

ECOWAS Capabilities in Peace and Security

A scoping study of progress and challenges

CAMILLA ELOWSON AND JUSTIN MACDERMOTT





protection against and management of hazardous substances, IT security and the potential offered by new sensors.

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Sammanfattning

Inom ramen för FOI:s Studier i Afrikansk Säkerhet skrivs ett flertal rapporter som syftar till att öka kunskapen om den afrikanska fred- och säkerhetsarkitekturen (APSA). Som del av denna studieserie redogörs i den här rapporten för den regionala organisationen 'Västafrikanska staters ekonomiska gemenskap' (ECOWAS) strukturer för fred- och säkerhet. Dessutom introduceras de politiska ramverk som styr verksamheten inom fred- och säkerhetsområdet. Analysen fokuserar på hur genomförandet av åtaganden fortskrider.

Rapporten undersöker specifikt den pågående utvecklingen, de faktiska prestationer och resultat som uppnåtts, samt de uppgifter som kvarstår att lösa för ECOWAS. Dynamiken mellan organisationens medlemsländer påverkar ECOWAS engagemang i fred- och säkerhetsarbetet, och undersöks därför även i rapporten. Utöver detta ägnas särskilt intresse åt en lägesbedömning för ECOWAS Standby Force samt åt de utmaningar som återstår för upprättandet av denna styrka.

Rapporten avslutas med en diskussion om den roll som ECOWAS givare spelar, inklusive möjligheter kring framtida partnerskap inom fred- och säkerhetsområdet med den regionala organisationen.

Nyckelord: ECOWAS, Regional Economic Communities (REC), ECOWAS Standby Force (ESF), African Standby Force (ASF), Afrikanska Fred- och Säkerhetsarkitekturen (APSA), Afrika, Fred- och Säkerhet, Afrikanska Unionen (AU)

Summary

As part of the Studies in African Security Team's efforts to enhance the understanding of the African Peace and Security Architecture (APSA), this report outlines Economic Community of Western African States' (ECOWAS) structures for peace and security and achievements in this area. It introduces the policies and frameworks guiding peace and security as well as the progress in implementation in this area.

The report focuses on the progress made, track record and challenges ahead for ECOWAS engagement. Some of the inter-state dynamics which affect ECOWAS' commitment to peace and security are reviewed. Specific attention is also given to the current status and challenges ahead for the establishment of the ECOWAS Standby Force.

The report closes with a discussion around the role of external donors which support ECOWAS, and explores their potential role in partnerships related to peace and security with the sub-regional body.

Keywords: ECOWAS, Regional Economic Communities (REC), ECOWAS Standby Force (ESF), African Standby Force (ASF), African Peace and Security Architecture (APSA), Africa, Peace and Security, African Union (AU)

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Map of ECOWAS Member States





Executive Summary

Introduction

The emerging structures for peace and security in Africa have increasingly contributed to the overarching framework of the African Peace and Security Architecture (APSA). As this architecture continues to evolve at the continental level, international partners seeking to cooperate in the area of peace and security benefit from a thorough understanding of the regional economic communities (REC) which form part of the APSA. This report has been conducted to obtain and promote knowledge about one of these regional communities: the Economic Community of Western African States (ECOWAS)¹.

Noting that ECOWAS is one of the RECs to have progressed the furthest in the area of peace and security, specific focus has been given to the progress made, track record and challenges ahead for ECOWAS' engagement in this area.

Progress Made

Looking at the progress made by ECOWAS, it is clear that achievements have been made in terms of the policies and frameworks guiding peace and security. In this regard, a key accomplishment is the acknowledgement of the need to address root causes of conflicts in its protocols and frameworks for peace and security, including constitutional issues related to separation of powers and zero tolerance for unconstitutional changes, or maintenance, of government. Beyond this, issues of popular participation, decentralisation of power and democratic control of the armed forces are addressed as well as efforts to transform ECOWAS from an 'ECOWAS of States' to an 'ECOWAS of the Peoples', bringing the organization's conflict prevention efforts closer to the concept of human security.

Nevertheless, while ECOWAS policies within peace and security are highly developed, the fact remains that they are often lagging behind in implementation. This is an issue that can be attributed both to a shortage of political will among member states and a shortage of capacity.

In terms of capacity, constraints in human capacity and administrative support systems have limited ECOWAS' capacity to execute programmes and absorb

¹ ECOWAS is an inter-governmental regional organisation with 15 member states: Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, The Gambia, and Togo.

committed resources.² A highly centralised decision-making structure causes further bottlenecks within the ECOWAS Commission.

In terms of inter-member state dynamics, some dynamics pose challenges for the cooperation in peace and security. In particular, the Anglophone-Francophone divide deserves attention. In general, it appears the Anglophone member states have been more ready to take a hard stance on issues of peace and security than some of the prominent Francophone member states. Another critical issue which affects the member state relations is the dominant role of Nigeria, which makes other member states view its intentions with scepticism. To balance relations among each other, some compromises have been made which could be seen as reducing efficiency in the short term, but which could serve longer term commitment to the cooperation in the area of peace and security.

Track Record

In terms of the non-military track-record, conflict prevention has been given more attention through enhanced early warning and mediation efforts.

While the efforts that have been taken to establish a sub-regional early warning network are impressive, a major challenge is turning early warning into early response. Another concern is the potential bias of the existing early warning system.

In terms of mediation, a readiness has been noted by ECOWAS to take action on unconstitutional maintenance and changes of government. The legitimacy of mediation efforts have sometimes been questioned on the basis of those mediating pursuing national interests. Still, by engaging under a regional framework, mediation efforts have been given added legitimacy and clout. ECOWAS has also been seen as liaising fruitfully with the international community. An area that has posed particular challenges for ECOWAS is tensions at the local level which brings about an issue of sovereignty, as ECOWAS involvement would be dependent on an invitation. This would suggest that ECOWAS is still more geared at security of the states than security of the peoples.

Looking at post-crisis situations, a clearer commitment has been achieved to the importance of peace-building. However, exit-strategies still seem to be weak in ECOWAS and the absence of such strategies at the onset of engagements reduces the ability of ECOWAS to withdraw seamlessly.

With regards to election monitoring, ECOWAS has managed to send electoral observers regularly, which produce comprehensive reports. However, these teams have often been constituted in an ad hoc manner, without enough training.

² ACBF (2008, A Survey of the Capacity Needs of Africa's Regional Economic Communities, p. 273, ACBF: Harare

The findings learned from the reports have not been used to bring about changes for future elections. By enhancing the capacity of ECOWAS efforts in election monitoring the organisation could go beyond election monitoring to propose recommendations as to how to improve future elections.

Progress made in terms of the ESF

As one of the building-blocks of the African Peace and Security Architecture, ECOWAS can deploy its standby force under two separate arrangements – either as a stand alone ECOWAS intervention in one of its member states (as the ESF), or as an AU mission with a mandate from the AU (as part of the ASF).

The ESF is not a standing unit assembled in one place, but is rather made up of contingents of national armies, which can be called upon by the ECOWAS Mediation and Security Council in response to a crisis. The ESF includes a Task Force, which can be mobilised rapidly, and a Main Force which can augment the Task Force into a full Brigade. The concept of operations covers a period of six months including the movement into the area of operation, stabilization, consolidation and ultimately withdrawal or rehatting.³ This suggests that the ESF is not designed for longer-term commitment, and that the political expectations would be for an international force (e.g. UN) would come in for a longer-term commitment.

The Task Force has been officially established, trained and certified to be capable of deploying into a peace support operation. However, with pledges to the Main Force yet to be assessed, ECOWAS does not have trained and certified capability to deploy a more robust brigade. Much point to that it would be able to deploy the Task Force but that such a deployment would be far from the established framework, for example by including non-certified troops and by extending the timeline for deployment. It would probably be fair to assume that a similar approach would be taken if the situation would require a full brigade.

Beyond the actual troops, there are real challenges in terms of transport, logistics and equipment. Among these, the absence of strategic airlift capability and issues of interoperability are of particular concern. The different languages spoken by the member states also create difficulties for exercising command.

In addition to the challenges within the military component of the ESF, the progress of the police and civilian components has been lagging behind. The police component, with only two staff members are beginning to draw up action plans and are set to validate the significant police pledges made by member states. The civilian component is largely non-existent, except for in documents

³ ECOWAS, Internal briefing (2010).

⁴ Interview ECOWAS donor 1, 28 October 2010. Interview ECOWAS member state 1, 25 October

setting out the planned composition. Particular challenges in this regard are that police are often badly needed at home by member states and civilian human resources are more mobile than their military counterparts.

Another challenge for ECOWAS peace and security efforts is that the organisation appears to have made few attempts to address the issue of the gender balance of troop contributions.

Assessing the capability of the ESF against the roadmap for the ASF, it would seems that ECOWAS would have difficulties in meeting both a multidimensional peacekeeping scenario five and a scenario of a humanitarian intervention within 14 days. The former because the capability of the ESF is currently largely limited to the military dimension and the latter because the ESF seems unlikely to meet the tight deployment requirement timeline.

External Partners

While there is a strong interest among donors to fund ECOWAS in the area of peace and security, there are some challenges to such partnerships. Perhaps most serious of these is ECOWAS' own difficulty in absorbing funding. Beyond this, a more sensitive challenge is the issue of member states' commitment to and prioritisation of ECOWAS development in the area of peace and security. As western partners seek to enhance the effectiveness of ECOWAS through support, a fine balance is needed between promoting delivery and accountability on the one hand, while maintaining the local ownership and commitment among ECOWAS' member states on the other.

1 Introduction

1.1 The Context

The emerging structures for peace and security in Africa continue to evolve. International partners seeking to cooperatively engage with these structures benefit from a thorough understanding of the context, challenges and opportunities that lie ahead of this evolution.

The African Peace and Security Architecture (APSA) is the continental level effort to ensure conflict prevention, management and post-conflict reconstruction support. Among other things, APSA includes the establishment of an African Standby Force (ASF) and a Continental Early Warning System. Regional Economic Communities (RECs) and Regional Mechanisms constitute the building blocks of the APSA, and five of these are responsible for the implementation of the ASF on a regional level (ECOWAS, ECCAS, SADC, EASBRICOM and NARC). In other words, the work of these regional actors in the field of peace and security clearly link them to the broader APSA under the auspices of the AU.

A comprehensive grasp of the African politico-security context, and the APSA in particular, cannot be obtained without understanding the regional mechanisms which form part of it. This report has been conducted to obtain and promote knowledge about one of these regional agents: the Economic Community of West African States (ECOWAS).

ECOWAS is an inter-governmental regional organization that was founded in 1975 and today consists of fifteen countries in West Africa: Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, The Gambia, and Togo. ECOWAS has three different official working languages. Its headquarters is located in Abuja, Nigeria.

⁵ Other important elements include: the AU Peace and Security Council; The Panel of the Wise; The Military Staff Committee; the Commissioner for Peace and Security (under the AU Commission), with its Peace and Security Directorate as well as the Continental Early Warning System. For FOI's earlier research on the topic see e.g. Bogland et al (2008; Derblom and Hull, 2009.

⁶ The designated RECs are the Economic Community of West African States (ECOWAS), the Economic Community of Central African States (ECCAS), the Southern African Development Community (SADC), the Arab Magreb Union (UMA), the Community of Sahel-Saharan States (CEN-SAD), the Inter-Governmental Authority on Development (IGAD), the Common Market for Eastern and Southern Africa (COMESA), the East African Community (EAC) and the Regional Mechanisms are the East Africa Standby Brigade Coordination Mechanism (EASBRICOM) and the North Africa Regional Capability (NARC).

The overall objective of the organization is to promote cooperation and integration, with a view to establishing an economic and monetary union as a means of stimulating economic growth and development in West Africa. ECOWAS is one of the continent's prominent regional cooperation bodies with far-reaching regional cooperation in a number of policy areas.

Even if originally primarily aiming to promote economic cooperation and integration, ECOWAS has increasingly taken on the tasks of enhancing political and security cooperation amongst its member states, acknowledging that without peace and security, further socio-economic development of the region is impossible. It is usually seen as the REC that has come furthest in the efforts to establish a regional peace and security architecture. The organisation plays an important role in the area of peace and security within both the western African region and on the African continent as a whole.

1.2 Aim and Method

The report seeks to increase the level of knowledge about ECOWAS as an organisation and actor within the field of peace and security in Africa. More specifically, the aim of the report is to examine the recent level of progress in putting the regional peace and security architecture into operation, as well as to identify remaining challenges ahead for this work. The report considers primarily two particular elements of the ECOWAS peace and security architecture: the current status of the ECOWAS Standby Force (ESF), and the organisation's nonmilitary track-record. Both of these are areas where ECOWAS is usually considered as being at the forefront. However, in-depth knowledge on actual state of affairs has generally been lacking, and this report seeks to provide up-to date information needed to assess how far developments have really come and what progress has been made. Learning about the achievements made by ECOWAS as well as the stumbling-blocks the organisation encounters could be useful for stakeholders involved in advancing the peace and security architecture also in the other African regions. An additional ambition of this report is to map member state dynamics, as these relations are a vital to grasp in order to understand the context in which ECOWAS operates. Lastly, the report also provides a brief discussion on the support from external donors to ECOWAS peace and security structures, as well as some aspects to consider ahead of potential future partnerships with ECOWAS.

The study is partly descriptive as it contains a general overview of the background and organisation of ECOWAS, leading up to its contemporary structures. ECOWAS frameworks for and activities in the area of peace and

⁷ For further reading on the role of the EU and France's involvement in the area of African peace and security, see Elowson (2009) and Sörenson (2008) respectively.

security are outlined, forming a more detailed study of ECOWAS' means and mandates for conflict prevention and management, as well as its track-record in this field. In addition to this type of mapping, the report also provides an analysis of the political context of ECOWAS' peace and security efforts, as well as the venture in realising the military and non-military elements of the peace and security architecture.

The research for this report was conducted using a range of both primary and secondary sources. The secondary sources include scholarly books and articles, while the primary sources are official documents such as treaties and doctrines, amongst others. In addition, interviews with official representatives from ECOWAS, its member states, civil society and the international community have been carried out. The interviews were conducted during a research trip to Abuja, Nigeria, in October 2010.

This report is part of a series of studies on the existing and emerging capabilities and structures for peace and security in Africa, conducted within the FOI Studies in African Security Programme on commission from the Swedish Ministry of Defence.

1.3 Outline of the Report

After the introduction, the report starts in chapter 2 with describing the organisational context of ECOWAS; its background and heritage as well as the structures of the present day organisation.

Chapter 3 focuses specifically on ECOWAS' peace and security efforts. The framework and documents of particular relevance within this field are presented, along with key institutions and structures which deal with the organisation's peace and security work. The chapter then provides an overview of ECOWAS military track-record. It also examines the non-military track-record closer and analyses the progress and the challenges in this respect.

Chapter 4 analyses the role and relations between the member states and the ECOWAS commission, as well as the dynamics between the member states themselves.

Chapter 5 moves towards ECOWAS responsibility in providing a standby force for the African Union. An analysis of the structure, current status and challenges of the ECOWAS Standby Force (ESF) is given. This includes studying the military, police and civilian components of the force.

In chapter 6, some important cooperation and support efforts between ECOWAS and foreign donors on peace and security are recounted, along some difficulties that arise in the carrying out of this partnership.

Chapter 7 consists of a summary of the findings, together with conclusions which have appeared through the study, especially regarding the recent level of progress in putting the regional peace and security architecture into operation, as well as regarding the remaining challenges. Recommendations and suggestions on how to deal with present and upcoming challenges are an integral part of these conclusions.

