

# Universal Periodic Review: The Novel Approach to Geopolitics. French Interference and Instrumentalizing Human Rights in Resource- Rich Africa

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#### ABSTRACT

This article explores the repercussions of Benin's Universal Periodic Review and exposes the selective approach of French human rights critiques. Rather than calling out more egregious violations, France focuses on pressuring former colonies that are less compliant. This demonstrates how human rights can be used as a political tool in international relations, emphasizing the need to carefully consider motives behind such actions. Through the lens of Liberalism, we can see how France has instrumentalized human rights to further its interests in former colonies such as Benin and Morocco.

Keywords: International Relations, Liberalism Theory, Human Rights Advocacy, Benin, Morocco, and Universal Periodic Review.

# INTRODUCTION

Undoubtedly, ample evidence suggests that the act of "naming and shaming" is motivated by factors that extend beyond the actual misdeeds committed. Such extraneous influences play a significant role in the enforcement of accountability measures in the Universal periodic review. Indeed, scholars remain critical of the mechanism and tend to proscribe to the ideology of that real the indicating motives and factor are security and economic concern., not human rights- that deceptively mask recommendations under the illusive facade of human rights. While it may be easy to assume that all governments turn a blind eye to human rights abuses, there are some states that truly value and prioritize the well-being of their citizens. This can stem from a variety of sources, whether it's public outrage over injustices overseas or the personal values of government leaders. However, one cannot deny that the mechanism is used by states criticize their adversaries, and the implementation of partnerships. This article will explore how the polarization of shaming and selectively condemning states discredits the mechanism and hinders progress genuine concerns of human rights violation.

# A. Theoretical Framework

Through a liberal lens, the world of international politics expands beyond the narrow focus on individual states. Instead, states are seen as intricately connected to a range of global factors, from legal frameworks to peaceinducing theories and organizations. These components have a transformative effect, shaping state preferences, directing the trajectory of globalization, and ultimately influencing public policy. This perspective challenges traditional notions of power and coercion, offering a dynamic and multifaceted view of the world's affairs. In today's world of international politics, there's a novel approach to understanding power dynamics that's making waves. Known as "power exception," it highlights the nuanced complexities of how decisions are made, and alliances are formed. Scholars are analyzing it through a lens of liberalism, exploring how international organizations and governments can shape state preferences. By leveraging powerful multistate formations and nongovernmental forces as political intermediaries, they're able to foster diplomatic cooperation. As we've seen in institutions like the European Union and United Nations, institutional liberalism gives governments the tools they need to monitor and maintain compliance effectively. The theory delves into seven interconnected components, each shedding light on how democracies can steer clear of conflicts and violence. First, the Democratic Peace Theory posits that democratic nations rarely engage in war. The second component highlights how rejection of power politics eliminates the threat of aggression. The third highlights how all humans share common virtues and belong to the same universal community. The fourth talks about international law acting as a mediator in international legal platform. The fifth



component measures power through economic metrics and political freedoms. The sixth delves into institutional liberalism, and the seventh talks about non-governmental diplomats. All these elements combine to create a holistic vision on maintaining peace in democracies. This article delves into the ramifications of Benin's Universal Periodic Review. In addition, it sheds light on the selective nature of French human rights denunciations, which ignore more severe violations and instead, focus on applying pressure to former colonies that are deemed as less politically compliant. This use of human rights as a political tool highlights the complexities and nuances of international relations and underscores the importance of carefully examining the motivations behind such actions.

#### SevenComponents ofLiberalism inInternationalRelations

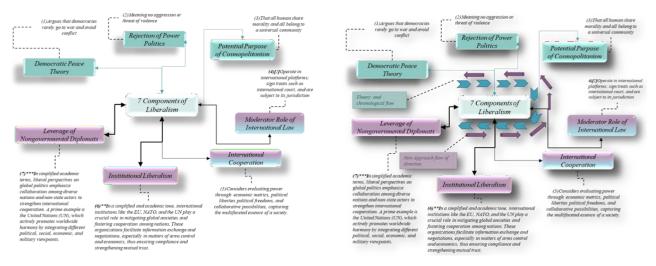


Fig1:SevenComponentsofLiberalisminInternationalRelationsconstructedbyFaridaBouattoura.Source https://online.norwich.edu/academic-programs/resources/7-components-of-liberalism

