Conflict resolution in West Africa: What is ECOWAS for?

Resolução de conflitos na África Ocidental": para que serve a CEDEAO?

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ABSTRACT

This article aims at analyzing the role played by ECOWAS in the Ivorian and Malian crises. We argue that ECOWAS in many circumstances help to de-escalate violence at the first stage of conflict in Mali and Côte d'Ivoire. However, the inefficiency of the ECOWAS to resolve conflict in the region makes it seem useless for the West African.

Keywords: ECOWAS, Mali, Côte d'Ivoire.

RESUMO

Este artigo visa analisar o papel desempenhado pela CEDEAO nas crises da Costa do Marfim e do Mali. Argumentamos que a CEDEAO, em muitas circunstâncias, ajuda a diminuir a violência no primeiro estágio do conflito em Mali e na Costa do Marfim. Entretanto, a ineficiência da CEDEAO em resolver o conflito na região faz com que pareça inútil para a África Ocidental.

Palavras-chave: CEDEAO, Mali, Côte d'Ivoire.

INTRODUCTION

Since their independence in early 1960, many of West African countries are struggling for democracy, sustainable development, or stability. The West African region, already affected by the civil wars in Liberia, Sierra Leone and then the Ivorian conflict, must now face the Malian crisis. Because of the emergence of these conflicts, the Economic Community of West African States (ECOWAS) rather plays a role of "regional policeman" with its army, the Economic Community of West African States Cease-fire Monitoring Group (ECOMOG).

As a West African regional organization, ECOWAS has a legitimate role to play in resolving conflicts that arise in this part of Africa. However, it is increasingly criticized by its member states. Since its creation, how many conflicts has ECOWAS resolved? Is it a key player in the resolution of conflicts in West Africa? We argue that ECOWAS in many circumstances help to de-escalate violence at the first stage of conflict in Mali and Côte d'Ivoire. However, the inefficiency of the ECOWAS to resolve conflict in the region makes it seem useless for the West African.

ECOWAS CREATION

Before the creation of ECOWAS, West Africa was made up of a collection of states from different administrative and colonial systems. This area comprises fifteen states whose communities use three different official foreign languages (English, French and Portuguese). The cultural, linguistic and ecological diversity of the region generates both opportunities and challenges for the integration process. Combining forces politically and economically has always been recognized as a step towards creating common prosperity in the region (Ecowas, n.d.). In 1945, the creation of the CFA franc brought together the French-speaking countries of the region

in a single monetary union marked the beginning of an integration effort. And in 1975, the Lagos Treaty was the basis for the creation of ECOWAS

At the beginning, ECOWAS started promoting the creation of a customs and economic union to facilitate the free movement of people and goods. It was therefore the integration of trade and people within the member states that was at the origin of the creation of ECOWAS. To achieve this objective, several awareness-raising campaigns have been initiated for the people and governments (Tsigbe; Kpaye, 2017). The Treaty of Lagos from 1975 was purely economical and therefore did not contain components relating to the issues of peace, security, stability, and governance. In 1993, the Treaty of ECOWAS was revised with the incorporation of regional peacekeeping, stability and security through the promotion and strengthening of good neighborliness.

ECOWAS region was instable since the independence of its member states. And due to such instability, their adopted the Protocol on Non-Aggression in 1978, enriched in 1981 with the Protocol for mutual assistance in defense against any armed threat or aggression on a member State. For that purpose, the Defense Committee and Council as well as the Allied Armed Force of the Community were both created. However, tensions in the West African region led to the establishment of a multilateral armed force in 1990 to maintain peace and security, known as the Economic Community of West African States Monitoring Group (ECOMOG). A coalition of Anglophone member States was at the origin of the creation of ECOMOG. The Monitoring Group intervened in, among others, Liberia in 1990, Sierra Leone in 1997 and in Guinea-Bissau in 1999 (Uneca, 2010).

In December 1999, ECOWAS adopted the Protocol Related to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security, which is the most comprehensive protocol relating to peace and security in the region. The protocol aims to address peacekeeping, humanitarian support and peace building capabilities as well as the issue of cross border crime. Additionally, ECOWAS member States also adopted the Supplementary Protocol on Democracy and Good Governance in 2001 as an instrument to promote peace and security in West Africa (Uneca, 2010).

From its creation to the present days, ECOWAS evolved as a regional organization. It appears as a legitimized, economic, and political community in west Africa. What make ECOWAS a legitime organization to intervene in west African countries crises?

