is in the individual rights of sexual orientation. While EU laws allows almost all the individual rights, The Gambia like many other African countries, still holds to the traditional view of family and marriage and has conservative religious beliefs that condemns homosexuality.

## **6.2 RECCOMENDATION FOR THE EUROPEAN UNION**

The European Union remains the largest donor partner of The Gambia. Since The Gambia joined the ACP group, the Union's contribution to the social economic development of The Gambia has helped maintain the governance structures and poverty alleviation programmes through budget supports and other funding of government development programmes such as Poverty Reduction Strategy Paper (PRSP) and Programme for Accelerated Growth and Employment (PAGE).

However, this role played by EU has not successfully translated to her effort in building a sustainable democratic and human rights culture in The Gambia. Quite often the EU attempts to promote certain values are meted with equally convincing rhetoric

such as imperialist, inconsistent and disinterested in development of the Third World countries. Therefore, reliance on institutional development, aid conditionalities and sanctions hardly serve their purpose. Thus, the EU needs to examine these strategies and I recommend the following:

1. The EU should negotiate to extend the political dialogue to include a spectrum of civil societies such as media organisations, religious and local groups. This will not only expand the pool of opinions but will also ensure that government hears from its people instead of the EU alone.
2. Institutional development and capacity training programmes are good but not enough in themselves, because the personnel even after training still withholds partisan or bias opinions and sometimes, executive influence is irresistible. Therefore, EU should direct much of its efforts to civil societies that will rather check on the institutions and personnel.
3. EU should also ensure that development efforts are not limited to budget supports but also target government policies that enhance empowerment of local authorities and population involvement in decision-making. The decentralization programme should be encouraged and supported.

4. The EU should engage government and support in the creation of human rights commission independent of executive control.
5. EU should encourage the development of vibrant civil society organisations by engaging government to allocate percentage of EU aid for civil society development.
6. Where criticism is necessary, the EU should not be the lone voice but should also influence regional groupings and civil societies, to also criticize and condemn government's undemocratic acts as well as human rights violations.
7. The application of sanctions does not harm authoritarian leaders but rather strengthen them and flare anti EU rhetoric. Therefore, the EU should avoid sanctions and rather apply methods that could deny government leverage to use EU fund but not deny the population of the benefits of this fund.
8. The EU should finally coordinate with non-traditional donors and ensure basic agreeable aspects of democracy and human rights are observed in the aid execution.

### **6.3 RECCOMENDATION FOR THE GAMBIA**

Democracy and respect of human rights is in the interest of The Gambia. As Lebow (2007, p.33) said, 'political system develops legitimacy when it is consistently able to

meet the needs and fulfil the expectation of the population over which it wields authority'. It is therefore important for any government to understand that to rule over people, provision of social services and infrastructural development alone are not enough. People will ultimately demand freedom, justice and participation in the process that affects their daily lives. It is therefore important for the government of The Gambia to devote efforts to consolidate democracy and human rights that will enable it sustain the development gains registered and preserve the harmony the country is widely known for. This it can do by implementing the following recommendations.

1. Since EU remains its major donor, government needs to cooperate with the EU by engaging the EU in dialogue through the agreements signed and debating the priorities of the people instead of resorting to flaring anti-EU rhetoric.
2. The Gambia government should fulfil the constitutional obligation, establish the Human Rights Commission, and allow its independent functioning.
3. The government should encourage EU to provide more funding to enable the government fulfil its mandate.
4. The government should engage in a national discourse and engage donors to fund constitutional reforms programmes that are coherent with democratic and human rights principles.

### **6.3 RESEARCH LIMITATION AND FURTHER STUDY**

This research is to some extent limited by resource availability. Large part of it would have been much covered while in The Gambia in order to access both archival sources as well as interviews with well-placed individuals. Limited by time and other resources, the research was therefore conducted depending on materials accessible online. This significantly limits the number of sources at hand especially about data such as the amount of aid flow to The Gambia from non-traditional donors (Taiwan and Kuwait). Secondly, the survey conducted was online and as such, the people reached were minimal which may not accurately represent the general country perception.