# INSTITUTIONAL PLATFORMS

#### **B.** Universal Periodic Review

Research argues that the politization is institutionalized into the procedures, as it is heavily revolved leverages states over NGOs. The Universal Periodic review equips the guidance of Resolution 5/1, with two basic concepts: equal treatment for all nations, and the exclusion of politics. A theatrical claim, that is neglected at best or deliberate instrumentalizes human rights at worst-whether the former or the latter the result is defective mechanism enshrined in soft power and influence; that neglects the most vital stakeholder- the populace. Who in application, are barricaded by complications of 'elite' and highly influential powers that allocate the funding. Furthermore, this novel approach at pouvoir safeguards its interests, whether conscious or instinctively, the component of acquiring Human Rights council consultative status, in application, is a colossal barrier for grassroot organizations, and genuine human rights enhancement. This methodology allocates the handling and filtering of both the framework and word choice of advocacy to the large monopolizing organizations-who's names are well known, and renown through their façade theatrics of supposed human rights. The reality is these organizations not only have a mercenary approach to human rights but monopolize all the funding-despite that the information come from grassroot groups. Furthermore, OHCHR's managing and ability to choose and prioritize content and frequency strong guards the mechanism trajectory. The product is as the liberalism theory states- the leveraging of nongovernmental organizations as agents in international institution to create pressure to advance their own interest and foreign interests.

# C. International Politics

In the realm of international politics, the concept of the "international community" holds significant weight as a key aspect of liberalism theory. It reflects the idea that norms and values can be enforced through social pressure and promotes the idea of specific states interacting in a mutually beneficial manner. However, this notion is not without controversy as it is contested between different states in a nuanced, relational way. A fascinating example of this can be seen in the debate around how to combat human trafficking, with experts in the field positing that monitoring and indexing state behavior can make a real difference. Ultimately, the power dynamics at play in the international system can make or break the success of these efforts, depending on who wields status and credibility Kelley and (Simmons, 2015). While it may seem like many states turn a blind eye to human rights violations, there are some that truly prioritize this crucial issue. In fact, these states often feel compelled to act due to a groundswell of public discontent or the deeply held values of their leaders. It's heartening to see that amidst the chaos of global politics, compassion and humanity can still prevail. Moreover, Asymmetric relationships between suppliers and clients are more complex than meet the eye. Despite both sides benefiting, the hierarchy is imbalanced, with patron states possessing greater power over their clients. Donors and arms exporters hold the cards, using their influence to push



for better human rights performance on the part of the recipient/importer. This reveals a fascinating dynamic in strategic relationships, where the one who gives can also dictate the terms (Blanton 2005; Nielsen 2013). Tunisia's 2008 review provides an enlightening example of the intricate dynamics at play within the realm of international human rights. During the interactive dialogue, over 50 of the 64 states in attendance dedicated their speeches to congratulating Tunisia on its impressive human rights record. Even Japan, a renowned donor, went so far as to hail Tunisia as a model of democracy. Meanwhile, France, the nation's former colonial power and a current donor, tactfully skirted around the thornier issues of torture and freedom of expression. This remarkable episode serves as a fascinating case study in the art of international diplomacy, showcasing the delicate balancing act required to address complex human rights matters while still maintaining positive relationships between nations.

#### D. French Leveraging of Non-Profit Organizations

The primary example of Africa more than highlights this point. The shocking reality is quite visible as demonstrated by the figure of two maps of Africa. When presenting the colonial map of 1914 of Africa, and current Map of French presence the sight is shocking and unacceptable. Further research on these so called 'humanitarian' organization reveals founders who are chairs of crude oil, natural gas and mining companies-with coincidences and convenience of 'humanitarian' aid and concentrations on resource rich areas. While the description of these so-called organization, repeatedly emphasized, their non-political and non-governmental designation. The governance of such organization leaves one perplexed to such claims: with former foreign affairs and finance minister, political lobbies some who even were personal friends with Macron. As well strong affiliation to the Socialist party-Macron's party. Oil and mining tycoons, and highly connected media heads and journalists- which certainly can be conveniently beneficials- as to the lack of coverage of such ridiculous exploitation. Another example of skewed methodology with the French organizations that qualifies within the seventh component of liberalism theory in international relations-that leverages national interest and agenda through international institutions-component six of our theory. Reporter without borders, rates Benin, Mali, and Burkina Faso significantly higher than Morocco and Algeria in freedom of press.