ECOWAS AS A LEGITIME-BASED ORGANIZATION?

In international mediation literature, the material manipulation of the bargaining environment plays a crucial role for mediation success (Beardley, 2008; Zartman, 1965). This materialist perspective points that the key to successful mediation lies in the material manipulation of the negotiating environment by third parties with significant economic and military resources. In many ways, capacity proved to be a huge argument for mediation success

to resolve a conflict. In negotiation to deal with conflict in Africa, capacity-based third parties have a very prominent place.

Since they have financial and military resources, non-African mediators look like to have more success in negotiating peace. According to Bercovitch (1992) resources and active strategy serve as basis for successful mediation. In the same way, Greig and Diehl (2012, p. 71) claimed that weak mediator's mediation suffers lack of effectiveness because it is "limited in the resources that can be brought to bear in the talks as a means of pushing the parties to make concessions and leverage an agreement between the two sides". Capacity and resources seem to be better approach to address conflict through mediation. Smock and Gregorian (1993, p. 12) argued that "very significant role of the United States and the European states seems related to the assets, resources, and leverage available to these powers."

However, the effectiveness of capacity-based third parties mediation appear to be more due to their coercive capacity than their ability to be good mediators. Many of agreement reach by capacity-based third parties mediation showed to be useless. Malian and Ivorian cases are good examples. Even if African third parties have fewer material resources, they appear to be more legitime since capacity-based third parties' mediation is saw as a kind of imperialism and neo-colonialism. Duursma (2020) demonstrated that African third parties are effective in mediating civil wars in Africa due to high degree of legitimacy flowing from the African solutions norm. The author based himself on data on international mediation in civil wars in Africa between 1960 and 2017, to show that African third parties are more effective than non-African third parties in finding a negotiated solution to the conflict (Duursma, 2020).

In my doctorate thesis, I also demonstrated that African third parties were more effective in finding negotiated solution to the Ivorian conflict than other West States capacity-based parties. The failure of capacity-based third parties to find a political solution to Ivorian or Libyan crisis prove that capacity is not always the way to mediate a conflict particularly in Africa. In many situations, regional organization such as ECOWAS proved to be more efficient than any other third parties in negotiating de-escalation in west African States. Such efficiency lies upon the legitimacy that African third parties' benefit during bargain to find negotiated solution in a conflict.

This legitimacy has roots in the colonial past of Africa and the will of African countries to free themselves from former colonizers and avoid neo-colonialism. The social structure therefore play an important role to determine the relationship between mediator and warring parties. Accordingly, the social background appears to be the key element to take into consideration when mediating for a political solution in conflict in Africa. Since ECOWAS is composed by African chief of States, the organization emerges as legitim for African warring parties. However, the legitimacy of ECOWAS as mediator is based upon norms to be study in conflict resolutions.

NORMS IN MEDIATING AFRICAN CONFLICTS

After the decolonization of Africa, security, borders, and stability became the main issues for recent independent countries. The new borders traced by former colonizers implies respect of sovereignty and respect of this borders. Earlier at their independence, several African States had to deal with internal and external threat for their borders and sovereignty. The fact is that the borders was delimited exogenously by former colonial powers, so without considering ethnicity and community (Touval, 1972).

The balkanization of the African continent was done based on interests of the colonizers', one of the consequences being the outbreak of several conflicts in post-colonial Africa. In Sudan, for example, the racial division between Arabs and Africans is reinforced by geography, religion and language, and this has resulted in conflicts out of state's control (Jackson; Roseberg, 1982). Also, the interference of former colonizers is seen as a perpetual threat. The sovereignty norm emerges as a shield to protect sovereignty and colonial border legacy. To avoid interstate conflict, the norm of Africa Unity arises and serves to keep the peace and the stability on the continent. For Clapham (1996), African unity is not a merely rhetoric, because it imposed on African leaders a moral obligation to act in harmony.

The preamble of the Organization of African Unity (OAU) which became African Union (AU), remembered that African States are "determined to safeguard and consolidate the hard-won independence as well as the sovereignty and territorial integrity of our states, and to fight against neo-colonialism in all its forms" (OAU, 1963). This stipulation represents the anti-imperialism norm in mediating conflict in Africa. The anti-imperialism norm is a shield again non-African third parties' interference when bargaining for a political solution during a conflict. Anti-imperialism is linked to sovereignty preventing former colonizers external pressures against newly independent countries (Clapham, 1996).