2 ECOWAS at a Glance

2.1 The Emergence of ECOWAS

ECOWAS was created by the Treaty of Lagos in 1975. Its predecessor, the Customs Union of West African States, was created in 1959 to reallocate custom duties gathered by the West African costal states. The initial focus of the treaty was mainly economic and did not provide for any security related provisions. After the inception of ECOWAS, it became increasingly clear that insecurity was a key obstacle to economic development and the pursuit of addressing poverty. In 1993, the Treaty was revised to accelerate economic integration but also to enhance political cooperation. The principle of supra-nationality in the application of decisions is one major change from the original treaty. Thus, the preamble to the revised Treaty, which entered into force in 1995¹¹, states that "the integration of the Member States into a viable regional Community may demand the partial and gradual pooling of national sovereignties to the Community within the context of a collective political will".

In general terms, the revised treaty spelt out that among other things, ECOWAS shall ensure: 13

- the harmonisation and co-ordination of national policies and the promotion of integration;
- the establishment of a common market¹⁴; and
- the establishment of an economic union, including the creation of a monetary union. 15

⁸ http://www.aict-ctia.org/courts_subreg/ecowas/ecowas_home.html

⁹ Van Nieuwerk (2001)

¹⁰ Banji (2007), p.72

¹¹ http://www.aict-ctia.org/courts_subreg/ecowas/ecowas_home.html

¹² Revised Treaty of ECOWAS (1993), preamble

¹³ Revised Treaty of ECOWAS (1993), article 3

¹⁴ A common market would be promoted through: i) establishment of a free trade area (incl. liberalisation of trade by the abolition, among member states, of customs duties levied on imports and exports, and of non-tariff barriers); ii) the adoption of a common external tariff and trade policy vis-à-vis third countries; iii) the removal, between member states, of obstacles to the free movement of persons, goods, service and capital, and to the right of residence and establishment.

An economic union would be pursued through the adoption of common policies in the economic, financial social and cultural sectors, and the creation of a monetary union. In this regard, it should be noted that eight of ECOWAS' member states have already formed the West African Economic and Monetary Union (UEMOA from its French name Union économique et monétaire oustafricaine), which already has a common currency.

Several fundamental principles are listed to this effect. Of most significance, for the focus of this report, is the principle of maintenance of regional peace, stability and security through the promotion and strengthening of good neighbourliness. Other principles closely linked to peace and security are: ¹⁶

- non-aggression between Member States;
- peaceful settlement of disputes among Member States, active cooperation between neighbouring countries and promotion of a peaceful environment as a prerequisite for economic development;
- recognition promotion and protection of human and peoples' rights in accordance with the provisions of the African Charter on Human and Peoples' Rights.¹⁷

Among the areas in which the Treaty calls for further cooperation are regional security and immigration as well as political, judicial and legal affairs. With regards to regional security "[m]ember [s]tates undertake to work to safeguard and consolidate relations conducive to the maintenance of peace, stability and security within the region" and to "co-operate with the Community in establishing and strengthening appropriate mechanisms for the timely prevention and resolution of *intra*-State and *inter*-State conflicts" [emphasis added]. ¹⁹

2.2 Organization and Structure

This section gives an overview of some key ECOWAS institutions, namely the Authority of Heads of States and Government, the Council of Ministers, the ECOWAS Commission, the Community Parliament and the Community Court of Justice

While ECOWAS is responsible for policy, and facilitates implementation, a key role outside these structures is held by the member states; these are the operational stakeholders, and thus in charge of implementation. The member

Other areas include: food and agriculture; industry, science and technology and energy; environment and natural resources; transport, communications and tourism; trade, customs, taxation, statistics, money and payments; and human resources, information, social and cultural affairs (Revised Treaty of ECOWAS (1993), chapters IV-XI).

¹⁶ The full list of principles also includes: equality and inter-dependence of Member States; solidarity and collective self-reliance; inter-State co-operation, harmonisation of policies and integration of programmes; accountability, economic and social justice and popular participation in development; recognition and observance of the rules and principles of the Community; promotion and consolidation of a democratic system of governance in each Member State as envisaged by the Declaration of Political Principles adopted in Abuja on 6 July, 1991; and equitable and just distribution of the costs and benefits of economic co-operation and integration.

¹⁷ Revised Treaty of ECOWAS (1993), article 4

¹⁹ Revised Treaty of ECOWAS (1993), article 58.1 and 58.2

state perspective is further discussed in chapter 4. Another important stakeholder for the realisation of ECOWAS policies on the ground is civil society. Some remarks on the role of civil society and its relations with ECOWAS are given below. Concerning those ECOWAS structures that deal specifically with peace and security issues, these are introduced in section 3.2.

Authority of Heads of States and Government

The Authority of Heads of States and Government (henceforth referred to as the Authority) is the supreme institution of ECOWAS. As the name suggests, it consists of the member states' Heads of States and/or their Government. The Authority is chaired by the different member states, with Nigeria having been the chair for 2009 and 2010. As from 2011, the chairmanship is to be decided according to a rotational system. The Authority is scheduled to meet at least once a year. It is responsible for the general direction and control of ECOWAS and is, among other things, to decide upon general policies and guidelines; oversee the ECOWAS institutions; delegate, where necessary, responsibility to the Council of Ministers: and to refer matters to the Community Court of Justice. 20 Decisions taken by the Authority are binding on the member states and institutions.²¹

Council of Ministers

The Council of Ministers is comprised of minsters from the member states and is responsible for the functioning and development of ECOWAS. It is to make recommendations to the Authority regarding actions which affect the objectives of ECOWAS. The Council shall also, among other things, issue directives in the field of coordination and harmonisation of economic integration, approve work programmes and budgets of ECOWAS and its institutions and request advisory opinion from the Community Court of Justice.²² The regulations state that the Council issues are binding on the institutions under its authority, as well as on the member states, if the Authority has delegated power to the Council.²³

The ECOWAS Commission

The Treaty also established a Secretariat headed by an Executive Secretary. In 2007, the ECOWAS secretariat was reconstructed into a commission consisting of a president, a vice president and seven commissioners. Each commissioner is responsible for one of the following topics: Administration and Finance; Agriculture, Environment and Water Resources; Human Development and

²⁰ Revised Treaty of ECOWAS (1993), Article 7

²¹ Revised Treaty of ECOWAS (1993), Article 9
²² Revised Treaty of ECOWAS (1993), Article 10

²³ Revised Treaty of ECOWAS (1993), Article 12

Gender; Infrastructure; Macro-Economic Policy; Political Affairs, Peace and Security (PAPS)²⁴; and Trade Customs and Free Movement.²⁵

Under Mohammed Ibn Chambas, the first President of the Commission (since 2007), much work was achieved and the Commission contributed greatly to the advances of ECOWAS peace and security capabilities. Chambas, however, left his position in February 2010 (before his mandate came to an end) and Victor Gbeho took over as Acting President. Several observers see the Commission as being in a "waiting mode", given that the term of the present commissioners, including Gbeho, will expire in December 2010. The commissioners sit for a four year non-renewable period. It remains to be seen what tone the Commission's new leadership will set for the work as from 2011.

Despite the above mentioned accomplishments, the Commission is faced with considerable challenges, which limit its work capacity. Many of these challenges are related to the transfer from being a Secretariat and not being able to keep up the pace with which the Commission tasks and areas of responsibilities grow. Foremost, the Commission suffers from limited human resources; with 800 staff, understaffing is a serious problem. There are currently many vacancies to be filled. A dilemma, however, is that the Commission cannot employ the staff they are in need of, due to a recruitment ban which has lasted a couple of years. The understaffing partly explains the insufficient capacity, which leads to several difficulties, such as under-spending of Commission funds. 26

The Community Parliament

The ECOWAS parliament was established through the ECOWAS Revised Treaty from 1993 but did not hold its first meeting until 2001. Tt consists of representatives from the different member states. There are in total 115 seats which are divided between the member states depending on the size of the states. Hence, Nigeria has 35 seats, Ghana 8, Cote d'Ivoire 7, Burkina Faso, Guinea, Mali, Niger and Senegal 6 and the rest five each. Burkina Faso, Guinea, Mali, Niger and Senegal 6 and the rest five each.

The Community Court of Justice

The court came into existence in 1991, i.e. before the revised treaty, but was not set up until 2001.²⁹ The Court consists of seven Honourable Members. The

 $^{^{24}}$ The PAPS department will be further described in section 3.2 $\,$

²⁵ http://www.comm.ecowas.int/dept/index.php?id=p_p1_commission&lang=en

Interview: ECOWAS donor 2, 25 October 2010. Interview ECOWAS donor 3, 26 October 2010. Interview ECOWAS donor 4, 29 October 2010.

²⁷ Van Nieuwerk (2001)

http://www.parl.ecowas.int/english/indexus.htm

²⁹ Banji (2007), p.69

judges are selected and appointed by the Authority. Judgments of the court are binding on ECOWAS, member states, institutions and corporate bodies.

In the beginning it was only the Authority and the individual member states that could initiate cases in the court. Also, a request for an advisory opinion could only be done by the Authority, the Council of Ministers, the Executive Secretary, the member states or the institutions of ECOWAS.³¹ In an additional protocol from 2005, individuals were also given the right to bring suits against the member states. In addition, the court was provided the right to review violations of Human Rights in the member states. Since then, additional protocols have established that the courts of the member states can turn to the community court for a ruling on interpretation of community laws. In 2006, the Authority decided to establish a judicial council with the duty to recruit judges and deal with judicial matters.

Since the additional protocols were written, the case load on the court has notably increased. However, most cases given to the Court have been filed by Nigerian individuals, complaining about violation of the Human Rights during elections, instead of there being an equal distribution, from all over the ECOWAS region.

Another problem is that the possibility to access the court still is an obstacle and the court has very limited resources.³² It has been claimed that the essential role of the Community Court of Justice is "to ensure the observance of law and justice in the interpretation and application of the Treaty, the Protocols and Conventions".33

Civil society

As for civil society, ECOWAS has shown a willingness to collaborate with this sector.³⁴ Civil society is regarded as a useful stakeholder in engaging the regional level, which helps ECOWAS to comply with the language in the policy documents³⁵. On the one hand, there is an office for civil society issues within the Commisson's work for Human Development and Gender. Parallel to this, the West African Civil Society Forum (WACSOF) plays an important role. WACSOF is a network of civil society organisations, with regional and national secretaries, which was initiated with the support of ECOWAS. The network was first created as an office within ECOWAS, but later became independent.

³⁰ Revised Treaty of ECOWAS (1993), Article 15

http://www.aict-ctia.org/courts_subreg/ecowas/ecowas_home.html

http://www.aict-ctia.org/courts_subreg/ecowas/ecowas_home.html

³³ Banji (2007), p.76

³⁴ Interview ECOWAS official 1, 25 October 2010.

³⁵ See for example the ECOWAS Conflict Prevention Framework

WACSOF nonetheless remains an institutionalised platform used as an interface between civil society and ECOWAS and the member states.

So far, WACSOF has received annual support from the ECOWAS budget, and financial support for other WACSOF activities has also been granted by ECOWAS. WACSOF has also been given space to pronounce itself during Mediation and Security Council³⁶ meetings (even if these occasions have tended to lead to rather confrontational debates between ECOWAS member states and civil society, as the latter stakeholder often expose the former to various forms of critique)

Keeping the balance between being vocal and having close links with ECOWAS is a challenge for WACSOF. The lack of institutional 'protection' makes the extent to which it can be vocal reliant on the integrity of the individuals active in WACSOF.³⁷

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³⁶ The role of the Mediation and Security Council is elaborated upon in section 3.2

³⁷ Interview WACSOF, 26 October 2010. Interview ECOWAS donor 4, 29 October 2010.

3 ECOWAS Peace and Security

This chapter will examine in detail ECOWAS ambitions, capabilities and track-record in the field of peace and security. After having considered some key documents and frameworks in this respect, an overview of important ECOWAS structures for peace and security is given. Following this, the military and non-military track-record of ECOWAS in the area of peace and security is discussed.

3.1 Key Documents and Frameworks

Policy documents and frameworks that govern the work of ECOWAS as concerns peace and security exist both at the AU level and within the regional organisation itself. Documents of key importance are listed and briefly described in the following sections.

3.1.1 African Union Documents

The AU Constitutive Act (2000) calls for a "common defence and security policy for the African continent", and defines the specific roles of the AU and the Regional Economic Communities (RECs) within the APSA. The Peace and Security Protocol of the AU (2002), also provides for the relationship between the AU and the RECs, stating whilst the AU carries the primary responsibility for promoting peace, security and stability in Africa, the RECs are part of the overall strategy of the African Union. In 2008, the AU and the REC adopted a Memorandum of Understanding on the relationship between the AU and the RECs in relation to peace and security. These documents specify each organisation's powers, functions and responsibilities towards the APSA. Among other things, ECOWAS and the other RECs are tasked to build up capabilities such as regional standby-forces, including civilian and police elements, and to have a functioning regional early warning system in place.³⁸

3.1.2 ECOWAS Documents

ECOWAS efforts to prevent and manage conflicts in the sub-region started with the Protocol on Non-Aggression (1978) and the Protocol on Mutual Defence Assistance (1981) (entered into force in 1986). While the former provided essentially for peaceful resolutions of disputes between member states, the latter detailed situations that would call for joint sub-regional action on external aggression, as well as intervention in inter-state and intra-state conflicts. With time, the two protocols were found to be limited in scope; they were also criticised for being mere aspirations. In fact, the protocols were never

³⁸ African Union (2002), Article 15.5. Derblom and Hull (2009), p.64-66

implemented for various reasons, the most plausible being lack of political will of the member states.³⁹

As concerns peace and security, the key frameworks used today largely came about as a consequence of the outbreak of violent conflict in the sub-region and the experiences from the ECOWAS response to the crisis, in particular the military interventions of the ECOWAS Ceasefire Monitoring Group (ECOMOG). These events made a review of ECOWAS statutes necessary, to reflect and to provide a basis for acting on peace building concerns.⁴⁰

The greater emphasis on peace and security was first noted in the **Revised ECOWAS Treaty (1993)**. Weight is given to this issue in the treaty (alongside other key policy areas, such as economic integration), as article 58 clearly underlines the responsibility of ECOWAS and its member states to work together to ensure regional peace and security. The need for cooperation and action on cross-border security, immigration, mediation and the peaceful settlement of disputes, a sub-regional peacekeeping force, an early warning system and good governance is stressed. The Revised Treaty can be viewed as a step towards establishing a supra national authority and to move away from ad-hoc heads of states decisions.⁴¹

The realisation of the need to deal with the root causes behind conflict gave rise to three other documents. The treaty provisions are taken to a further, elaborated, level by the 1999 Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security (henceforth 'the Protocol Relating to the Mechanism'), which is the central legal, institutional and political statute. This is an ambitious and comprehensive strategic framework which details different areas for collaboration, outlines the roles of institutions and organs concerned with peace and security 'a', as well as gives security directives on how the mechanism is to be applied in different situations. As concerns security, the Protocol Relating to the Mechanism contains provisions to constitute and deploy a civilian and military force '44, including for peace enforcement operations.

A supplementary **Protocol on Democracy and Good Governance (2001)** to the Protocol Relating to the Mechanism was drawn up to further deal with the root causes of conflict (the Protocol Relating to the Mechanism can be seen as addressing more immediate causes). The ambition was to emphasise the

45 Abass (2000), p.213

³⁹ Agbo (2006), p.69-70

⁴⁰ Ismail (2008), p.24

⁴¹ Interview ECOWAS official 1, 25 October 2010. ECOWAS official 2, 28 October 2010. Ismail (2008) p. 25.

¹² The Protocol Relating to the Mechanism sets out the structures that are also valid under the ECPF.