Though the reality of both Morocco and Algeria have strict control over media, to claim that war -torn countries have a better situation than is far-fetched and enshrined in geopolitics- both nations face heavy unmanageable surges of migrants fleeing from violence from the nations mentioned above, who attempt to enter Algeria and Morocco. If the situations were far freer in Benin, Mali, Niger, and Chad than Moroccans and Algerians would be traveling south not the other way around. There is also the element of increased pressure on Algeria and Morocco on migrations- European countries have provided no aid, but an abundance of scrutiny. The reality that this is an international concern, and requires support not control, and not dictation of terms followed by the soft power of instrumentalizing human rights. The numerous fleeing refugees are from Chad, Mali, and Niger-all of whom have heavy "humanitarian" French presence and French military that surround the Algeria's south and Southeast boarders. A uranium rich area not far from Niger's uranium mines, and the concentrated French military that surrounds them.

As RSF's Website reveals, there is a great deal of insecurity and political instability as two Spanish journalists were killed in Burkina Faso- RSF rates it at 41<sup>st</sup> place globally. Kidnapping of a French reporter in Mali- rated at 111<sup>th</sup>. As well as claims of Benin, rated 121, and Burkina Faso expelling several journalists. Benin has also had killings of at least five protestors as Amnesty International reports, and escalated tactics with journalists. By contrast, Neither Morocco nor Algeria have had such magnitude of severity, however, RSF's global index rating seem inaccurate at best, or politically motivated at worst. Once more, whether the former or the latter, the index is defective and an invalided instrument of measurement. To the point where it claims Burkina Faso as higher ranked than the United States is beyond comprehension, and a clear indication of its defectiveness. Though Morocco has restriction and warrants concerns of its people, the claim that it is the worst in the region is unfounded and inaccurate analysis.

The system presents an expert panel of impressive resumes, yet the description of the methodology is vague. RSF describes its methods as quantitative tally of abusive traits, and an interesting 'qualitative' analysis of the situations. Is an interesting approach to describing methodology, unorthodox to in depth and academic approach. Tallying numbers can only be done in a quantitative manner, as it involves a count of each. A qualitative approach would be highly inaccurate and irresponsible. As for qualitative approach to analysis of the undisclosed results is disproportionate leverage of authoritative discretion. To collect quantitative data, then ignore that data and use unconventional, untransparent methods of analysis renders the, to say the least, interesting results. The methodology also does not describe how many people where surveyed and the methodologies to sampling alone, what exact method was used in sampling can shed light, as to the defectiveness and invalidity of the instrument. Furthermore, with such large-scale survey of global proportion, the instrument survey needs to be validated, and that information in any research paper is listed.

Moreover, qualitative methodology is also vague description, there are numerous approaches to qualitative research that require transparency and detail description for validation. In quantitative research one must consider the



reliability and validity of methods of measurement. In sampling along, there are several choices that are dependent on the situation, and researchers are required to disclose their exact decisions and methods. They are also required to demonstrate their reliability and validity-rather complex concepts. These allow readers and researchers to analyze the research thoroughly. Yet such was not disclosed in RSF's methodology page, with such defective results one would be able to identify the survey-error or the methodology responsible. However, those also were not disclosed. One cannot forget that "Scientific research is systematic, controlled, empirical, and critical investigation of natural phenomena guided by theory and hypotheses about the presumed relations among such phenomena." Kerlinger, 1986.