Generally, during mediation in conflict resolution in Africa, African third parties remain committed to the principle of sovereignty. Amoo and Zartman (1992) argue that the respect of sovereignty by African third parties is a ground of mediated solution. Respecting sovereignty is the preamble of peaceful resolution of conflict through mediation. Article 3 of OAU affirms and declares the adherence to the principle of "peaceful settlement of disputes by negotiation, mediation, conciliation or arbitration" by its member states.

Duursma (2020, p. 300) states that "The anti-imperialism and nonalignment norms reflect how, during the Cold War, African actors had incentives for conflict-resolution efforts to be conducted by African actors." This statement describes how interlinked the different norms are when dealing with conflict in Africa. Indeed, during the negotiation for Ivorian conflict resolution, France mediation was seen as an imperialism and neo-colonialism intervention. Therefore, the Linas-Marcoussis agreement reached under France aegis was systematically reject by one of the

warring parties. However, mediation such as that of the President of Burkina Faso, Blaise Compaoré, was more successful.

ECOWAS' CONFLICT RESOLUTION CASES STUDIES

West Africa can be divided into three main parts. The Gulf of Guinea zone, consisting of Côte d'Ivoire, Ghana, Liberia, Nigeria, Togo, and Benin. The Sahelian zone, which includes Burkina Faso, Niger, and Mali. The third zone consists of Gambia, Cape Verde, Guinea, Guinea-Bissau, Senegal, and Sierra Leone. It is also a region known for its security and political-institutional instability. Indeed, of the seventy-seven coups d'état perpetrated in Africa between 1960 and 2008, forty-one of them took place in West Africa (Thiriot, 2008). In addition to these coups, there have been recent coups in Mali, Burkina Faso, and Guinea.

This staggering number of coups has its roots in political and institutional instability. To explain the political instability, one's can refer to economic and social aspects of these countries. The social and economic cannot be dissociated from the political when it comes to instability in Africa. At the institutional level, violations of constitutional texts and constant amendments are plunging ECOWAS member countries into an endless negative spiral.

ECOWAS INSTRUMENTS FOR CONFLICT MANAGEMENT

At its creation, ECOWAS treaty did not contain components relating to the issues of peace, security, stability, and governance. Since the ECOWAS region was instable, member States adopted the Protocol on Non-Aggression in 1978. The Protocol was enriched and in May 1981, ECOWAS member States signed the Protocol on Mutual Assistance Defense for mutual assistance in defense against any armed threat or aggression on a member State (Uneca, 2010). For that purpose, ECOWAS created the Defense Committee and Council, and the Allied Armed Force of the Community. Member States undertook not to attack each other, but to furnish aid and assistance in case of armed conflict in any of member country.

Due to the growing tensions in the West African region, regional peacekeeping, stability, and security based upon good neighborliness was therefore incorporated to the Revised Treaty of ECOWAS in 1993 in article (4) as one of the fundamental principles (Uneca, 2010). Also, the protocol of 1999, focuses on peacekeeping, humanitarian support and peace building capabilities as well as the issue of cross border crime.

ECOWAS member States also adopted in 2001 the Protocol A/SP1/12/01 on Democracy and Good Governance additional to the Protocol relating to the Mechanism for Conflict Prevention, Management Conflict Prevention, Management, Resolution, Peacekeeping and Security in West Africa.