The research also only focused on EU aid through EDF and did not look at other forms of aid such as fund from the European Initiative for Democracy and Human Rights (EIDHR). The number of non-traditional donors was also limited to just two even though there are other donors that could significantly challenge EU aid to The Gambia.

Any further research can therefore look into the more specific EU democracy and human rights aid to The Gambia and a further examination of the rest of Gambia's non-traditional donors could give insight of how these new donors challenge EU's dependency on aid conditionalities for the promotion of democracy and human rights.

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## APPENDIX I

### Respondents on democracy

Question statements	% highly agree	% agrees	%disagree	% not sure	NO.res
Democracy as free and fair elections	48.4	32.3	16.1	3.2	31
A government that is transparent and responsive to need is a democracy	61.3%	35.5	0	3.2	31
A democratic government respect civil and political rights	60	33.3	3.3	3.3	31
Elected govt that respect human rights is preferable to govt that usurps power and violates human rights	87.1	9.7	0	3.2	31
Any govt that provides services and ensure security is more preferable to a democratic government	16.7	20.9	46.7	16.7	31
Any govt that provides opportunities and development is acceptable	16.1	12.9	54.8	16.1	31
Constitutionally restrained government is more preferable to an arbitrary one	58.1	32.3	3.2	6.5	31
A democratic govt is most suitable for delivering a stable progressive society	58.1	38.7	3.2	0	31
Any form of government concerned about people welfare can deliver a stable progressive society	29	45.2	16.1	9.7	30
A govt with a strong fearless leader unrestrained by laws can deliver a stable progressive society	10	10	66.7	13.3	30
A democratic govt guarantees freedom of belief, opinion and association ,separation of powers and a genuine openness and competition of public offices	71	22.6	0	6.5	31



### Respondents on human rights

Statement	% highly agrees	% Agree	% disagree	% Not sure	No.
Every individual is entitle to right to life without any reservation	64.5	22.6	6.5	6.5	31
Freedom of worship and belief, right to security of person and property, and right to fair trial should be guaranteed and protected by every government	76.7	16.7	0	6.7	30
No individual should be unlawfully detained or tortured	83.9	16.1	0	0	31
All individuals should have right to sexual orientation without interference	12.9	6.5	61.3	19.4	31
Independent judiciary and free media are essential for the guarantee of human rights	58.6	34.5	0	6.9	29
Development needs supersede respect of fundamental human rights	12.9	25.8	54.8	6.5	31

### Respondents on foreign aid

Question statement	% of YES	% of No	No.
Do you think EU aid should be tied to liberal democracy and respect of human rights	67.7	32	31
Do you think aid conditionality can lead to transition or consolidation of democracy and respect if human rights	36.7	63.3	31
Do you think foreign aid is sufficient to condition developing countries to consolidate democracy and improve human rights?	9..7	90.3	31

## **APPENDIX II**

**ENNU NJIE**  
**NATIONAL CHENGCHI UNIVERSITY, COLLEGE OF INTERNATIONAL**  
**AFFAIRS**  
**INTERNATIONAL MASTER'S PROGRAMME OF INTERNATIONAL STUDIES**  
**(IMPIS)**  
**RESEARCH PROJECT QUESTIONNAIRES, 2016**

This research project is in partially fulfillment of my International Master programme in international studies at the National Chengchi University. The questionnaires herein are intended to help me gauge people's perception of democracy and human rights and their opinion on the Gambia -EU relation vis-à-vis foreign aid. Your answers to the questions and opinions expressed herein will be for academic purpose only and strictly confidential. I look forward to your understanding and support.

### **SECTION A: Respondent identification**

This category is designed to help distinguish Respondents in terms of age, education level and gender. Please kindly tick the box that corresponds to your designation.

1. Age: 18-30 ☐ 31-45 ☐ 46-above ☐

2. Education level: Secondary education ☐ College ☐ University ☐

3. Gender: Male ☐ Female ☐

## SECTION B DEMOCRACY AND HUMAN RIGHTS

This section is designed to gauge your personal opinion of the concepts of democracy and human rights. Please mark option you deem most appropriate

4) Please use highly agree, agree, not agree or not sure to indicate you opinion on democracy as a form of government where public representatives are selected through a periodic free and fair election. Highly agree ☐ agree ☐ disagree ☐ not sure ☐

5) Any government that is transparent and responsive to peoples need is a democratic government.