⁴³ Aning (2004), p.535. Interview ECOWAS official 1, 25 October 2010.

⁴⁴ Ismail (2008), p.25

preventive aspect of conflict, along conflict management and peace building. This protocol deals with constitutional issues (separation of powers and zero tolerance for unconstitutional changes of government), popular participation and decentralisation of power, as well as the democratic control of armed forces. 46

Beyond these measures, the Supplementary Protocol on Democracy and Good Governance also allows for the imposition of sanctions "in the event that democracy is abruptly brought to an end by any means or where there is massive violation of Human Rights in a Member State". ⁴⁷ In such events the following sanctions may be applied:

- Refusal to support the candidates presented by the member state concerned for elective posts in international organizations;
- Refusal to organize ECOWAS meetings in the member state concerned;
- Suspension of the member state concerned from all ECOWAS decisionmaking bodies. During the period of suspension the member state shall be obliged to pay its dues for the period

The Protocol Relating to the Mechanism and the Protocol on Democracy and Good Governance form the basis and justification for the **ECOWAS Conflict Prevention Framework (ECPF) (2008)**. The two protocols are intermediary strategic frameworks, which do not go into detail on how these issues could be operationalised. In order to be more concrete on implementation, the ECPF was elaborated. The ECPF is an effort to move towards concrete action for the local community level; with the overall aim to strengthen the human security architecture in West Africa. The introduction of the ECPF emphasises that the ECOWAS vision is to transform the region from an 'ECOWAS of States' to an 'ECOWAS of the Peoples', and that civil society is to play an increasingly critical role in the promotion and maintenance of peace and security. The framework is designed to pay more attention to positive peace, through a more comprehensive peace building strategy, in post-conflict and non-conflict settings. The focus lies on conflict prevention (rather than on conflict transformation).

To this effect, the ECPF sets the following objectives:

 Mainstream conflict prevention into ECOWAS' policies and programs as an operational mechanism.

⁴⁶ Interview ECOWAS official 1, 25 October 2010. Interview ECOWAS official 2, 25 October 2010. ECOWAS (2001). Protocol on Democracy and Good Governance.

⁴⁷ ECOWAS (2001), Protocol on Democracy and Good Governance.

⁴⁸ Interview ECOWAS official 1, 25 October 2010. ECOWAS (2008), ECOWAS Conflict Prevention Framework, paragraph 27.

⁴⁹ ECOWAS (2008), ECOWAS Conflict Prevention Framework. Ismail (2008), p.31.

- Increase understanding of the conceptual basis of conflict prevention, and in so doing, interrelate conflict prevention activities with development and humanitarian crisis prevention and preparedness.
- Build awareness and anticipation, and strengthen capacity within Member States and civil society to enhance their role as principal constituencies and actors in conflict prevention and peace-building.
- Increase understanding of opportunities, tools and resources related to conflict prevention and peace-building at technical and political levels within Member States, the ECOWAS system and beyond.
- Increase awareness and preparedness for cooperative ventures between ECOWAS, Member States, civil society and external constituencies (RECs, AU, EU, UN, International Financial Institutions (IFIs) and development/humanitarian agencies) in pursuit of conflict prevention and peace-building.
- Strengthen capacity within ECOWAS to pursue concrete and integrated
 conflict prevention and peace-building facilitation, and concomitant
 activities such as development and humanitarian crisis prevention and
 preparedness, in Member States using existing resources, such as the
 Departments of the Commission; the Early Warning System; supporting
 organs of the Mechanism, including the Council of the Wise and Special
 Mediators; and other ECOWAS institutions.
- Enhance ECOWAS' anticipation and planning capabilities in relation to regional tensions.
- Extend opportunities for conflict prevention to post-conflict environments through targeted restructuring of political governance, conflict-sensitive reconstruction and development, as well as humanitarian crisis prevention and preparedness, and related peacebuilding initiatives.
- Generate a more pro-active and operational conflict prevention posture from Member States and the ECOWAS system.⁵⁰

The ECPF is comprised of 14 components: Early Warning; Preventive Diplomacy; Democracy and Political Governance; Human Rights and Rule of Law; Media; Natural Resource Governance; Cross-Boarder Initiatives; Security Governance; Practical Disarmament; Women, Peace and Security; Youth Empowerment; ECOWAS Standby Force; Humanitarian Assistance; and Peace Education.⁵¹ In addition these 14 components, there is an enabling mechanism,

⁵¹ ECOWAS (2008), The ECOWAS Conflict Prevention Framework, paragraph 42.

⁵⁰ ECOWAS (2008), The ECOWAS Conflict Prevention Framework, paragraph 28.

which further details how to proceed with implementation within the above areas.⁵² A detailed plan of action is underway being developed for the 14 different areas in order to facilitate implementation.⁵³ The ECPF should however be seen as an overall frame summarising relevant actions that are being undertaken by various departments and institutions within ECOWAS.

3.1.3 Comparison between the APSA and ECOWAS Peace and Security Architecture

It is important to note that at the time of the establishment of the AU, many of the RECs had already been in existence for a long period of time, and made varying degree of progress in the field of peace and security. ECOWAS, which had been in existence since 1975, had already progressed further in the field of peace and security than the AU. As recounted above, ECOWAS had through the Protocol Relating to the Mechanism taken decisions before the birth of the AU, to establish the essential components at the regional level which have come to characterise the APSA at the continental level. Thus, it partly became a model on which much of the APSA was structured. In table 1 below, the corresponding components of the ECOWAS peace and security architecture are highlighted alongside their equivalents at the continental level under the AU:

Table 1: Comparison between APSA and ECOWAS Peace and Security Architecture.

	ECOWAS	African Union
Decision-making body on peace and security	Mediation and Security Council	Peace and Security Council
Council of prominent personalities for mediation	Council of Elders	Panel of the Wise
Commissioner/Directorate	Commissioner for Political Affairs, Peace and Security (PAPS)/ Directorate for PAPS ⁵⁴	Commissioner for Peace and Security/ Directorate for Peace and Security
Technical Committee	Defence and Security Commission	Military Staff Committee
Peace support/ Standby Force	ECOMOG → ESF	African Standby Force

⁵² Interview ECOWAS official 1, 25 October 2010.

⁵³ Interview ECOWAS donor 4, 29 October 2010.

⁵⁴ Originally the Deputy Executive Secretary was in charge of Political Affairs, Defence and Security, but with the establishment of the Commission this responsibility was transferred to the Commissioner for PAPS.

Early Warning	ECOWAS Early Warning System (incl. Directorate, Observation and Monitoring Centre, Observation and Monitoring Zones (ECOWARN), (REWS)	Continental Early Warning System
Funding Mechanism	Peace Fund	The AU Peace Fund
Parliamentary oversight	ECOWAS Community Parliament (Committee for Defence, Security and Integration)	The Pan-African Parliament (The Committee on Cooperation, International Relations and Conflict Resolution)

Source: ECOWAS Protocol Relating to the Mechanism (1999).

3.2 Peace and Security Structures

As mentioned above, the Protocol Relating to the Mechanism establishes a number of institutions to facilitate ECOWAS' work of peace and security. These include the Mediation and Security Council (MSC), under which fall the three Organs: the Council of Elders, the ECOWAS Standby Forces (ESF) and the Defence and Security Commission (DSC). In the ECOWAS Commission, the Office of the Commissioner for Political Affairs, Peace and Security (PAPS) is responsible for issues related to peace and security. The Commission's Office for Humanitarian Affairs, the ECOWAS parliament, the Inter-Governmental Action Group against Money Laundering and Terrorism Financing in West Africa (GIABA) and WACSOF are other structures with close relations to issues of peace and security; these are therefore discussed below.

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⁵⁵ http://www.comm.ecowas.int/dept/index.php?id=p_p1_commission&lang=en

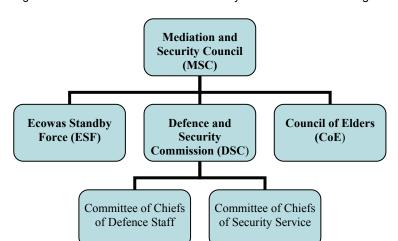


Figure 1: ECOWAS Mediation and Security Council with related organs.

Mediation and Security Council (MSC): This is the most powerful institutional body under the mechanism. Although the Authority is the highest decision making body within ECOWAS, it has mandated the MSC to take, on its behalf, appropriate decisions for the implementation of the provision of the mechanism. These decisions could be a peacekeeping mission by the ESF, or a mediation intervention by the Council of Elders or by a member state leader/politician. The ambition is to obtain consensus for the decisions, but the formal rule states that two thirds majority is needed for a decision to be taken. Depending on the issue at stake, the MSC is made up of heads of states, ministers, and/or ambassadors. The Heads of States meet twice a year, the ministers once every third month, and the ambassadors once a month. In addition, extraordinary meetings can be called at all these three levels, if demanded by an arising situation. As mentioned previously, three organs are established under the MSC. These organs are not permanent structures with offices in Abuja, but should rather be regarded as functions which can be called on when the need arises. A brief description of the organs is given below:

• Council of Elders⁶⁰ – This council consists of eminent persons from various segments of society, who, on behalf of ECOWAS, can use their good offices to play the role of mediators, facilitators and conciliators.⁶¹

⁵⁶ Abass (2000), p. 215.

⁵⁷ Interview ECOWAS official 3, 27 October 2010. Aning (2004), p.535-536.

⁵⁸ Interview ECOWAS official 1, 25 October 2010.

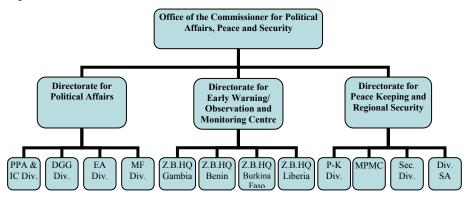
⁵⁹ ECOWAS (1999), Protocol Relating to the Mechanism

⁶⁰ Further discussed under 3.3.2.3

⁶¹ Ismail (2008), p.25

- ECOWAS Standby Forces (ESF)⁶² The ESF, intended for peace support operations, is made up of military, police and civilian components, to be drawn from its member states. The Force Headquarters is currently based in Abuja, and run by 12 staff officers and the Chief of Staff.
- Defence and Security Commission (DSC) This is a technical advisory body, which examines the way forward for the ESF, including administrative issues and logistical requirements for peacekeeping. The DSC consists of the Committee of Chiefs of Defence Staff (advising on military issues) and the Committee of Chiefs of Security Service (advising on civilian police and gendarmes issues. 63

Figure 2: Office of the Commissioner for PAPS and its Directorates.



As noted, in the **ECOWAS Commission**, the Office of the Commissioner for **Political Affairs**, **Peace and Security (PAPS)** is in charge of issues related to peace and security. ⁶⁴ PAPS is divided into three directorates, which can be outlined as follows:

• Directorate for Political Affairs — its task is to ensure the implementation of the two protocols, the ECPF and other relevant frameworks. Its Political Affairs and Internal Cooperation Division service the MSC as well as high-level political meetings with external parties, such as the UN, the AU and the EU. The Democracy and Good Governance Division organises capacity-building for various institutions, such as political parties, legislative bodies, the judiciary and the media. The Electoral Assistance Division is in charge of monitoring of elections and of capacity-building for electoral management bodies.

63 Interview ECOWAS official 3, 27 October 2010.

⁶² Further discussed in chapter 5

⁶⁴ http://www.comm.ecowas.int/dept/index.php?id=p_p1_commission&lang=en

Finally, the task of the Mediation and Facilitation Division is to provide support for ECOWAS mediation efforts and organs.⁶⁵

- Directorate for Early Warning/Observation & Monitoring Centre is responsible for observing and monitoring peace and security in the subregion, political, social, economic and humanitarian issues included. The activities consist of collecting, analysing and submitting reports and recommendations to the PAPS Commissioner. S/he could either chose to handle the issue her-/himself, or to refer it to the MSC for further decision if substantive action is to be taken. Five analysts are based at the Abuja Observation & Monitoring Centre, and provide weekly reports as well as incident based reports. The analysts base their assessments on open sources together with reporting of incidents done in the member states, by one state representative 66 and by one civil society 7 representative (separately). This reporting is sent to four zonal bureaus (headquarters), which are set up in Gambia, Benin, Burkina Faso and Liberia. Here, the information is processed, and then further channelled to the Observation & Monitoring Centre. 68
- Directorate for Peace Keeping and Regional Security Within this directorate, the strategic planning for peacekeeping is carried out by the Peace-Keeping Division together with the Mission Planning Management Cell (MPMC), which was first set up in 2004. This strategic level HQ has 10 officers. Under this directorate is also the Security Division, which among other things handles the police/gendarme aspects of peacekeeping. So far, only two police officers are engaged at the Security Division. No personnel in charge of civilian aspects of peacekeeping has yet been recruited within PAPS, and there is no division in place to handle civilian issues. Finally, there is the Division of Small Arms, which deals with implementation of the ECOWAS Convention on Small Arms and Light Weapon, their Ammunition and Other Related Materials (2006).

In addition to the PAPS, the **Commission's structure for Humanitarian Affairs** is also of some pertinence. Certain observers argue that within the PAPS, purely military aspects have come to dominate, and that there has been little

⁶⁵ ECOWAS webpage: www.comm.ecowas.int/dept/stand.php?id=h_h1_brief&lang=en

⁶⁶ The reporting is not checked by the member state, but goes directly from the state representative to ECOWAS Observation & Monitoring Centre (Interview ECOWAS official 2, 28 October 2010)

⁶⁷ Civil society reporting is done by WANEP, a peace-building NGO which is present throughout the region. More information on WANEP is provided further down in this section.

⁶⁸ Interview ECOWAS official 2, 28 October 2010. Interview ECOWAS member state 1, 25 October 2010. http://www.comm.ecowas.int/dept/index.php?id=p_p1_commission&lang=en. ECOWAS (2008), ECOWAS Conflict Prevention Framework. ECOWAS (1999), Protocol Relating to the Mechanism

success in advancing other elements of peace support missions, such as a planned humanitarian depot with critical stockpiles for humanitarian emergencies. The idea that these issues should be handled by the Humanitarian Affairs has been put forward.⁶⁹

Within the ECOWAS Community Parliament, the Defense, Security and Integration Committee is of relevance. The Parliament has responsibilities in ECOWAS conflict prevention, primarily concerning financing and oversight. The Chair of this Committee has identified the conflicts in the sub-region as the main priority areas for his committee and has initiated moves to bring to an end some of the crises through dialogue. However, for the time being, the Parliament's role is mainly advisory. It has no legislative powers, and no influence on procurement, policymaking and implementation. Generally, it has limited its interests to human rights and fundamental freedoms. There are also some problems associated with the Defence, Security, and Integration Committee Chair's perception of the Parliament's role and power in relation to the heads of state and specifically to members of the MSC. This means that the Committee risks functioning as little more than an executive rubber-stamp.

In addition to outlining the peace and security structures, a brief remark of the financing of the activities under the Protocol Relating to the Mechanism could be made. The **Peace Fund** serves to finance these activities and to support the structure and work of the PAPS. An ECOWAS community levy – a community tax on 0,5 percent on goods from third countries – generates resources for financing regional integration. A percentage of the levy is earmarked for the peace and security activities. The levy is administered by the ECOWAS parliament. The Peace Fund is however not intended to cover the financing of peacekeeping missions.⁷¹

Peace and security related work also takes place outside the formal ECOWAS peace and security architecture. An example of this is **the Inter-Governmental Action Group against Money Laundering and Terrorism Financing in West Africa (GIABA)**. GIABA is a specialised agency of ECOWAS, which was established in 2000 and is responsible for the prevention and control of money laundering and terrorist financing in the region. Its mandate includes the development of strategies to protect the economies of Member States from abuse and the laundering of the proceeds of crime; improvement of measures and intensifying efforts to combat the laundering of proceeds of crime in West Africa; strengthening co-operation amongst its members.⁷²

⁷¹ Interview ECOWAS official 3, 28 October 2010. ECOWAS (1999), Protocol Relating to the Mechanism. Aning (2004), p.540

⁶⁹ Interview ECOWAS member state 1, 25 October 2010.