Figure 1. Causes of West Africa regional instability
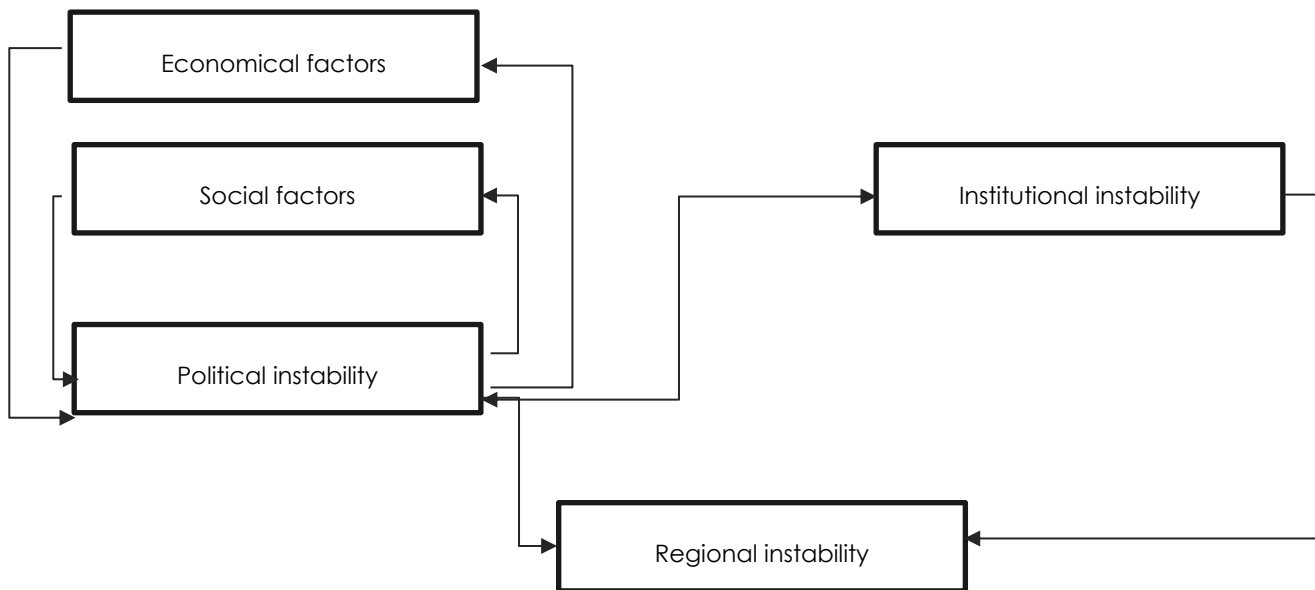
Source: Self elaboration

THE IVORIAN CASE

Often cited as a model of political stability from 1960 until the first coup d'état in 1999, Côte d'Ivoire did not escape the wave of coups in West Africa. Côte d'Ivoire experienced strong economic growth in the first two decades after independence. This period has been described as the "Ivorian miracle". The "Ivorian miracle" was based on balanced growth in which the State and the public sector played an important role even if growth was open to the world. Indeed, in terms of trade, the basis of growth was exports of agricultural products; and in terms of factors of production, regional immigration contributed to the farm labor force (Cogneau; Mesplé-Somps, 1999). But soon the deterioration of the terms of trade and the economic crisis of the 1980s led to an economic and social crisis and the Ivorian miracle quickly turned into a mirage. In 1999 the military coups, led by General Robert Gueï, marked the beginning of an unstable period in Côte d'Ivoire.

On 19 September 2002, a failed coup caused several casualties and split the country in two with: northern zone under the control of dissident forces and southern zone still under the control of the elected president Laurent Gbagbo. On 29 September 2002, in Accra (Ghana), Abdoulaye WADE, President in office of ECOWAS, convened an extraordinary session of Heads of State and Government of ECOWAS member states. This extraordinary session – called Accra I – was following the provisions of ECOWAS' Protocol of the Mechanism for Prevention, Management, Settlement of Conflicts, Peacekeeping, and security.

The point twelve (12) of Accra I final communiqué stipulated that "The Heads of State and Government invited the ECOWAS member states to provide immediate support – political,

material, logistical – to the legal authorities of Cote d'Ivoire to maintain constitutional order, peace and security, national unity and cohesion" (Ecowas, Accra I final communiqué, point 7, 2002). During the Accra I summit negotiation, ECOWAS gave precedence to the norms of the organization. The Heads of State and Government accordingly reaffirmed the position of ECOWAS for no recognition of any government overthrowing a democratically elected government or by using unconstitutional methods (ECOWAS, Accra I final communiqué, 2002).

On 17 October 2002, ECOWAS obtained from the dissident forces a declaration of cessation of hostilities and an agreement to start dialogue with the government. And from the Government of Côte d'Ivoire, a statement attesting the end of hostilities and their agreement to begin dialogue with the dissident forces (Ecowas, Cessation of Hostilities Agreement, 2002). The Mediation and Security Council agreed to deploy Ecowas Mission in Côte d'Ivoire (ECOMICI) to monitor a ceasefire. ECOMICI deployed approximately 1,400 soldiers from Ghana, Benin, Togo, Niger, and Senegal (Dokken, 2008).