#### Leverage and Dependency

France has been reported to have implemented economic sanctions in West African countries, such as Benin to exert diplomatic pressure and influence government policy. Examples of these economic sanctions include the freezing of development aid, suspending political agreements, and blocking access to key markets (Council of the European Union, 2019). Additionally, France has also been accused of manipulating local legal systems to further its own interests (Council of the European Union, 2019). According to the Council of the European Union (2019), France has been accused of manipulating local legal systems in West African countries to further its own interests. This manipulation can include interfering with the functioning of independent judicial systems, influencing prosecutors and judges, and manipulating judicial procedures. These actions have been reported to result in unfair trials, unequal access to justice, and disproportionate punishments for individuals or organizations who challenge the status quo or threaten French interests. The Council of the European Union also noted that there is a lack of transparency surrounding France's involvement in these legal systems, which makes it difficult to assess the extent of its interference (Council of the European Union, 2019).

#### Benin

Benin is a small republic in West Africa that was formerly known as the Republic of Dahomey. From 1960 to 1975, Benin was a French colony and its independence in 1960 was followed by a period of close cooperation with France the relationship between France and Benin has been characterized by strong cultural ties, with both countries sharing similar values and beliefs. In addition, the French government has provided economic assistance to Benin in the form of development projects and aid packages. This has allowed Benin to grow economically and socially, while also providing an opportunity for France to maintain influence over the country. In terms of security cooperation, France has provided support to Benin in the form of military training and equipment. This includes providing training for the Beninese military forces as well as providing equipment such as armored vehicles and aircrafts. Additionally, France has provided support for Beninese law enforcement agencies to combat crime and terrorism within the country. In terms of education support, France has provided scholarships for students from Benin who wish to study abroad in France or other European countries. Additionally, France has provided funding for educational initiatives within Benin such as vocational training programs and language classes. France has provided support to Benin in terms of security cooperation through the provision of military training and equipment. This includes providing armored vehicles, aircrafts, and other weapons to the Beninese military forces as well as providing training for their forces. Additionally, France has supported Beninese law enforcement agencies by providing funding for initiatives such as community policing projects, investigative units, anti-corruption campaigns, and programs aimed at combating drug trafficking (Council of the European Union, 2019). France's support for Benin does not end there; however, it extends to the judicial system as well. France has been accused of interfering with the functioning of independent judicial systems in West African countries to further its own interests. This interference can include influencing prosecutors and judges as well as manipulating judicial procedures (Council of the European Union, 2019).

# **Benin Universal Periodic Review**

Eliminate was used (9), Revise (4), Accelerate (4), Change (1), Redouble (4)3 Review (7), Consider (10), Continue to (62), Finalize (3), Recognize (5), Take immediate (1), Enhance (7), Guarantee (19), Establish (8), Ensure (40), Intensify (8), Promote (8), allocate (2), adopt (25), eliminate (7), Reform, Strengthen (42), improve (23) etc. From the list and occurrence and list provided above one can reasonably infer that the tone was neutral in tone, the action verbs suggestive, and implied current actions; for example, continue was 62 by far the most, send to ensure with 40, improve at 23 to name but a few. There is also an interesting comparison that there were only 99 member states at the review. the only Strength in action verbs came from constant states Such as the United States, Canada, United Kingdom, Costa Rica to name but a few. In contrast, eliminate was used 7 times, finalize 3 times, and eliminate just 9 times- to name the strong action verbs. There was a total of 259 recommendation within the draft report for Benin, figures one and two demonstrate the allocation of recommendations. The largest category was Gender Equality and empowerment with 50/259 15.6%, followed by children 41, and Legislative alignment in third at 23. As for concerns raised by civil society; Freedom of press with 7, pretrial detention with 2 mentions, freedom of expression with 10, and freedom of assembly and association only 2. All despite the deaths at protests, journalist persecution, and escalated tactics. Reckya Madougou, according to Freedom House, is a chilling tale of injustice and political persecution. Known for her tireless efforts to promote democracy and human rights, was unjustly accused of terrorism, and detained for nine grueling months under reported inhumane conditions. Despite the lack of any real



evidence or witnesses, she was convicted and sent to prison for a staggering 20 years. The case of Reckya Madougou serves as a stark reminder of the dangers that await those who stand up for their beliefs and fight against corruption and oppression. Yet, France had no mention of such: French recommendation 6.6 "Continue to implement measures to avoid the risk of prison overcrowding"; 6.217 "Continue to implement the National Child Protection Policy, including strengthening the fight against trafficking in children", 6.243 "Continue their efforts to protect the rights of persons with disabilities, by continuing to implement the 2017 law on the subject". Further substantiating the selective Human rights standards, that protestors can be killed, a former minister of justice, and advocate was unjustly imprisoned. As well as given pre-trial detention, then terrorism charges and 20 years of prison, yet there were only two mentions of pretrial detention, and no one mentioned the former minister in their recommendation.