⁷⁰ Aning (2004), p. 539-541

⁷² http://www.giaba.org/index.php?type=a&id=314

Outside the official ECOWAS structure, but still connected to the peace and security work is the West African Civil Society Forum (WACSOF) as explained earlier. This civil society network consists of thematic groups, one of which is the peace and security cluster, headed by the West African Network for Peacebuilding (WANEP). The focus of WANEP is on the ECPF, in particular to popularise the key documents and letting the populations know their rights. Mediation, election and the civilian components of the ESF are areas where WACSOF/WANEP has been particularly active.⁷³

3.3 Track Record in the Area of Peace and Security

3.3.1 Military Track Record: ECOMOG Interventions

The ECOWAS Cease-fire Monitoring Group (ECOMOG) was an effort to undertake peace keeping through the regional framework of ECOWAS. Interventions were carried out in four countries in the 1990s and in the early 2000s: ECOMOG was present in Liberia from 1990 to1998 and then again as ECOMIL in 2003, in Sierra Leone as ECOMOG II in 1997-2000, in Guinea-Bissau 1998-1999, and in Côte d'Ivoire 2003-2004 as ECOMICI.⁷⁴

The wars in Liberia and Sierra Leone, thus, catapulted ECOWAS onto the international scene. This development broadened the scope of ECOWAS functions and changed the non-intervention norm in fostering a collective regional security regime in the region. The creation of ECOMOG, however, did not follow a framework detailing the conditions for military intervention. Rather, ECOMOG was set up as a 'coalition of the willing'. Resources were put together in response to the outbreak of violence and a realisation among certain ECOWAS states – as well as individuals – that it was in their interest to intervene in the conflict. These interventions were initiated without the full institutional approval of the ECOWAS authority.

In Liberia and Sierra Leone, ECOMOG was largely perceived as an Anglophone member state intervention, with Nigeria at the forefront. Nigeria provided at least 80 percent of ECOMOG troops and 90 percent of its funding. In Guinea-Bissau and Côte d'Ivoire, Nigeria was no longer keen on taking a leading role, but

⁷⁴ Section 3.3.1 is largely built on Obi (2009) and Aning (2004)

⁷³ Interview WACSOF, 26 October 2010.

⁷⁵ ECOMOG was later formally established as one of the organs under the MSC, in article 17 of the Protocol Relating to the Mechanism...

⁷⁶ Interview ECOWAS official 3, 28 October 2010.

⁷⁷ For further readings on the reasons behind ECOMOG interventions and the set-up of the peace keeping force, see for example Obi (2009)

ECOWAS member states with the clearest concern in these conflicts were largely the Francophone countries. In the case of Guinea-Bissau, Senegal and Guinea initially sent troops as a bilateral undertaking. These troops were later replaced by ECOMOG peacekeepers. In Guinea-Bissau and in Côte d'Ivoire, the troop contributors were almost exclusively Francophone countries.

Important to note is that ECOWAS proved to need international support for its peace keeping interventions, in particular with the disengagement of Nigeria. The UN, France, the UK and the US provided support and reinforced the ECOMOG interventions.

The outcomes of the ECOMOG interventions are contested. Among other things, the force contributed to bringing about a situation which provided for a number of peace agreements to be signed; in Sierra Leone it also managed in restoring the elected president into power. Nevertheless, these achievements were no clear-cut successes, and in some instances ECOMOG withdrew without having brought about any real assistance at all. Furthermore, its overall performance is very much controversial. In the case of Liberia and Sierra Leone in particular, ECOMOG was not limited to ceasefire monitoring, but once on the ground it became a peace enforcement force. Studies of the peacekeeping interventions claim that ECOMOG's presence heightened tensions and complicated conflict resolution, and that its activities contributed to the conflict.

In addition, partly as a consequence of its ad-hoc nature, the ECOMOG interventions faced a number of challenges. These problems were related to command and control, logistical shortcomings within the forces, poor coordination and harmonisation between the contributing countries, poor coordination between ECOMOG field commanders and ECOWAS, weak political will, and lack of agreement about the nature and role of ECOMOG among West Africa's leaders. There were also a paucity of resources, capacity and institutional weaknesses within ECOWAS, as well as allegations against some ECOMOG peacekeepers of corruption, high-handedness and human rights abuses.

As noted above, ECOWAS has quite substantial experience of peacekeeping. However, these interventions were strictly military, with no scope for civilian and police elements. The ECOWAS experience of ECOMOG military intervention provoked revisions and elaborations of key framework documents (see previous section), which were to guide future activity that the organisation would take in the case of conflict. As has been discussed in the previous sections, procedures and readiness to respond with military action are detailed in these documents. The ECOWAS Standby Force (ESF), which is set up to fit the APSA, and which replaces the ECOMOG arrangement, is meant to draw on the

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⁷⁸ Van Nieuwerk (2001)

⁷⁹ Interview ECOWAS official 1, 25 October 2010.

ECOMOG experiences and to develop the force following the lessons learned. Significantly, civilian and police elements are part of the new ECOWAS Standby Force. It should also be noted that the ESF constitutes one of the 14 components of the ECPF. In addition to developing the ESF, the emphasis in the framework documents is put on addressing the root cause of these conflicts, by further elaborating ECOWAS non-military tools. Next, ECOWAS non-military track record will be looked into.

3.3.2 Non-military: Diplomatic and Conflict Prevention/Management Initiatives

3.3.2.1 Readiness to Act

ECOWAS is becoming ever more accustomed to applying the Protocol Relating to the Mechanism. As a general assessment, ECOWAS has the will and the capacity to act politically, and there is awareness and readiness among the member states that they, in the capacity of a (ECOWAS) community, have got to come together and act. This is not to say that politics and relations between the member states do not play a crucial role in the outcome; of great significance is also what country currently holds the chairmanship. Furthermore, actions have often been taken by ambitious individuals associated with the ECOWAS rather than being the output of the ECOWAS commission as an institution. Nevertheless, it is increasingly expected and recognised, not only among the member states, that ECOWAS is the first stakeholder to react whenever a crisis emerges in the region.

ECOWAS has used mediation efforts and Special Envoys on a number of occasions. There has also been a certain success ahead of elections, in maintaining dialogue with political opponents and in keeping oppositions operating. Apart from this, the readiness to take measures in cases of unconstitutional changes of government in the region has been clearly manifested. There have also been attempts by ECOWAS to look at alternatives to the current political developments and to send messages at the right time. ⁸¹

Often, the ECOWAS response is a matter of capacity and means. ECOWAS has shown the willingness to approach the international community, to ask for assistance as well as diplomatic support. Dialogue and political activities are often undertaken together with the AU and other stakeholders of the international community. ECOWAS also works well together with the international

⁸⁰ Interview ECOWAS donor 2, 25 October 2010.

⁸¹ Interview ECOWAS donor 2, 25 October 2010. Interview ECOWAS donor 4, 29 October 2010. Interview IPCR, 29 October 2010.

⁸² Interview ECOWAS donor 5, 27 October 2010.

community in International Contact Groups, for example in Guinea following the developments starting with the military coup in 2008.⁸³

As explained earlier, the ECPF was established in 2008 to address the weak track record in peace building and to operationalise the Protocol Relating to the Mechanism. Concerning ECPF activities, certain programs are already ongoing. These are initiatives that were started before the ECPF was designed, and that fits into this framework. Presently, there is no complete action plan covering all the 14 components. An elaborated logical framework for all the ECPF components is however underway of being established. Implementation of the ECPF is planned to have fully taken off in 2011. Certain donors are already supporting conflict prevention activities, taking as their point of departure the draft ECPF action plan. As concerns the funding, it will be covered by foreign donors, but the ECPF activities will also be financed by the ECOWAS internal budget.

The issue of preventing conflict has gained more focus within ECOWAS. There is a discourse of the need to awaken people's awareness to respond, to act on root causes and to deal with injustices. Some stakeholders argue that generally, there is less of an acceptance for coups among younger West Africans now, a result of the new awareness. It is claimed that there is an overall positive movement, with a trend forward for "the ballot boxes", even if this movement is uneven and depending on the country and the specific process at hand. Fero if this discourse largely is theory and policies, some practical work in this direction is being undertaken. For instance, WACSOF makes training manuals for the civil society level on different ECPF issues, such as electoral observation. The network also organises conflict prevention workshops in conflict prone countries, as well as trains the Independent Electoral Commissions of all member states.

3.3.2.2 Early Warning - Leading to Early Response?

One important lesson drawn from the experience of ECOMOG was that ECOWAS did not have sufficient capacity to predict outbreaks of conflict. Instead the organisation was taken by surprise and had to act swiftly without sufficient capacity to collect information to guide the initial stages of operations. As described earlier, the Revised Treaty provided for an Early Warning system to be put in place, in order to rectify this weakness within ECOWAS. In this regard, ECOWAS has succeeded in setting up an elaborate

85 Interview ECOWAS official 1, 25 October 2010.

⁸³ Interview ECOWAS donor 2, 25 October 2010. Interview ECOWAS member state 1, 25 October 2010.

⁸⁴ Ismail (2008)

⁸⁶ Interview ECOWAS member state 1, 25 October 2010. Interview WACSOF, 26 October 2010.

⁸⁷ Interview ECOWAS official 1, 25 October 2010.

⁸⁸ van den Boom (2010).

structure and system aiming at detecting conflicts at an early stage throughout the region. However, a number of inadequacies can be found with the Early Warning system.

The Early Warning system sets out that reporting is to be done following 94 specific indicators. The large amount and high level of detail of the indicators makes it complicated to have them properly understood by civil society and others who are supposed to contribute to the data collection. Hence, the system appears over-sophisticated and too cumbersome. Interviewees state that the indicators need to be reduced and simplified.⁸⁹

Normally, a lot of incidents are reported, but a key problem is that the reporting seldom leads to an early or a suitable response. For all member states to get the same understanding of 'what and when' early warning implies is difficult, and there is a challenge in having the heads of states agree when to act. When action has been taken, it has consisted of high-level political responses. Top level responses have not proven adequate as there is a deficit of local awareness among the representatives from the high-level bureaucracy. People-driven action is lacking, indicating a gap in the Peace and Security Architecture. The idea that a separate early warning system is needed for civil society, on which civil society itself would act, has been put forward. Irrespective of the feasibility of decentralising such responses to the community level, the lack of linkage is evident. The person who reports the incident at the local level does not know how the information is to be analysed, while the person who analyses is not sufficiently aware of the conflict context, and the response of the President of the Commission – usually sending a former head of state to the conflict area – is often disconnected from the reality on the ground.90

Efforts to include people who better understand the whole dynamics have been initiated, through the opening of an ECOWAS website where civil society representatives can report on indications of conflict. Increasing the participation of local level stakeholders, who could provide more global, full analyses, would serve the Early Warning system. Expanding the current set up of four zonal headquarters, to have a local Early Warning system in every member state could also be a way to increase its effectiveness and to reduce the risk of arbitrary, uninformed and biased reporting. 91

3.3.2.3 Mediation

ECOWAS has often undertaken shuttle diplomacy when the organisation has perceived a need to do so. Such mediation has not always taken place in the political limelight. As a matter of fact, there is not much information in the

91 Interview ECOWAS official 2, 28 October 2010. Interview WACSOF, 26 October 2010.

⁸⁹ Interview ECOWAS official 2, 28 October 2010. Interview WACSOF, 26 October 2010.

⁹⁰ Ibid.

public domain about these initiatives. At the same time there is an absence of institutional memory, so many of the various interventions are not widely known (IPCR). Nevertheless, some well-known diplomatic interventions are recounted below, in order to illustrate some of ECOWAS track-record related to mediation.

Liberia in the 1990s: Political diplomacy efforts were undertaken by the ECOWAS appointed mediator Abdulsalami Abubakar (Nigerian General). The mediator managed to calm down tensions between presidential candidates. He was also instrumental for securing a transitional agreement before the elections.

Côte d'Ivoire in 2002-2004 and in 2007: Mediation efforts were undertaken by ECOWAS in 2002. Shuttle diplomacy was led by the ECOWAS chair country, Ghana, and a cease-fire was obtained. Peace agreements following up on the Lina-Marcoussis agreement were mediated in 2003 and 2004. In 2007, the ECOWAS chairman Blaise Compaoré (the Burkinabé President) facilitated the latest peace agreement, and has since continued to assist the peace process.

Guinea in 2008 – ongoing: Following the military coup, ECOWAS suspended Guinea from its meetings and later imposed sanctions on the country. Compaoré was appointed ECOWAS mediator. He managed to defuse the situation following the difficult development arising around the assassination attempt of coup leader Dadis Camara, and to bring about an agreement between national stakeholders. Compaoré has continued to facilitate the transition process.

Togo in 2009-2010: ECOWAS sent Compaoré as a Special Envoy already in 2006. Together with a full-time facilitator, his task was to increase the tolerance between the opposition and the government ahead of elections. These efforts contributed to securing that elections (of President Fauré Gnassingbé) were properly carried out.

Niger in 2009 - 2010: Sanctions were rapidly enforced by ECOWAS in response to President Tandja's effort of unconstitutional maintenance of power. The country was also suspended from ECOWAS meetings. ECOWAS sent mediator Abdulsalami Abubakar, as well as other high-level representatives, who made efforts to restore the dialogue between the national stakeholders. These efforts were increased following the military coup in 2010. 92

As a general assessment, the institutional capacity for mediation within ECOWAS is very limited, and the interventions that are undertaken can often be viewed in terms of political power play, where there is no guarantee for the mediator's impartiality. Regional political leaders who present themselves as mediators do not always have the full confidence amongst all other member states, but are seen as acting in the pursuit of a certain interest. At the same time,

⁹² Interview IPCR, 29 October 2010.

the use of these 'willing candidates' has had some success. ⁹³ This could be due to the fact that a regional mandate for mediators often increases their legitimacy.

Typically, the decision to appoint a mediator is preceded by a political agreement between some member states. Following this, formal endorsement is secured by all member states via the Authority or the MSC. Still, this way of appointing Heads of States to conduct mediation cannot be fully institutionalised within ECOWAS; the member states first of all act according to self-interest and secondly after ECOWAS' interest. This means they will only comply to a regional framework if it suits them.⁹⁴

ECOWAS mechanisms for mediation and preventive diplomacy are envisaged at different levels. This includes the ECPF provisions to send heads of states/ministers/ambassadors or other prominent persons to intervene as Special Envoys, the establishment of a mediation support unit within the Commission, as well as the Council of Elders. The ideas about a mediation support unit for those interventions that take place have presently not materialised – possibly because of reluctance by the member states to involve the Commission in their undertakings. Commitment to continue with the establishment of the mediation support unit was however formally reaffirmed by member states during 2010. The state of the mediation support unit was however formally reaffirmed by member states during 2010.