As long as relations between African countries are governed by the norms of sovereignty, anti-imperialism, peaceful settlement of disputes, ECOWAS has all the legitimacy to play the role of mediator in the Ivorian crisis. Being composed of African heads of state and government, ECOWAS is not perceived as an imperialist organization as Western powers might be seen. Moreover, respect for the sovereignty of states is a sine qua non for any mediation in West Africa. ECOWAS mediation makes sense for peaceful settlement of disputes. Nonetheless, the belligerents did not respect the ceasefire, and few days after they resumed the clashes. Due to the escalation of violence in Ivorian conflict, ECOWAS States leaders requested the United Nations to act on the Ivorian crisis.

ECOWAS mediation did not have the desired effect on the Ivorian crisis. This failure can be seen from two angles. Firstly, in his first proposition about his ripeness theory Zartman (2000) argues that ripeness is a necessary condition, but not sufficient, to start a negotiation, whether bilateral or mediated. This concept is based upon the perception of Mutually Hurting Stalemate (MHS) which was completely missing during ECOWAS Accra mediation. By calling an extraordinary summit, ECOWAS wanted to avoid an escalation of violence in the Ivorian conflict. Nevertheless, the absence of MHS was not the unique factors of ECOWAS mediation failure, the lack of commitment of the warring parties explains in part the escalation of violence.

Secondly, ECOWAS, paradoxically, does not enjoy the same credit as the United Nations and even the European Union. Most of the time, sanctions imposed by ECOWAS on member states that violate the provisions of the various treaties are hardly applied. Being in solidarity with each other, ECOWAS Heads of State and Government find it difficult to use coercion against their counterparts in case of non-compliance. ECOWAS is becoming less and less credible as an organization in West Africa. At the beginning of the Ivorian crisis in 2002, the democratically elected government of Côte d'Ivoire had the full support of ECOWAS as provided in the treaty. However, this support has been eroded over time, especially with France's involvement in the

mediation of the Ivorian crisis. Indeed, France's position vis-à-vis the Ivorian authorities was perceived as neo-colonialism and ECOWAS was largely aligned behind the decisions taken by the French authorities. The warring parties saw ECOWAS as France's minion in its imperialist expansion in Africa. From then on, ECOWAS lost all its legitimacy as mediator in the Ivorian crisis.

ECOWAS, having neither elements nor coercive force, has never been able to impose its authority and has never been able to enforce the agreements, despite the spectrum of a sanction. ECOWAS in the Ivorian crisis has once again shown its limits in terms of peacekeeping in West Africa. The organization has seen its goals mostly frustrated by political crises in the region and rivalries between Heads of State struggling for regional leadership. UNOCI had to take over to stabilize the country and lead it to the organization of presidential elections in 2010. The UN mission also had difficulties in enforcing peace agreements in the Ivorian crisis. But it had more success than ECOWAS.

THE MALIAN CASE

The Malian crisis has both an internal and an external dimension. An internal dimension because it affects the country's sovereignty and national cohesion. An external dimension because it endangers the Sahel zone and the countries of West Africa. Indeed, since the takeover of the north of the country by the National Movement for the Liberation of Azawad (MNLA) and the multiplicity of actors and groups involved, particularly elements of Al-Qaeda in the Islamic Maghreb (AQIM) and Movement for Unity and Jihad in West Africa (MUJAO), the conflict has taken on a sub-regional dimension, fueling all fears of instability in West Africa (Sambe, 2012).

In the last ten years, Mali has suffered three coups, a Tuareg revolution and the spread of jihadism and intercommunal violence. In January and February 2012, after the start of the Tuareg revolution, massacres of Malian soldiers in barracks in the regions of Kidal and Ménaka forced eleven thousand Malian soldiers to withdraw to Sévaré in the central region of Mopti. This episode was accompanied by widespread frustration with Amadou Toumani Touré's regime from the military and the population and led to the overthrow of the regime in March 2012 by the military junta of Captain Amadou Haya Sanogo (de Leon Cobo; Ahmedou, 2022). Since 2012, Mali has been experiencing an internal crisis that pits the current government against jihadists and other armed groups operating in different parts of the country. This crisis led to the creation of the United Nations Stabilization Mission in Mali (MINUSMA).