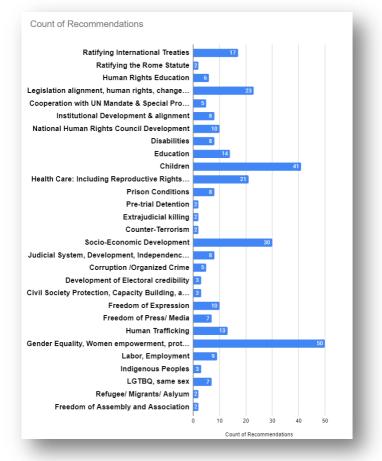


Fig2: Diagramconstructed by Farida Bouattoura data collected OHCHR UPR Draft Report

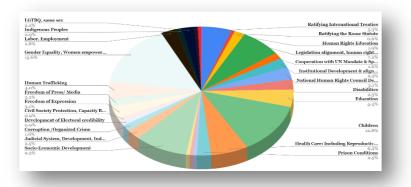


Fig 2: Diagram constructed by Farida Bouattoura data collected OHCHR UPR Draft Repor

#### Moroccan Comparison

By contrast France's relationship with Morocco has been characterized by a high degree of fickle support and conditional cooperation. While both countries have strong cultural ties, the French government has typically provided more assistance to Morocco when it is obedient and compliant with its foreign policy objectives. For example, in 2018, France provided military equipment to Morocco in response to Moroccan forces using force on



protesters in Western Sahara. This move was seen as a reward for Morocco's compliance with international law, despite widespread international condemnation (Al Jazeera, 2018). Similarly, France has provided financial assistance to Morocco in exchange for increased protection of French nationals within the country (Council of the European Union, 2019). On the other hand, when Morocco has taken independent actions, such as establishing diplomatic ties with countries that oppose French foreign policy objectives or criticizing French actions in Africa or the Middle East, it usually results in a decrease in support from France. The most recent example of this occurred in 2017 when Moroccan authorities arrested a group of anti-government protesters who were demonstrating against French interference in their country. This led to an immediate decrease in economic and political support from France as punishment for their disobedience. French interference in Morocco has been a topical issue in the region for many years.

The country's strategic location in North Africa and its proximity to traditional imperialist powers such as France, Spain and the United Kingdom has led to numerous disputes over Moroccan sovereignty. These conflicts have often been characterized by threats of military intervention or economic sanctions from European states if Morocco does not agree to their demands. The Moroccan government has sought to reduce reliance on outside powers and limit foreign influence within the country. In recent years, Morocco has established strategic partnerships with other African countries to strengthen ties regionally and gain greater autonomy from more powerful countries. Furthermore, the government has pursued economic reform measures such as reducing tariffs on imports and promoting foreign investment. These efforts are intended to create a more stable and independent economy that is less reliant on external powers. Morocco has sought to strengthen its economic and political ties with other African countries through strategic partnerships.

In 2013, Morocco formed a partnership with Ethiopia that included agreements to cooperate in the fields of agriculture, energy, infrastructure, trade, and investment. In 2014, it signed a similar agreement with Sudan that also included military components. It has also established partnerships with Senegal, Mali, South Africa, and Mauritania. In the aftermath of a diplomatic dispute between Algeria and Morocco that saw Algeria's largest gas pipeline to Spain, the Maghreb-Europe pipeline, shut down, energy collaborations between Morocco and Madrid have surged. The halt of this critical energy pathway had dire consequences for Morocco's economy, resulting in a loss of over 50 million euros annually in transit fees and an annual supply of 800 million cubic meters of Algerian gas at a fixed price, which was instrumental in powering the country's critical infrastructure. However, this crisis has paved the way for Madrid and Rabat to strengthen their energy ties, opening new opportunities for collaboration and innovation in the field. Throughout the six months of pipeline operation, Spain magnanimously transferred an impressive amount of 1,882 GW/hour to Morocco, as documented by Enagás.