As for the Council of Elders, several deficiencies can be noted and this body is presently not used effectively. The Council rather exists as a political structure than a substantive one. One of the reasons for this is that its mandate is not yet clear and its operational manual under construction. A perhaps even more serious challenge is that these Elders generally do not enjoy sufficient status in the region, as they have not been individuals of high profiles in West Africa. It has also been pointed out that these elders are often not seen as neutral, but as promoting the view of their own Head of State. ⁹⁷ A reason for this is that they are not selected based on their mediation track-record, but rather nominated by each member state according to their own standards. The fact that the elders' merits and qualifications are not ensured, implies that the quality of their efforts cannot be guaranteed. Apart from the possible lack of required skills, the Council of Elders has also proved to be relatively inflexible and slow to deploy. Efforts have been made to train and equip the elders in mediation skills. Whether this has provided desired results is uncertain. The option of deploying the Council of Elders to smaller local conflicts has been furthered, though this proposal does not appear viable as it would give rise to sovereignty issues.

⁹³ Interview ECOWAS donor 2, 25 October 2010.

⁹⁴ Interview ECOWAS member state 1, 25 October 2010. Interview ECOWAS donor 4, 29 October 2010. Interview ECOWAS donor 2, 25 October 2010.

⁹⁵ ECOWAS (2008), ECOWAS Conflict Prevention Framework, p.25. ECOWAS (1999), Protocol Relating to the Mechanism, article 20.

⁹⁶ Interview ECOWAS donor 2, 25 October 2010.

⁹⁷ Interview ECOWAS official 1, 25 October 2010.

As a result of the inadequacy of the Council of Elders, various ad-hoc mediation teams, consisting of higher profile or more experienced mediators, have been sent to areas of crisis (in Niger such teams were deployed along the elders). In addition to this, former Heads of States have often come to play an important role in mediation. Ideas to further formalise the interventions of these exleaders have recently been put forward. During a policy-oriented ECOWAS conference on peace processes in West Africa (held in Monrovia in March 2010), a Council of former Heads of States was proposed. Some argue that a Council of former Heads of States is complementary to the Council of Elders, but it is clear that the former has of late come to be more preferred over the latter. Some officials from the ECOWAS Commission express the sentiment that the Council of Elders might have to be phased out, or merged with the proposed Council of Heads of States.

3.3.2.4 Electoral Observation

The undertaking of sending civilian electoral observation teams has proved acceptable among the member states. Invitation to observe elections, amongst the ECOWAS countries, has not been a difficulty. 100 ECOWAS has managed to send electoral observers regularly, which has been symbolically important. In spite of this commitment, there are weaknesses to be addressed and standards need to be improved. Observers are not made up of clearly identified, well-prepared teams, but sent out on a more ad-hoc basis, and they are not sufficiently trained. Resources are severely strained in situations where elections in different countries are arranged close to one another in time. More means are needed to recruit observers, but also to improve the authority and capacity as well as structure and consistency of the personnel and the premises under which they are sent out. Despite these challenges, the observers produce comprehensive reports, however the information gathered is seldom acted upon. In other words, conclusions are not drawn by the findings, and not used as a tool to bring about needed changes. It would be necessary to take the work one step further, by moving towards making suggestions on how to improve electoral systems, how to lend electoral material between the ECOWAS countries etc. Training is ongoing, for example by WACSOF (training for civil society observers) and by the Nigerian National Defence College (training for people at high level positions). 101

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⁹⁸ Interview ECOWAS member state 1, 25 October 2010. Interview IPCR, 29 October 2010.

⁹⁹ Interview ECOWAS official 1, 25 October 2010. Interview IPCR, 29 October 2010.

¹⁰⁰ Interview ECOWAS member state 1, 25 October 2010.

¹⁰¹ Interview ECOWAS donor 5, 27 October 2010. Interview National Defence College, 28 October 2010. Interview ECOWAS donor 4, 29 October 2010. Interview IPCR, 29 October 2010.

4 ECOWAS – Member State Dynamics

As noted above, ECOWAS primary objective is economic development, but it also includes political aims of regional security and stability. In the pursuit of these objectives, it is important to recall that the member states are the key operational stakeholders to implement such efforts. In view of this, it is important to understand on the one hand the relations between ECOWAS as an institution and its member states, and inter-member state dynamics on the other.

4.1 Relations between ECOWAS and its Member States

In terms of political integration, one factor that affects the preconditions for this is the capacity of governments to implement policies. In this regard, a large quality gap exists between the member states in terms of their management capacity (i.e. ability to implement policies). This could negatively affect the overall pace at which member states implement decisions taken at the regional level. In view of the highly centralised decision-making structures of many of the member states, some observers have suggested that the quality of decision-making and implementation depends on the head of state. ¹⁰² In this regard, some interviewees pointed to a current lack of strong political leadership in the subregion. It was suggested that none of the current heads of state or government have come out strongly in driving the sub-regional peace and security agenda. ¹⁰³ Other observers have also highlighted that a challenge of ECOWAS is that there is a reluctance to delegate matters, which means decisions get stuck at the top of the organisation. ¹⁰⁴

In terms of political commitment, this seems to have been previously present within the ECOWAS Commission for work in the field of peace and security. Nonetheless, many external donors now express a concern over what they experience as lack of political will among the member states to contribute to progress in the same area. For example, according to a number of interviews, member states – even at the level of heads of states – commit at the regional level, but do not follow through with implementation at the national level. Another example often cited in support of this position is that many member states choose not to attend the yearly meetings between donors, ECOWAS and

¹⁰³ Interview WACSOF, 26 October 2010.

¹⁰² van den Boom (2010).

¹⁰⁴ Interviews ECOWAS donor 2, 25 October 2010 and ECOWAS donor 5, 27 October 2010.

its member states. ¹⁰⁶ This perception is not shared among member states. One member state argued that the mandate itself that they have given ECOWAS – to mitigate the causes of conflict, to engage in the early warning system and to deploy electoral observation teams etc – is indicative of their commitment. ¹⁰⁷ In support for the member states' political commitment to ECOWAS, civil servants at the Commission highlighted that its Member States contributed 80 percent of the Commission's budget. ¹⁰⁸

Recalling the confrontational nature of some of the meetings in which civil society has been invited to address the MSC, it is worth noting that member states have differed in their willingness to accept such criticism. For example, in the yearly briefing that civil society is allowed to give to heads of state in the MSC, through WACSOF, some states have allegedly called for the arrest of the Secretary-General of WACSOF, whereas others have acknowledged the need for listening to criticism. ¹⁰⁹

One issue where member states are unified in their resistance to ECOWAS involvement is the issue of communal level conflicts. Instabilities in countries like Nigeria (e.g. the Niger Delta in the South and Boko Haram in the North), Senegal (Casamance) and Ghana (e.g. Northern parts of the country), are considered strictly internal affairs. As such the issue of sovereignty has been seen as preventing any involvement by ECOWAS. While it would be unlikely, in theory, ECOWAS' involvement would require an invitation. This would be problematic to achieve though, as member states would not want to admit that they cannot handle their internal affairs and would be reluctant to bring in external influence over the matters.

4.2 Inter-Member State Dynamics

In terms of member state dynamics in relation to economic integration, there are wide disparities among member states, with Nigeria being the dominant economy accounting for more than half of the GDP in the sub-region. Other important economies are Ghana and Côte d'Ivoire. At the other end of the spectrum, some of the poorer member states include Liberia, Sierra Leone, Mali and Niger. Some have suggested that these imbalances mean that the better off countries would be more open to economic integration than their relatively poor

¹⁰⁶ Interview ECOWAS donor 3, 26 October 2010. Interview ECOWAS donor 2, 25 October 2010. Interview ECOWAS donor 7, 29 October 2010.

¹⁰⁷ Interview ECOWAS member state 1, 25 October 2010.

Interview ECOWAS official 1, 25 October 2010. However, this figure is difficult to assess, as the budget was not readily available and specific programme funding outside of the budget makes up for significant contributions. See also van den Boom, 2010.

¹⁰⁹ Interview WACSOF, 26 October 2010.

neighbours. 111 However, others have highlighted that many of ECOWAS' member states seek access to the Nigerian market and that Nigeria, which allegedly sees limited benefits for itself, is the country that resists economic integration. 112

An issue that is often brought up in relation to the membership dynamics in the political arena is the issue of the different official languages among the member states (French, English and Portuguese) and the divide between the political cultures of the Anglophone and Francophone countries. 113 This division could be seen at the formation of ECOWAS, as it initially worried Senegal and Côte d'Ivoire (two of the leading Francophone countries in the sub-region) as it was seen as an effort to strengthen Nigeria. Similarly, it has been suggested that France was against the establishment of ECOWAS as it would pose Nigeria as a regional power in competition with France over dominance in the sub-region. At the same time, the fact that ECOWAS was largely a result of a Nigeria and Togoled initiative (i.e. an Anglophone and a Francophone country respectively) suggests that this is not a clear cut divide. 114

Interviewees among member states also downplayed this cultural/linguistic difference. For example, it was noted that vernacular languages often cross-cut the Anglophone and Francophone divide. 115 Also, in an assessment of the ECPF, WANEP recalls the aforementioned ceasefire reached during the Ivorian crisis in 2002, under the mediation of Ghana, as an indication that "peace does not have linguistic barriers". 116 Still as will be seen below, the challenges of reaching unity on issues of peace and security often arise out of opposing positions which fall along this cultural-linguistic divide. Beyond this, at an operational level, speaking different languages add real practical challenges in conducting joint peace support operations, as will be returned to under section 5.2.1.3.

In terms of ECOWAS' ability to arrive at unified positions in the field of peace and security, it is important to highlight that much progress has been made, both at the policy level and at the operational level, through deployment of actual peace support operations. However, when reviewing the track record of ECOWAS' earlier interventions, these have sometimes been infected by lack of unity and internal politics among member states. Nigeria has been accused of using international interventions to promote its own image internationally. In some cases, some heads of state would attend peace conferences, but

¹¹¹ van den Boom (2010)

¹¹² Interview ECOWAS donor 2, 25 October 2010.

While two member states are Lucophone (Cape Verde and Guinea-Bissau), the focus tends to be mainly on the divide between Anglophone and Francophone countries.

114 van den Boom (2010)

¹¹⁵ Interview ECOWAS member state 2, 25 October 2010.

¹¹⁶ WANEP (undated), p.11.

simultaneously support different factions with weapons or other resources. 117 A lack of unity has also been seen in more recent crises, where e.g. Benin, Burkina Faso, Mali and Senegal have been described as lenient on former president Tandja's attempts to change the constitution to enable running for a third term. Nigeria and Ghana, Sierra Leone and Liberia on the other hand, adopted a firm position recalling the zero tolerance towards unconstitutional maintenance of government. 118 According to the Supplementary Protocol on Democracy and Good Governance, ECOWAS can impose sanctions on the states either changing or maintaining government through unconstitutional means. A similar situation was repeated in the case of the coup in Guinea, but in both cases, the hard position was adopted in that the countries were suspended from the ECOWAS decision-making bodies. Some observers have linked positioning of countries to the Anglophone and Francophone divide. 119 Nevertheless, it is important to note that in all of the aforementioned cases, ECOWAS has arrived at unified positions, which have been upheld publically by its member states. According to one interview though, this does not prevent member states from being sceptical towards ECOWAS military interventions in the region. 120

Other manifestations of difficulty in arriving at unified positions relate to issues of leadership, both in terms of assignments to act on ECOWAS behalf in high profile appointments and in terms of the institutional leadership of ECOWAS. With regard to the former, a report by WANEP, suggests that leadership struggles among member states have been detrimental to ECOWAS' ability to play an important mediatory role in the past. For example, during the Ivorian crisis of 2002, a leadership struggle is alleged to have taken place between Presidents Wade of Senegal and Eyadema of Togo over the negotiations, reducing their efficiency. ¹²¹ As noted, this ultimately resulted in President Kuffour of Ghana taking over the mediation role. Looking at the internal leadership of ECOWAS, the upcoming election of a new President of the Commission is said to have posed Senegal against Burkina Faso over their respective candidates, former Senegalese Minister, Abdoul Aziz Sow and former Prime Minister of Burkina Faso, Kadré Désiré Ouédraogo. 122 Perhaps this competition could also be seen as symbolic of the competition over mediation efforts, which has often stood between a Senegalese appointment and a Burkinabé appointment, with the latter being engaged in a number of efforts lately through the President of Burkina Faso, Blaise Compaoré. Needless to say,

¹¹⁷ van den Boom (2010)

Interview WACSOF, 26 October 2010. The zero tolerance for power obtained or maintained by unconstitutional means appears in Article 1 of the ECOWAS Supplementary Protocol on Democracy and Good Governance.

¹¹⁹ Interview WACSOF, 26 October 2010. Interview ECOWAS donor 2, 25 October 2010.

¹²⁰ Interview ECOWAS donor 5, 27 October 2010.

¹²¹ WANEP (undated).

¹²² Interview WACSOF, 26 October 2010.

though, such competition over prominent positions will always occur between countries in regional bodies and is not unique to ECOWAS.

One challenge in relation to competing national interests is the dominant position of Nigeria in the sub-region. With a population of approximately 150 million, Nigeria is host to more than half of the sub-region's population and its GDP makes up approximately half of the combined GDP of ECOWAS' member states. 123 Many interviewees highlighted the crucial role of Nigeria for ECOWAS capabilities and political direction in suggesting nothing would move without the consent of Nigeria.

As pointed out by one of the interviewees, other member states don't question the hegemony of Nigeria, but they would want Nigeria to take their concerns more into consideration. ¹²⁴ A Nigerian representative on the other hand stressed that the country did not have any hegemonic ambitions but rather felt a duty to act for the security in the sub-region. In this regard he elaborated on the dilemma that as the most powerful actor in the sub-region, Nigeria would be criticised for acting and criticised if it did not. This position was partially supported in interviews with one of ECOWAS large bilateral donors, which saw Nigeria not as trying to use ECOWAS to dominate the political field in the region, but characterised its engagement through ECOWAS as a show of commitment to democracy, good governance and rule of law. ¹²⁵ While Nigeria is dominant, it is also seen as the country which has shown the strongest dedication to peace and security cooperation.

As would be expected, member states sometimes seek to pursue their own interests, volunteer to act through ECOWAS. During the interviews, one of the member states expressed that they would be willing to mediate any conflict where their own interests were at stake, e.g. where its neighbours were affected by instabilities. 126

https://www.cia.gov/library/publications/the-world-factbook/geos/ni.html. See also van den Boom (2010).

¹²⁴ Interview ECOWAS member state 2, 27 October 2010.

¹²⁵ Interview ECOWAS donor 5, 27 October 2010.

¹²⁶ Interview ECOWAS member state 2, 27 October 2010.

5 ECOWAS and the African Standby Force

5.1 Mandate and Procedures for Deployment

As mentioned initially, the African Peace and Security Architecture (APSA) includes, among other things, and African Standby Force (ASF). Being linked to the APSA, ECOWAS is required to provide a regional standby force which is to constitute one of the building blocks of the ASF. According to the AU *Policy Framework for the Establishment of the African Standby Force and the Military Staff Committee*, the standby force is meant to be "composed of standby multidisciplinary contingents, with civilian and military components located in their countries of origin and ready for rapid deployment at appropriate notice". ¹²⁷ Six different scenarios are drawn out as set out in table 2 below.

The ECOWAS Standby Force (ESF) has succeeded the ECOWAS Ceasefire Monitoring Group (ECOMOG). As explained previously, the ESF is an organ under the MSC as set out in the Protocol Relating to the Mechanism, as well as one of the 14 components of ECPF (Cyril's p120).