Highly agree ☐ agree ☐ disagree ☐ not sure ☐

6) A government that guarantees both civil and political rights is a democratic government.

Highly agree ☐ agree ☐ disagree ☐ not sure ☐

7) An elected government that respects basic human rights is more preferable to a government that usurps power and violates human rights

Highly agree ☐ agree ☐ disagree ☐ not sure ☐

8) A government that provides essential services and ensures security is more preferable to a democratic government.

Highly agree ☐ agree ☐ disagree ☐ not sure ☐

9) Any type of government in power is acceptable when it provides opportunities and development.

Highly agree ☐ agree ☐ disagree ☐ not sure ☐

10) A government restrained by constitution and act accordingly is more preferable to a government that functions arbitrarily.

Highly agree ☐ agree ☒ disagree ☐ not sure ☐

11) A democratic government is most suitable for delivering a stable and progressive society

Highly agree ☐ agree ☐ disagree ☐ not sure ☐

12) Any form of government concerned about people welfare can deliver a stable and progressive society. Highly agree ☐ agree ☐ disagree ☐ not sure ☐

13) A government with strong and fearless leader unrestrained by laws can deliver a stable and progressive society

Highly agree ☐ agree ☐ disagree ☐ not sure ☐

14) Any democratic government must also guarantee freedom of belief, opinion and association, separation of powers as well as a genuine openness and competition for public office

Highly agree ☐ agree ☐ disagree ☐ not sure ☐

15) Every individual is entitled to the rights to life without any reservation.

Highly agree ☐ agree ☐ disagree ☐ not sure ☐

16) Right to freedom of speech and association, freedom of worship and belief, right to security of person and property, rights to fair trials should be guaranteed and protected by every government.

. Highly agree ☐ agree ☐ disagree ☐ not sure ☐

17) No individual should be unlawfully detained or tortured.

Highly agree ☐ agree ☐ disagree ☐ not sure ☐

18) Individuals should have rights to sexual orientation (to choose to be gay, lesbian or straight) without interference ..

Highly agree ☐ agree ☐ disagree ☒ not sure ☐

19) An independent judiciary, and a free media are essential for the guarantee of human rights .

Highly agree ☐ agree ☐ disagree ☐ not sure ☐

20) Development needs supersede respect of fundamental human rights.

Highly agree ☐ agree ☐ disagree ☐ not sure ☐

**Please select the most appropriate one that describe your country's democracy status to answer**

21) In your opinion, how much of a democracy is your country?

Full democracy ☐ democracy ☐ with problems ☐ not a democracy ☐ not sure ☐

22) How satisfy are you with the way democracy works in your country?

Very satisfy ☐ fairly satisfy ☐ Satisfy ☐ Not satisfy ☐

23) Do you think that human rights are respected in your country?

Fully respected ☐ partially respected ☒ not respected ☐ not sure ☐

### **SECTION: C Foreign aid for democracy and human rights promotion**

Intended to examine what perception people have toward the use of aid especially with conditionality attached to promote democracy and human rights in developing countries.

24) Do you think European Union aid should be tied to liberal democracy and respect of human rights in recipient countries? Yes ☐ No ☐

25) Do you think aid conditionality can lead to transition or consolidation of democracy and respect of human rights in recipient countries? Yes ☐ No ☐

26) Should your country yield to EU conditionality for aid or look elsewhere for aid?

Should yield to EU conditionality ☐ should look elsewhere ☐

27) Do you think foreign aid is sufficient to conditioned developing countries to consolidate democracy and improve human rights? Yes ☐ No ☐

28) Which of these foreign aid should Gambia prefer and why?

Conditionality aid ☐ non conditionality aid ☐

29) Why should developing countries prefer either aid with conditions attached or aid without conditions attached?

**THANK FOR YOUR TIME AND RESPOND**