However, the Spanish government has now imposed a tariff of 2 million euros per year on Morocco to sustain its access to regasification. This tariff is aligned with identical levies imposed on France and Portugal for equivalent services in 2022. As a result of this development, Morocco finds itself in a precarious financial and international position, exacerbated by the French pressure and recent closure. By contrast during the Working Group of Morocco, France delivered several recommendations: 6.21 Accede to the Rome Statute of the International Criminal Court (France); 6.26 Ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence as a continuation of its efforts to combat violence against women (France); 6.15 Conclude the proceedings to ratify the Optional Protocol to the to the Convention on the Rights of the Child on individual communications procedure (France); 6.1 Envisage the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty (France); 6.108 Support the Partnership for Information and Democracy in favour of freedom of the press and access to plural, reliable and free information (France). The strength of the action verbs is noticeable, and detailed word choice to extend subtle reminder of power dynamics. All the verbs are strong action verbs, yet not overtly assertive. It is also imperative to notice that all the recommendations would further accountability and place Morocco under a tighter grip. Based French behavior, one can infer that Morocco's seeking independence is both noticed and frowned upon.

#### CONCLUSION

It seems the relationship with post-colonial is a difficult concept for France to accept. As years of exploitation, unearned wealth, at the cost of millions of African lives has set a culture normalcy of exploitation and expandability of African lives and rights. Moreover, though the Moroccan position is a difficult one, Morocco's geopolitical adaptation and maneuvering has proven promising, in creating vast partnership and their adaptability to this novel approach. Morocco's continued trajectory in their foreign policy will likely bear fruit in future, furthering, and repairing African relationships. The façade of immature sibling rivalry is one beneficial only to the imperialist ambitions and serves todécrédibiliser/ discredit the African sovereignty. Projecting an image of incapability and need for European guidance. A far cry from history and reality, the truth of French concentration camps, tortures, complicity with Nazis, antisemitism, prejudice, and Islamophobic tendencies are conveniently taboo subjects. False sense of superiority needs to be met with cold reality- it is not wine, cheese, and 30-hour work weeks that granted France it's global position. But exploitation of human capital, crude oil, nature gas, and minerals from Africa at the



cost of Africans. This highlights the need for grassroot organizations to have consultative status, and nations to ensure that they hold their own organization who can consult the international institutions- as it is a necessary form of defense and offence in this modern-day methodology of imposing will and influence-power, in global platforms. There is also the variable of French interest, that can explain why all the nations in Africa with elevated magnitude of human rights infringements have better rating than stable countries such as Morocco, Algeria, and a world power like the United States (according to RSF)- while neglecting the heavy French military and 'humanitarian' presence, in the uranium, crude oil, natural gas, and mineral rich nations. As a result of the Napoleonic 'humanitarian' and other forms of aide, thousands of migrants from all the nations with such French presence are escaping to Algeria and Morocco. Moreover, European Union and France continue to place pressure on Algeria, and Morocco, rather than the governing bodies of those nations they utilize. Pressure that is embedded in false allegations and decontextualized, to the point to claim war-torn countries have more liberties and better governance, then the counties their public are fleeing to- is short of obscured. Though both countries have indeed escalated tactics and silenced civil society, the reality is false allegations and decontextualizing is not producing a solution but capitalizing on a situation. It seems the more France and its organizations need to reevaluate their methodology with scrutiny as this defective approach is disastrous at best, and modern colonization at worst-such can lead to misinterpretations of the French motto of Liberté, Egalité, Fraternité to be pour les Masters Blancs de France uniquement, and insinuate that African human rights are subject to disposal at the liberty of the French colonial masters. One can reasonably infer that such can fan a great deal of misconception of the noble French Humanitarian and well-intentioned actions.

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