The aim of the ESF is to facilitate the implementation of relevant provisions of Article 58 of the Revised ECOWAS Treaty, the provisions of the Protocol Relating to the Mechanism (especially Article 21 and Chapters V - IX), the provisions under Section IV of the Supplementary Protocol on Democracy and Good Governance, as well as the continental level commitments towards the APSA evolution. The Protocol Relating to the Mechanism sets out that the Mechanism shall be applied in any of the following circumstances:

- In cases of aggression or conflict in any member state or threat thereof
- In cases of conflict between two or several member states
- In case of internal conflict:
 - o That threatens to trigger a humanitarian disaster, or
 - That poses a serious threat to peace and security in the subregion;
- In event of serious and massive violation of human rights and rule of law

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¹²⁷ African Union (2003).

- In the event of an overthrow or attempted overthrow of a democratically elected government
- Any other situation as may be decided by the MSC.

Options to consider in the above situations could include recourse to the Council of Elders, the dispatch of fact-finding missions, political and mediation missions or intervention by ESF. 128

The decision to deploy a mission would have to come from either the Authority, or from the MSC. However, the request to these bodies could come through an inviting member state, at the initiative of the President of the Commission, or at the request of the AU or the UN. 129

ECOWAS asserts that it will cooperate with the AU in matters of peace and security. The Protocol Relating to the Mechanism clearly states that ECOWAS shall cooperate fully with the continental mechanisms for conflict prevention, management and resolution, which are codified in the continental agreements (see section 3.1.1). While the Protocol Relating to the Mechanism also spells out that ECOWAS shall cooperate with the UN, it says that it "shall inform the United Nations of any military intervention undertaken in pursuit of the objectives of this Mechanism". This would seem to suggest that it will not necessarily wait for a UN Security Council (UNSC) mandate to carry out its own operations (set out in the Revised Treaty of 1993, the Protocol Relating to the Mechanism, the ECPF and other protocols on peace and security). ¹³⁰

Thus, the ESF can be deployed under two separate arrangements: as a standalone ECOWAS intervention in an ECOWAS member state, or as an AU mission (as ASF) with an AU mandate. Nothing would prevent that a standalone ECOWAS mission is also supported through an AU Peace and Security Council Resolution and UNSC Resolution, as such support would be sought.

The former arrangement, i.e. an ECOWAS intervention in one of its member states, would come into play when faced with a crisis within the ECOWAS region. Ideally, such an intervention would be a preceded by an indication from the early warning mechanism set out above, resulting in an extra-ordinary meeting of the MSC to discuss the situation. ¹³¹ In the event that a decision was to be reached in the MSC to deploy troops, consent would be sought from the parties to the conflict. Naturally, consent from the parties to the conflict would

129 ECOWAS (1999), Protocol Relating to the Mechanism.

¹²⁸ ECOWAS (1999), Protocol Relating to the Mechanism.

¹³⁰ ECOWAS (1999), Protocol Relating to the Mechanism, Chapter XI, Article 52.

¹³¹ As noted above though, while the MSC is mandated to take decisions on peace and security issues on behalf of the member states, many such decisions remain at level of the Authority of Heads of States and Governments.

not necessarily need to be obtained for a scenario six (see table XX above), peace enforcement mission. ¹³²

Once a decision has been made to deploy troops, the President of the Commission would be tasked to provide a proposed mandate as well as recommendations on the requirements for the mission in terms of logistics, troops, budget etc. This would be prepared through the Defence and Security Commission (Committee of Chiefs of Defence Staff, CCDS). This Committee would work in cooperation with the MPMC and PKD within the Commission to assess and plan the strategic level issues, including drafting the Mandate, Force Commanders Directives, Rules of Engagement, Status of Force Agreement, troop and logistics needs for the mission as well as prepare the required budget. After approving this at its level the CCDS would submit its proposal, through the President of the Commission, to the MSC. 133

If approved, the next steps would include appointing a Special Representative of the President of the Commission, a Force Commander and a Head of Civilian Component. Beyond this, as will be seen below, funding from external partners would be sought and the practical steps of reconnaissance, force generation and establishing the Force Headquarters would commence.

As concerns ECOWAS engagement in an AU intervention, this would largely follow the same sequence of events as above, but be played out in the equivalent structures at the continental level. Hence, rather than the mandating decision coming from the MSC in ECOWAS, this decision would come from the AU Peace and Security Council. Once an ASF peace support operation has been mandated, the mission would be placed under the command and control of a Special Representative of the Chairperson of the AU Commission (SRCC). Apart from appointing the SRCC, the Chairperson would also appoint a Force Commander, Commissioner of Police and Head of the Civilian Component. Thus once deployed, the regional standby force (e.g. ESF) contribution would come under AU command and control as an ASF. In this arrangement, ECOWAS responsibility would be on the one hand force generation and preparation, and on the other hand, provision of planning, logistic and other support during ASF deployment. 134

5.1.1 Envisaged Tasks for the ESF

The tasks of the ESF would depend on the missions they are deployed for. According to the roadmap for the African Standby Forces, they should be prepared for the scenarios listed in Table 2 below:

¹³⁴ Cilliers (2008)

¹³² Interview ECOWAS official 3, 27 October 2010.

¹³³ Ibid.

Table 2: Scenarios for the African Standby Force.

Scenario	Description	Deployment Required
1	Military advice to a political mission	in 30 days
2	Observer mission co-deployed with a UN mission	in 30 days
3	Stand-alone observer mission	in 30 days
4	Peacekeeping force for Chapter VI and preventive deployment missions (and peace building)	in 30 days
5	Peacekeeping force for complex multidimensional peacekeeping missions, including those involving low level spoilers	90 days, with the military mission being able to deploy in 30 days
6	Intervention, e.g. in genocide situations where the international community does not act promptly	14 days with robust military force

Source: African Union (2003) Policy Framework for the Establishment of the African Standby Force and the Military Staff Committee, Exp/ASF-MSC/2 (I).

Beyond these scenarios, ECOWAS has maintained eight related mission-types in its planning, which were established in its 1999 Protocol Relating to the Mechanism. In an internal briefing note, these missions come with a set of envisioned tasks as set out in table 3 below: 135

Table 3: Mission Types and Tasks as per ECOWAS Planning Documents.

	Mission-types	Tasks
1	Observation and monitoring	Infantry units lightly armed and military observers
		Police
2	Peacekeeping and restoration of peace	Combat units with capabilities to defeat well armed belligerents
		Military observers
3	Humanitarian intervention in support of humanitarian disaster	Headquarter staff and Task Force units trained in disaster or emergency

¹³⁵ ECOWAS, Internal Brief (2010). See also ECOWAS (1999), Protocol Relating to the Mechanism.

		management
4	Enforcement of sanctions, including embargo	Capabilities to control the land, air and maritime borders
5	Preventive deployment	Combat units with capability to deploy rapidly
6	Peace building, disarmament and demobilisation	Combat units and military units in trained in disarmament and demobilisation
7	Policing activities, including the control of fraud and organised crime	Special police units
8	Any other operations mandated by the Mediation and Security Council	Training and equipment units as required

Source: ECOWAS (1999) Protocol Related to the Mechanism.

5.2 Structure and Current Status of the ECOWAS Standby Force (ESF)

As seen above, the concept of the African Standby Forces is based on a multidimensional standby force, including civilian and police components along with military components. The same is true for the ECOWAS Standby Force, for which the current structure, status and challenges of the three components are outlined below:

5.2.1 The Military Component of the ESF

In order to deliver on the aims of the ESF, the Military Vision of the standby force is:

"To define, build, organize, and maintain an ECOWAS standby regional military capability in peacekeeping and humanitarian assistance to a level of self-sustenance in the areas of troops and logistics support in order to respond to internal or external regional crises or threats to peace and security, including terrorist and/or environmental threats". ¹³⁶

The strategy builds on an ESF "comprised of pre-determined regional standby units highly trained, equipped, and prepared to deploy as directed in response to

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¹³⁶ ECOWAS Internal brief (2010).

a crisis or threat to peace and security." As such, the standby force is not a formed military troop assembled in one place, but made up of contingents of national armies which can be called upon by the MSC in response to an emergency.

To this effect, the ESF is broken down into a Task Force and a Main Force. According to interviews this Task Force will be comprised of 2773 troops whereas the Main Force would comprise 3727 troops, i.e. totalling 6500 troops. 138 The operational concept sets out that the Task Force should be designed to mobilize quickly for rapid deployment. This can then be expanded and enhanced into a fully functional, more robust, main brigade, through deploying the Main Force when required. The concept of operations is further broken down into four phases which cover a period of six months. The first phase covering the first twenty-five days (D – D+25) includes the movements into the joint operational area. The second phase, which covers the first ninety days (D - D+90), includes movement to area of operation with a focus on stabilization. In the third phase, covering the second quarter of operations (D+90–D+180), the focus of operations is on consolidation of the situation. This is where the Main Force would have had time to come in to augment the Task Force into a Main Brigade. The fourth phase, at the end of the six-month commitment (D+180), involves a rehatting or withdrawal, as the ESF is not designed for longer-term commitments. 139

In terms of training, ECOWAS has three centres of excellence engaged as training institutes at the strategic, operational and tactical levels respectively. In the same order, these are the National Defence College (NDC), in Nigeria, Kofi Annan International Peacekeeping Training Centre (KAIPTC), in Ghana, and the Ecole de Maintien de la Paix (EMP) in Mali.

In addition, there is a military logistics base in Sierra Leone which has been pledged by the US Government. This is currently under US management, as internal bureaucracy in ECOWAS has delayed the handover of the base to ECOWAS' management. There are also plans for a humanitarian depot in Mali, which would fall under the Humanitarian Directorate. 140

¹³⁷ ECOWAS, Internal brief, 2010.

However, according to internal ECOWAS briefing material from July 2010, the 6576-strong ESF can be broken down into a military component of the Task Force at 2573 and Main Brigade at 2373, thus totalling 4946; a Police/Gendarmerie component of 1470; a civilian component of 60; and a Military Observer component of 100.

¹³⁹ ECOWAS, Internal brief, 2010.

¹⁴⁰ Interview ECOWAS member state 1, 25 October 2010.

5.2.1.1 The ESF Task Force

As the rapid deployment unit, the ESF Task Force is made up of pre-determined units, which, according to internal ECOWAS briefing material should be prepared to deploy within 30 days upon order and be fully self-sustaining for 90 days. While one of the ASF scenarios involves a deployment within 14 days, this seems either not to have been fully factored into the current ambitions of ECOWAS, or deemed unrealistic and therefore been set at a more realistic time frame.

The Task Force is set up of three battalions – the Western Battalion, under the leadership of Senegal, the Eastern Battalion, under Nigerian leadership and a logistics battalion as set out in figure 3 below. The operational headquarters is currently based in Abuja for setting up the ESF, but this would not be a permanent structure. Instead, its location would be dependent on the crisis and capabilities at hand. ¹⁴²

¹⁴¹ ECOWAS Internal brief (2010).

¹⁴² Interview, ECOWAS official 2, 27 October 2010.

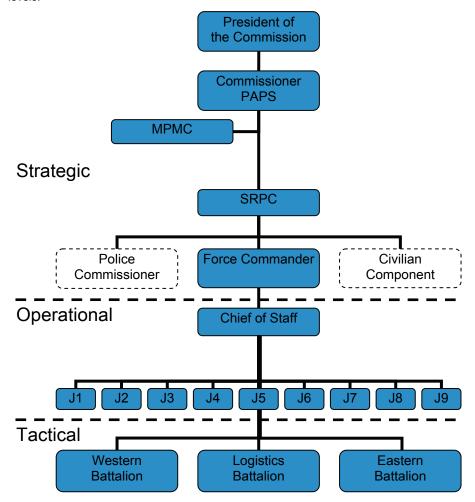


Figure 3: Composition of the ESF Task Force and its links to the operational and strategic levels.*

Source: Internal Brief ECOWAS Standby Force (2010).

PAPS = Political Affairs, Peace and Security
 MPMC = Mission Planning Management Cell
 SRPC = Special Representative of the President of the Commission.
 J 1-9 = Joint Functions of the military component¹⁴³

Typical categorisation of military staff functions (actual functions may differ): J1=Personnel;
 J2=Intelligence; J3=Operations; J4=Logistics/ field support; J5=Planning; J6=Communication;
 J7=Training; J8=Finance; J9=Cooperation, Capabilities or Doctrine, based on UN OCHA (2008).

5.2.1.2 The ESF Main Force

As per the operational concept, the Main Force, also made up of pre-determined units, is designed to augment the Task Force into a full brigade, consisting of four battalions. Beyond the Western, Eastern and Logistics Battalions listed above, the full brigade would have two additional battalions, one under the leadership of Benin and another under the leadership of Niger. The Main Force should be prepared to deploy within 90 days upon order and equally be fully self-sustaining for 90 days.

The Main Force is thus structured on the assumption that the Task Force has been deployed and that, when needed, the Main Force will have advance warning, be able to review the actual conditions of the battlefield as experienced by the Task Force, and then prepare, mobilize and deploy. As such, the Main Force is not a separate, stand-alone unit. It is rather a mission-oriented means of expanding the previously deployed Task Force into a more robust military brigade in accordance with needs on the ground. For a complete structure and list of troop pledges by country see Annex 1.

5.2.1.3 Current Status and Challenges of the Military Component of the ESF

Looking at the personnel aspects, the Task Force of the ESF has constituted. In 2010, it was established and validated as one of the ASF components. All troops have been pledged to the Task Force (see Annex 1 for a breakdown of pledges by country) and they have undergone the training required for the certification process.

The first training, which took place in Senegal in 2007, was a Field Training Exercise for Task Force troops from the Western Battalion. The second training was a Command Post Exercise (CPX), i.e. a simulation exercise used to train commanders and HQ staff, which took place in 2008 in Mali. The third training was a logistics training, whereby the logistics component was deployed. This took place in 2009, in Burkina Faso, and aimed at addressing some lessons learned from ECOMOG experiences of needing to improve logistics capacity. The fourth exercise, which took place in 2010 in Benin, was for the Eastern Battalion of the Task Force. While the ECOWAS Directorate of Peace-Keeping and Regional Security has expressed a desire to have an exercise involving all of these aspects together, it recognises that resources would not allow such an exercise. Through these exercises the Task Force has been certified as being ready for deployment.

The Main Force was originally planned to be fully established by the time of the 2010 deadline for ASF verification. This verification has now been postponed.

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¹⁴⁴ Interview ECOWAS official 3, 27 October 2010.

Nevertheless, the needed pledges have been made towards the Main Force (see Annex 1), and efforts are currently under way to visit the Member States to assess the operational capabilities of the proposed pledges. From these assessments, decisions will be made regarding how to structure the force based on the resources at hand. In addition, upgrading needs have to be identified to establish how to reach set standards. After this has been done the second phase of training the Main Force will commence. However, as for the joint training exercise for the Task Force, there are limited resources available for exercises at the Main Force level. 145

In terms of readiness to deploy, external observers have noted that implementation of the framework is weak. He for example, it is unclear whether standby troops would be ready for inspection upon request. This has led some observers to question the current ability of the ESF to actually deploy its troops. He for that it would not follow the exact procedures set out in the guiding frameworks. The fact that all the units of the Task Force showed up with their equipment on time for the logistics exercise would lend support to this position. Observers suggest that a real deployment into an actual peace support operation would most probably not be limited to troops that had previously been pledged and trained in the certification exercise. Similarly, it is hard to imagine the Task Force meeting the 14 day deployment requirement. Recalling the dominant role of Nigeria, especially in military capacity, it is important to note that a Nigerian representative agreed that the ESF would be ready to deploy, but that there were some challenges that would need to be overcome in order to operate in accordance with existing frameworks and guidelines.