After the coup d'état of 22 March 2012 against President Amani Toumani Touré, ECOWAS and the military junta led by Captain Amadou Haya Sanogo set up a transition framework. In March 2012, the pro-independence rebels seized Kidal, Gao and Timbuktu. But they are quickly ousted by their Islamist allies associated with AQMI including Ansar Dine, led by Tuareg leader Iyad Ag Ghaly. The Jihadists institute Sharia (Islamic law), practice amputations and Stoning, ban football, music, and alcohol. In January 2013, France launched Operation Serval to halt the progression of the Jihadists. French and Malian soldiers retook Gao, entered in Timbuktu without fighting, before

taking control of Kidal airport. Francois Hollande, then President of France, was welcomed as a liberator. In August 2013, Ibrahim Boubacar Keïta, known as "IBK", was elected president and a year later Operation Serval was replaced by Barkhane. In May-June 2015, a peace agreement was signed in Algiers by the government camp and the separatist rebels in the north (Diallo, 2020).

Despite the Agreement for Peace and Reconciliation in Mali resulting from the Algiers process in 2015, the security and political situation in Mali has not improved. In northern Mali, relations between the Coordination of Azawad Movements (CAM) and the Platform have been punctuated by phases of rapprochement and resumption of hostilities, revealing both the limits of an agreement which obtained a minimum and the extremely precarious and volatile nature of the political and security situation (Thiam, 2017).

On 18 August 2020 a military junta led by Assimi Goïta forced the resignation of President Ibrahim Boubacar Keita and established a National Committee for the Salvation of the People (CNSP). A transition was established, and civilians take over. But in May 2021, Colonel Assimi Goïta dismissed the transitional President Bah N'Daw and the transitional Prime Minister Moctar Ouane.

But what is ECOWAS doing to get Mali out of the crisis? The various frameworks mobilized for the Malian crisis appear to be largely deficient. The G5/Sahel with its meagre results, the African Union as usual absent from the debates, the United Nations with a MINUSMA that is completely obsolete and unsuited in many respects to the Malian crisis, and France with its unconvincing results on the ground. As for ECOWAS, it bases its intervention in Mali on a Mechanism for Conflict Prevention, Management and Resolution, Peacekeeping and Security dating from 1999. This means that its instruments now seem far too limited or inadequate to deal with the multidimensional crisis (governance, security, military, political, institutional, social, educational, etc.) that the Sahel in general and Mali in particular, are currently experiencing (Bagayoko, 2020).

In addition, ECOWAS seems to be engaged in a power struggle with the Malian authorities. First, because of its initial intransigent stance towards the Malian junta demanding the reinstatement of President IBK. Then a set of sanctions, in response to the government's attempt to extend the transition by five years despite its commitment to hold elections in February 2022. The sanctions, which were intended to isolate Mali on the international scene, weaken its economy, and thus create the conditions for internal pressure from Malians on their leaders, have instead aroused the anger of many Malians and reawakened a patriotic feeling that benefits the transitional government. The ECOWAS decisions have raised suspicions of French interference, in a context marked for many months by escalating diplomatic tensions between Mali and France (Moderan *et al.*, 2022).

This position of ECOWAS not only promotes Malian nationalist sentiment, but also endangers the mission of MINUSMA. Indeed, thanks to propaganda by the Malian authorities, France, the international community, and many other organizations that were trying to find a

solution to the Malian crisis are perceived as hostile. This hostility has favored the proliferation of foreign mercenaries on Malian territory at the expense of the recognized government forces.

The current crisis highlights the contradictions and divisions within ECOWAS. On the one hand, there are the supporters of an inflexible approach towards the Malian junta, notably the Ivorian President Alassane Ouattara and the Guinean President Alpha Condé. And on the other hand, the leaders of Ghana and/or Senegal who seem to adopt a more flexible position, notably because of the impact of such sanctions on their own economies. Is that what ECOWAS is for? To defend the interests of its leaders? ECOWAS' conflict management mechanisms are today more concerned with the democratic legitimacy deficit of heads of state and government within their own countries than with resolving conflicts in West Africa. Has ECOWAS ever helped resolve a conflict in West Africa?

CONCLUSION

Since its creation, ECOWAS has tried to find political solutions to the conflicts that plague West African countries. However, the instruments used for conflict resolution are obsolete or unsuited to the conflicts. Even though it has conflict resolution mechanisms, the cases of Mali and Côte d'Ivoire have proved to be failures in terms of the political solutions provided. However, ECOWAS did succeed in these two cases in obtaining talks between belligerents with the aim of finding a peaceful solution to the conflicts. If ECOWAS wants to continue to exist, serious reforms in form and substance are needed. It must be adapted to the present century and not be an outdated organization from the previous century.

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