Challenges

Recalling the political sensitivity of perceptions that ECOWAS is dominated by its more powerful member states, efforts at inclusion have been made during the implementation of ECOWAS aspirations in the area of peace and security. In the case of ESF, the initial plans for its establishment were to start with troop contributions from the most operative member states. However, this was soon changed to accommodate contributions from all willing member states. While this may have brought some added challenges in terms of different standards (as seen in section 4.4), it has added political commitment to the ESF. In terms of commitment to the ESF, most of ECOWAS Member States have pledged troops

¹⁴⁵ Interview ECOWAS official 3, 27 October 2010.

¹⁴⁶ Interview ECOWAS donor 5, 27 October 2010.

¹⁴⁷ Interview ECOWAS donor 6, 27 October 2010.

¹⁴⁸ Interview ECOWAS donor 1, 28 October 2010.

¹⁴⁹ Interview ECOWAS member state 1, 25 October 2010. Interview ECOWAS donor 1, 28 October 2010.

to the ESF. The only exceptions are Cape Verde, which has a constitutions that prevents the country from contributing and Liberia, which is still in the process of rebuilding a new army after the conflict that plagued the country. In addition, Côte d'Ivoire and Guinea are particular cases, as they have made pledges, but due to the internal instability in the two countries, they have been unable to send the troops to all exercises. As a result, the pledges have temporarily been removed from the troop composition list for ESF.

With regard to the heavy reliance on Nigeria, internal instabilities in this country ¹⁵⁰, could lead to a questioning of Nigeria's readiness to commit to peace support operations at the sub-regional level. Should this be the case, it could potentially jeopardise the ability of ECOWAS to embark on such operations. However, observers suggest that these instabilities were not at the scale where they infringe on Nigeria's capacity to set aside troops for peace support operations. This analysis was supported by recalling that Nigeria had recently renewed or increased its commitment to peacekeeping missions in both Liberia and Darfur.

Over and above the troop pledges, training received and the readiness to deploy, challenges in terms of transport, logistics and equipment remain. While Nigeria is supposed to have pledged limited airlift capacity, no such strategic capacity is seen as existing. Instead such capacity would have to be hired or provided through external partners. 152

Issues of interoperability are seen as posing particular challenges e.g. for the Engineering Battalion as different nations bring equipment from different countries of origin. Carrying spare parts for all of these pose serious difficulties. Language has also been noted as a very real challenge, with examples cited of orders having to be written down for interpreters to translate into different languages. ¹⁵³

5.2.2 The Police Component of the ESF

The police component currently only has two staff members, financed by Germany. These officers are responsible for building this component over the next couple of years, including the establishment of the structure, training needs logistics needs etc.¹⁵⁴ Little has been achieved to date, but a proposed generic structure exists. Pledges have commenced towards this structure and according to plans visits will be made to Member States to assess the operational capabilities

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¹⁵⁰ Examples of such instabilities include those related to the Movement for the Emancipation of the Niger Delta (MEND) in the South. Boko Haram in the North and instabilities in the Jos region.

¹⁵¹ Interview ECOWAS donor 5, 27 October 2010.

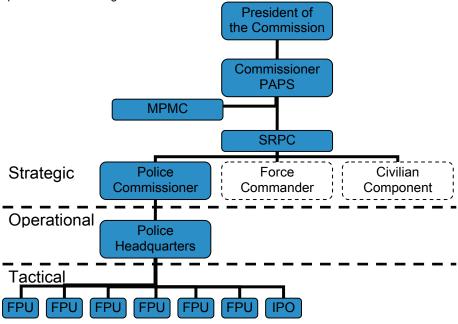
¹⁵² Interviews ECOWAS donor 5, 27 October 2010. Interview ECOWAS donor 1, 28 October 2010.

¹⁵³ Interview ECOWAS donor 1, 28 October 2010.

¹⁵⁴ Interview ECOWAS donor 5, 27 October 2010.

of the proposed pledges during 2011. Total pledges include 10 formed police units (FPUs) consisting of 1400 police officers, and 1575 individual police officers (IPOs). Hence a total of 2975 police officers have been pledged. 155 It is unclear though, whether the pledges made so far are of whole units or individual officers. 156

Figure 4: Planned structure of the police component of the ESF and its links to the operational and strategic levels.



Source: Internal Briefing Note, ECOWAS Standby Force.

5.2.3 The Civilian Component of the ESF

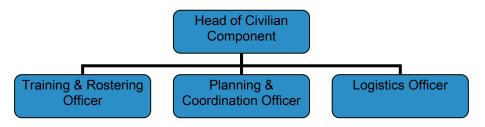
Regarding the civilian component, the recruitment to the planning element for this component is yet to commence. The Swiss Government has agreed to finance a consultant to draw up the proposed structure, training needs and draw up an action plan for its implementation. However, this consultant was yet to be appointed at the time of writing the report, two years after the agreement was made to fund the position.¹⁵⁷

¹⁵⁵ ECOWAS, Internal brief (2010).

Interview ECOWAS donor 5, 27 October 2010.
 Interview ECOWAS donor 2, 25 October 2010. Interview ECOWAS donor 5, 27 October 2010. Interview National Defence College (Nigeria), 28 October 2010.

Even though progress has been slow, some intellectual achievements have been made. At the level of the AU, the groundwork for the future structures of the civilian components has been laid down. A workshop held in 2008 generated recommendations for the structures of civilian components, both at the Regional Brigade Civilian Planning Element (PLANELM) and for in missions. The agreed structure for the regional civilian planning element, including that of ESF, includes a Head of Civilian Component, a Training and Rostering Officer, a Planning and Coordination Office as well as a Logistics officer, as set out in figure 5 below: 159

Figure 5: Proposed Structure of the Civilian Planning Element.



Source: Atta-Asmoah and Birikorang (2009) p. 28.

As for the structure of the civilian component to be deployed under a potential ESF mission, it has been proposed that this should be made up of 60 personnel as set out in figure 6 below:

¹⁵⁸ Atta-Asmoah and Birikorang (2009).

¹⁵⁹ Atta-Asmoah and Birikorang (2009).

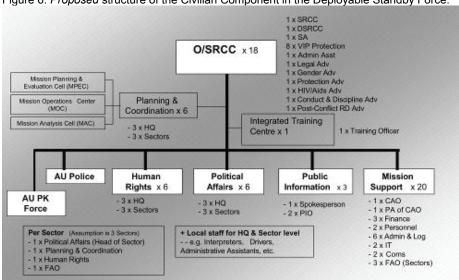


Figure 6: Proposed structure of the Civilian Component in the Deployable Standby Force.

Source: Atta-Asmoah and Birikorang (2009) p. 29.

Through initiatives at the level of the regional centres of excellence, training of civilian personnel has also started. In a workshop co-hosted by the Kofi Annan International Peacekeeping Training Centre (KAIPTC) and ECOWAS the current status of the civilian component was explored along with challenges ahead.

5.3 Challenges of the ESF

As seen, the concept of the African Standby Forces, ESF included, is based on a multidimensional standby force, including civil and police components along with military components. While much progress has been made in establishing and training the military component, the police and civil components are yet to be formed. It has been suggested that this depends partly on a military dominance in the existing ECOWAS structures and, consequently, a lack of understanding in ECOWAS what it means to have a civilian component. According to one observation, the challenge for police and civilian components is not a lack of political will, but rather that the capacity is lacking. Police are often badly needed for domestic affairs in member states and civilians are not readily

¹⁶⁰ Interview National Defence College (Nigeria), 28 October 2010.

¹⁶¹ Atta-Asmoah and Birikorang (2009).

¹⁶² Interviews ECOWAS donor 2, 25 October 2010 and National Defence College (Nigeria), 28 October 2010.

available in barracks like the military. 163 The police component will face additional challenges, as there are greater variations between the standards and traditions of different member states, e.g. with some having gendarmeries while others do not have this kind of formed police units.

While no figures were available on the gender setup of the pledges to the ESF, the National Defence College in Nigeria noted with concern that it was difficult to get female nominees to courses at the SML-level, despite explicit requests for female participants. Assuming that it would be easier to get women included in civilian component, it appears likely that the female representation is even more disadvantaged in the military and police components. In this regard, it is encouraging, that in September 2010, ECOWAS member states adopted the Dakar Declaration with the aim of better implementing United Nations Security Council Resolution 1325 on Women Peace and Security. Nevertheless, this is the first time this issue has been addressed at the regional level. 165

As seen, part of the challenges for establishing the military component of ESF, is related to budgetary constraints. Given that current budgetary allocations from the Peace Fund and from external partners already limits the pace of its establishment activities to get ready for standby, it is evident that ECOWAS would not have the resources readily available for embarking on a peace support operation. While contributing countries are meant to cover the costs for the first 90 days, this is based on the assumption that they will be reimbursed by ECOWAS. Hence, according to ECOWAS officials, targeted resource mobilisation would have to be carried out once a situation arises.¹⁶⁶ While external partners would be expected to contribute to such efforts, it should be recalled that ECOWAS member states have contributed significant resources for such interventions in the past. When this issue was raised with member states, the Nigerian representative acknowledged that it had spent a lot of money on earlier peace support operations and that such expenses are always difficult to justify to the electorate. At the same time, this representative noted that the costs of interventions have to be measured against the costs of inaction, which at times could be higher, especially if a preventive force could have avoided a larger scale crisis. 167

¹⁶³ Interviews ECOWAS donor 5, 27 October 2010 and National Defence College (Nigeria), 28

¹⁶⁴ Interview National Defence College (Nigeria), 28 October 2010.

http://www.operatioonspaix.net/spip.php?page=chronologie&id_mot=6

¹⁶⁶ Interview ECOWAS official 1, 25 October 2010.

¹⁶⁷ Interview ECOWAS member state 1, 25 October 2010.

6 External Partners

Partnerships with ECOWAS are structured around five platforms, one of which is the area of Peace and Security. The platform-structure helps donors identify what aspects and activities to support within ECOWAS. The Peace and Security platform is largely framed around the ECPF. An ECOWAS-donors conference on peace and security takes place on a yearly basis. 168

As three of the main bilateral partners for ECOWAS in the area of peace and security, the US, the UK and France are referred to as the P3. These three countries provide technical/military advisers to ECOWAS. Such an adviser is also provided by Germany, which is a significant bilateral donor for ECOWAS peace and security work (and presently chairs the Peace and Security platform). For the moment, there are four military advisers in PAPS, which can be argued to be a lot. The risk associated with sending technical assistants and consultants to the ECOWAS institutions should be considered, as this could undermine the institutional capacity growth. As for the US, it has also been active in trying to put the logistical depot in Sierra Leone in place, which would be a base for storage of donated military equipment. Denmark, Switzerland and Spain are other major donors. Many donors are active with support to the civilian components. ¹⁶⁹

Finally, the EU is a key donor to ECOWAS. The two organisations are presently negotiating the 10th European Development Fund (EDF). Compared to the 9th EDF, the focus on peace and security issues is to rise considerably: the funds set aside for peace and security issues will increase 10-foldedly. Out of the 600 million Euro to be committed, around 120 million Euro is earmarked for peace and security. Much of these funds are dedicated to the implementation of the ECPF (for instance supporting mediation, electoral observation and the program on small arms/light weapons), while some of the funding allocated for peace and security are reserved for issues like migration and trafficking. Efforts are also directed towards supporting the capacity of the Commission to fulfil its mandate, with a focus on building up the internal expertise within PAPS. 170

The interest among foreign donors in supporting ECOWAS in the area of peace and security is significant. Donor support to ECOWAS is nonetheless problematic. ECOWAS suffers from a difficulty to absorb funds. The fact that the organisation lags behind when it comes to elaborating budgets and finalising budget previsions (budget for 2010 cannot be shared) casts doubts on its capacity to receive further financial support. Furthermore, ECOWAS presently has

¹⁶⁹ Interview ECOWAS donor 3, 26 October 2010. Interview ECOWAS donor 4, 29 October 2010. Interview ECOWAS donor 5, 27 October 2010.

¹⁶⁸ Interview ECOWAS official 1, 25 October 2010.

¹⁷⁰ Interview ECOWAS official 1, 25 October 2010. Interview ECOWAS donor 4, 29 October 2010.

difficulties in delivering concrete project proposals for donors to fund, which makes the work stall. Another risk is that ECOWAS becomes side-tracked because of several different donor funds, intended for a number of different kinds of peace building.¹⁷¹

While the ECOWAS commission gets a lot of attention from donors, the organisation's member states do not always benefit from the same amount of support. In view of challenges in terms of limited capacities and varying political motivation among the member states, discussed in chapter 4, some partners argue that it is imperative to keep a bilateral perspective in the effort to support ECOWAS. This implies that provision of technical support to the member state is needed. A difficulty is that there is little interest among member states to participate in the annual partnership conference. 172

The international community has provided ample support to ECOWAS, via diplomatic relations, funds and technical advisers, etc. Progress is being made within ECOWAS, nevertheless, the fact remains that attempts to advance the regional organisation, particularly as concerns the involvement of member states, tend to be rather ineffective.

Strategies, which will make the ECOWAS institutions function, still need to be found. However, applying a pure western model, or a western view and criteria of how the different components of ECOWAS peace and security architecture should develop, is likely to lead to deception among donors. Obviously, support and guidance should continue to be given, and experiences shared, but with the comprehension for the complexity of the context in which these developments occur, and with insight that room for flexibility must be allowed for local ways and means in advancing matters – even if these do not follow the action plans as described on paper.¹⁷³

Promoting a "western" perspective of how to proceed in obtaining the different elements, means that there is a limited will to understand the African partners' political norms and working mode. This will make the partnership difficult, with a likely consequence that the western proposals will not be followed all the way through. African ownership means accepting that European standards are not the measuring stick. If donors want to measure the progress, there is a need to increase the understanding for African solutions, show openness and adapt to African manners of obtaining results. Efforts should be made to encourage and optimise local systems, and to approach gaps between plans and outcomes in a constructive and creative manner. Meanwhile, African ownership should not be

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¹⁷¹ Interview ECOWAS donor 2, 25 October 2010. Interview ECOWAS donor 3, 26 October 2010.

¹⁷² Interview ECOWAS donor 2, 25 October 2010. Interview ECOWAS donor 4, 29 October 2010. Interview ECOWAS donor 6, 27 October 2010.

¹⁷³ Interview ECOWAS member state 2, 25 October 2010.

confused with non-accountability concerning donor funded projects. This approach means working together in a real partnership. 174

 174 Interview ECOWAS member state 2, 27 October 2010. Interview ECOWAS donor 1, 28 October 2010.

7 Conclusion

In a 2008 update on the progress made by the African Standby Force, the Institute for Security Studies gave a commentary on "the remarkable progress that has been achieved in recent years on a massively ambitious scheme to enable Africa to play a greater role in and assume greater responsibility for continental conflict management". Despite this progress, the sheer magnitude of the ambitions, to embark on and develop a system of continent-wide standby forces within a decade from its establishment, meant that the AU was going to face some challenges. One such challenge is the different paces at which the different regional components would be able to progress.

This paper has focused on the progress made, the track record and challenges ahead for the West African component, i.e. ECOWAS engagement in the area of peace and security. Without having undertaken a regional comparison, it is safe to assume that ECOWAS is one of the RECs to have progressed the furthest in the area of peace and security. As has been seen, the AU peace and security structure was largely modelled around a structure already adopted by ECOWAS. As such it is natural that the REC has come further in implementing its different components. Moreover, ECOWAS had already been engaged in peace support operations, of the enforcement character before the AU was even established. As such, the region had an experience to draw from when it embarked on establishing its regional contribution to the ASF.

Looking at the progress made by ECOWAS, it is clear that achievements have been made in terms of the policies and frameworks guiding peace and security. In this regard, a key accomplishment is the acknowledgement of the need to address root causes of conflicts in its protocols and frameworks for peace and security. Through the Supplementary Protocol on Democracy and Good Governance, for example, constitutional issues related to separation of powers and zero tolerance for unconstitutional changes, or maintenance, of government are addressed. In addition, issues of popular participation, decentralisation of power and democratic control of the armed forces are addressed. Through the ECPF, the effort to transform ECOWAS from an 'ECOWAS of States' to an 'ECOWAS of the Peoples' brings the organization's conflict prevention efforts closer to the concept of human security. This framework has also made progress in terms of bringing the organization closer to the local community level.

Nevertheless, while ECOWAS policies within peace and security are highly developed, the fact remains that the organisation is often lagging behind in implementation. This is an issue that can be attributed both to a shortage of political will and a shortage of capacity. External partners have expressed a

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¹⁷⁵ Cilliers (2008).

concern over what appears to be a current lack of commitment in driving the subregional peace and security agenda among the political leaders.

In terms of capacity, ECOWAS has a severe shortage of staff and human capacity. This hampers the organisation's ability to effectively run its programs and implement its expanded mandate. Other bottlenecks include its administrative and financial support systems. These challenges limit ECOWAS' capacity to absorb committed resources and make it rely on donor support to hire consultants to fill part of the human capacity gaps. A critical aspect of this human capacity gap is a recruitment ban that has been in place for the past couple of years. The highly centralised decision-making structure causes further bottlenecks within the ECOWAS Commission. Still, it is important to note the importance of individuals as driving agents. This is particularly important as the forthcoming change in the leadership, both in terms of the President of the Commission and in terms of the Commissioners, introduces a certain level of uncertainty of the direction that these will take the Commission. The role of individuals is also important to track for external partners to find ways of engaging progressive forces in the area of peace and security.

In terms of inter-member state dynamics, some dynamics pose challenges for the cooperation in peace and security. In particular, the Anglophone-Francophone divide deserves attention. In general, it appears that the Anglophone member states have been more ready to take a hard stance on issues of peace and security than some of the prominent Francophone member states. Another critical issue which affects the member state relations is the dominant role of Nigeria, which makes other member states view its intentions with scepticism. However, external actors noted that Nigeria's dominance has come with a strong commitment to cooperation in peace and security. To balance relations among each other, some compromises have been made which could be seen as reducing efficiency in the short term (e.g. the inclusion of contributions by member states with a lower level of operational capability in the ESF), but which could serve longer term commitment to the cooperation in the area of peace and security.

In terms of the non-military track-record, conflict prevention has been given more attention through mediation efforts and early warning has gained a more prominent role than it used to have.

An important lesson learned from ECOMOG was that it lacked the capacity to predict outbreaks of conflict and had to act swiftly without sufficient capacity to collect information to guide the initial stages of operations. While the efforts that have been made to establish a sub-regional early warning network are impressive, a major challenge is turning early warning into early response. Other than that, some observers brought up concerns of over-sophistication on the one hand and of potential bias on the other of the existing early warning system. Beyond this, ECOWAS seems badly geared for properly handling warning signals from the local community level – where many of the sub-regions

instabilities play out. Presently, there is also a feeling that ECOWAS does not realise enough concrete things for the community level, and that there is not enough focus on civil society networks, which could reach out to this level.

A readiness has been noted by ECOWAS to take action on unconstitutional maintenance and changes of government. Recent examples include both Guinea and Niger. However, it should be noted that ECOWAS would not be in favour of just imposing sanctions, without partnering with the member state undergoing the challenges to restore democratic governance. In terms of the legitimacy of mediation efforts there have sometimes been accusations of those mediating pursuing national interests. Still, by engaging under a regional framework, mediation efforts have been given added legitimacy and clout. ECOWAS has also been seen as liaising fruitfully with the international community through e.g. international contact groups.

An issue where ECOWAS involvement in mediation has not been able to make inroads is community level conflicts. Instabilities at this level are considered strictly internal affairs. As such the issue of sovereignty has been seen as preventing any involvement by ECOWAS, as member states would be reluctant to bring in external influence over these matters.

Looking at the post-crisis situation, the ECPF gives a clearer commitment to the importance of peace-building. However, exit-strategies still seem to be missing in ECOWAS and the absence of such strategies at the onset of engagements reduces the ability of ECOWAS to withdraw seamlessly. Instead, e.g. comprehensive political agreements are negotiated and elections are held, but then the (opposition) stakeholders are left without a commitment of ECOWAS to oversee that other aspects of the agreement are actually followed through.

With regards to election monitoring, ECOWAS has managed to send electoral observers regularly, which produce comprehensive reports. However, these teams have often been constituted in an ad hoc manner, without enough training. The lessons learned from the reports have not been used to bring about changes for future elections.

The challenges of both the early warning system and for mediation efforts to effectively engage at the community level suggest that contrary to its frameworks, ECOWAS is still more geared at "security of the states" than "security of the peoples". These challenges are related to issues of sovereignty. Similarly, the challenges of ECOWAS to use findings from previous election monitoring missions to improve future elections in its member states could also be related to the reluctance by member states to ECOWAS interference in their internal affairs. Together these shortcomings mean that ECOWAS is unlikely to be able to address many of the human security threats that the sub-region is expected to face over the coming years.

As one of the building-blocks of the African Peace and Security Architecture, ECOWAS can deploy its standby force under two separate arrangements – either as a stand alone ECOWAS intervention in one of its member states (as the ESF), or as an AU mission with a mandate from the AU (as part of the ASF).

The military component of the ESF is not a standing unit assembled in one place, but is rather made up of contingents of national armies, which can be called upon by the MSC in response to a crisis. In accordance with the concept of operations, the ESF includes a Task Force, which can be mobilised rapidly, and a Main Force which can augment the Task Force into a full Brigade. This concept of operations is further structured around four phases, including the movement into the area of operation, stabilization, consolidation and ultimately withdrawal or rehatting, all within a period of 6 months. ¹⁷⁶ This suggests that the ESF is not designed for longer-term commitment, and that the political expectations would be for an international force (e.g. UN) would come in for a longer-term commitment.

At the time of writing the report, the Task Force had been officially established, trained and certified to be capable of deploying into a peace support operation. While its actual capability to deploy has been put into question, much point to that it would indeed be able to deploy, even if only militarily. However, assessments suggest that such a deployment would be far from the established framework, for example by including non-certified troops. 177 Even with such limitations, it is hard to imagine that it would meet the scenario six deploymenttime of 14 days. However, with pledges to the Main Force yet to be assessed, ECOWAS does not have trained and certified capability to deploy a more robust brigade. Nevertheless, it would probably be fair to assume that a similar approach would be taken, i.e. that if the situation required a full brigade and there was political will to back it, troops would be deployed.

Recalling the challenges in terms of human rights issues during the past peace support operations under ECOMOG, it would be a cause of concern if ECOWAS would come to deploy its standby force without correcting past shortcomings.

Beyond the actual troops, there are real challenges in terms of transport, logistics and equipment. The strategic airlift capability would have to be provided by external partners or rented on the international market. In terms of interoperability, bringing equipment from so many different countries of origin also poses serious challenges in terms of spare parts and for the engineering battalion. Recalling the different languages spoken by the member states, this has been seen to create difficulties in exercising command, when orders need to be translated.

¹⁷⁶ ECOWAS Internal briefing (2010).

¹⁷⁷ Interview ECOWAS donor 1, 28 October 2010. Interview ECOWAS member state 1, 25 October 2010.

In addition to the challenges within the military component of the ESF, the progress of the police and civilian components has been lagging behind. While significant pledges have been made to the police component, it only has two staff members who are just now beginning to draw up action plans. They are set to validate the police pledges made by member states. The civilian component, in its turn, is virtually non-existent, except for in documents setting out the planned composition. Particular challenges in this regard are that police are often badly needed at home by member states and civilian capacities are more mobile than their military counterparts. One should recall, however, that such challenges are not unique for ECOWAS, but rather the norm even for other nations and regional bodies seeking to contribute to multidimensional peace support operations.

Another challenge that ECOWAS shares with other organisations engaging in PSOs is the gender balance of troop contributions. The fact that other organisations share these difficulties does not mean that ECOWAS should not take them seriously. On the contrary, as ECOWAS appears to have made particularly poor progress in these areas, there is a need to enhance its efforts both in terms of strengthening its multidimensional capabilities and in terms of balancing its gender representation.

Assessing the capability of the ESF against the roadmap for the ASF, it would seems that ECOWAS would have difficulties in meeting both scenario five (multidimensional peacekeeping) and scenario six (humanitarian intervention within 14 days). Scenario five, because the capability of the ESF is currently largely limited to the military dimension. Scenario six, because the ESF seems unlikely to meet the tight deployment requirement timeline.

While there is a strong interest among donors to fund ECOWAS in the area of peace and security, there are some challenges to such partnerships. Perhaps most serious of these is ECOWAS' own difficulty in absorbing funding. As has been noted, this is largely related to the recruitment ban, which has left ECOWAS understaffed. Beyond this, a more sensitive challenge is the issue of member states' commitment to and prioritisation of ECOWAS development in the area of peace and security. As western partners seek to enhance the effectiveness of ECOWAS through their support a fine balance is needed between promoting delivery and accountability on the one hand, while maintaining the local ownership and commitment among ECOWAS' member states on the other. Despite these difficulties, external actors supporting ECOWAS in the area of peace and security, may want to consider the suggestions below to support ECOWAS to overcome some of the shortcomings identified in this report:

In terms of conflict prevention, early warning, mediation and election monitoring efforts could be enhanced as set out below. Early warning is likely to benefit from more efforts to enhance the role of civil society to bring issues of concern at the community level to the attention of ECOWAS. Reaching out to this level with an early response is also crucial for mediation to be effective. While this

would require a gradual acceptance among member states to such involvement, an initial step would be to strengthen ECOWAS mediation capacity through supporting the establishment of a Mediation Support Unit in the Commission. The positive steps taken by ECOWAS election monitoring also needs to be nurtured and built upon. For example, there is a need for enhanced capacity, including through training and resources, to enable ECOWAS to have designated officers (or rosters) so that officers are not drawn from other parts of the Commission as soon as there is an election. Having more staff committed to the issue of improving the quality of elections, would also enable them to go beyond election monitoring to propose recommendations as to how to improve future elections. This could include establishing a mechanism whereby countries holding elections would have to first account for what actions have been taken to avoid some mistakes noted in previous monitoring reports.

Regarding responses to outbreaks of conflict, there is an urgent need to support the establishment of the much delayed police and civilian components. Noting that it has been suggested that part of this delay derives from a lack of understanding for the role of civilians in peacekeeping in the ECOWAS institutions, this appreciation needs to be nurtured. The ongoing attempts to support the ESF with limited police and civilian personnel could be supported with further training on the issues of multidimensional peace support operations as well as the need for coordination among such actors.

Finally for enhanced predictability in the functioning of the ESF, issues of financing of its operations as well as how to conduct hand-over to other actors would need to be clarified. In this regard, external partners may wish to consider how possible support for peace support operations could be made more formalised and less reliant on ad hoc solutions. In terms of exit strategies, rehatting or other hand-over exercises at the end of an ECOWAS commitment would also benefit from more predictable arrangements, whereby plans for this was in place at the time of deployment.

Acronyms

ASF African Standby Force

AU African Union

CCDS Committee of Chiefs of Defence Staff

ECOMOG ECOWAS Ceasefire Monitoring Group

ECOWAS Economic Commission of West African States

EMP École de Maintien de la Paix ESF ECOWAS Standby Force

FPU Formed Police Units

IPO Individual Police Officers

KAIPTC Kofi Annan International Peacekeeping Training Centre

MF Main Force

MPMC Mission Planning and Management Cell
NDC National Defence College (of Nigeria)

PAPS Political Affairs, Peace and Security (Commissioner of, or

Directorate of)

PLANELM Planning Element

REC Regional Economic Community

SML Senior Mission Leadership

SRCC Special Representative of the Chairman of the Commission (AU)

SRPC Special Representative of the President of the Commission

(ECOWAS)

TF Task Force

UN United Nations

WACSOF West African Civil Society Forum

WANEP West African Network for Peacebuilding

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Three ECOWAS Directorates/Divisions

Seven ECOWAS donors

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Annex 1 ESF Estimated Troop Pledges by Country¹⁷⁸

Benin

Task Force

1 x Infantry company (128 troops under Eastern Battalion)

1 x Gendarmerie Platoon

Main Force

One Battalion comprising:

1 x Support Company (1 x 122 troops)

2 x Infantry Companies (2 x 128 troops)

1 x Armoured Reconnaissance Company (100 troops)

Burkina Faso

Task Force

1 x Infantry company (128 troops under Western Battalion)

1 x Maintenance Company (135 troops in the Logistics Battalion)

Côte d'Ivoire¹⁷⁹

Main Brigade

1 x Infantry Company

1 x Artillery Company

1 x Gendarmerie Company

1 x Mechanised Company

Gambia

Task Force

1 x Infantry company (128 troops under Western Battalion)

1 x MP Platoon

¹⁷⁸ Pledges have been assessed by merging information from different internal ESF presentations

¹⁷⁹ So far, Côte d'Ivoire has been unable to make their troops available to exercises due to internal instability.

Ghana

Task Force

1 x Engineering Company (108 troops)

Main Force

1 x Level II Hospital (50 troops)

Guinea¹⁸⁰

Task Force

1 x Infantry company (128 troops under Western Battalion)

Main Force

2 x Infantry Companies

1 x Support Company

Guinea Bissau

Task Force

1 x Infantry company (128 troops under Western Battalion)

Mali

Task Force

1 x Engineering Company (108 troops)

1 x Armoured Reconnaissance Company (100 troops under Western Battalion)

1 x Transportation Company (110 troops under Logistics Battalion)

Main Force

1 x Infantry Company

1 x Gendarmerie Company

Niger

Task Force

1 x Infantry Company (128 troops under Eastern Battalion)

Main Force

One Battalion comprising:

¹⁸⁰ Guinea has not been to make their troops available to all exercises due to internal instability.

- 1 x Support Company (1 x 122 troops)
- 2 x Infantry Companies (2 x 128 troops)
- 1 x Armoured Reconnaissance Company (100 troops)

Nigeria

Task Force

- 1 x Signal Squadron (96 troops)
- 1 x Infantry Company (1 x 128 troops under Eastern Battalion)
- 1 x Armoured Reconnaissance Company (100 troops under Eastern Battalion)
- 1 x Division Supply and Combat Service Support Company (123 troops under Logistics Battalion)

Two Helicopter Companies (45 troops) comprising of:

- 1 x Medical Helicopter
- 1 x Lt Helicopter

Main Force

- 1 x Engineering Company (108 troops)
- 1 x Level II Hospital (50 troops?)

One Battalion comprising of:

- 2 x Infantry Companies (2 x 128 troops)
- 1 x Support Company (1 x 122 troops)
- 1 x Artillery Battery
- 1 x Landing Ship Tank Naval
- 1 x Patrol Boat
- 1 x C 130 Hercules Transport Aircraft

Senegal

Task Force

- 1 x Infantry Company (128 troops under Western Battalion)
- 1 x Level II Hospital (50 troops under Logistics Battalion)
- 1 x Gendarmerie Company

Main Force

1 x Engineering Company (108 troops)

One Battalion comprising of:

- 1 x Infantry Company (1 x 128 troops)
- 1 x Support Company (1 x 122 troops)
- 1 x Armoured Reconnaissance Company
- 1 x Artillery Company

Sierra Leone

Task Force

1 x Infantry Company (1 x 128 troops under Eastern Brigade)

Togo

Task Force

1 x Infantry Company (1 x 128 troops under Eastern Brigade)

Main Force

- 1 x Infantry Company
- 1 x Gendarmerie Company