

Rethinking responses to unconstitutional changes of government in West Africa

Aïssatou Kanté, Fahiraman Rodrigue Koné, Hassane Koné, Issaka K Souaré, Djiby Sow, Lori-Anne Thérroux-Bénoni and Paulin Maurice Toupane



Since 2020, West Africa has recorded six unconstitutional changes of government in Mali, Guinea, Burkina Faso and Niger. The recurrence of coups d'état in these four countries, the prolonged nature of current transitions, and the apparent ability of their leaders to resist regional, continental and international pressures, calls for a reflection on how to respond to these phenomena.

Key findings

- ▶ The idea of a contagion of coups d'état fails to capture the underlying dynamics of each unique situation. It also doesn't account for the repetitive nature of unconstitutional changes of government (UCGs) in Mali, Burkina Faso, Guinea and Niger.
- ▶ These countries already experienced military transitions a decade ago following UCGs or popular uprisings. Power was returned to an elected civilian government within 17 months on average.
- ▶ The Economic Community of West African States (ECOWAS), African Union and United Nations, along with bilateral and multilateral partners in the region, have been unsuccessful in exerting pressure on the current perpetrators of coups to ensure that transitions remain short and are led by civilians.
- ▶ The current regional context is characterised by a degree of popular sympathy for coup leaders, an absence of effective regional responses to political and security challenges, and the diminishing influence of certain Western partners, amid heightened global geopolitical competition with Russia.
- ▶ The announcement of the withdrawal from ECOWAS of the three transitional Sahel states (Mali, Burkina Faso and Niger) has revealed deep challenges facing the regional bloc. There is now an opportunity to resolve these issues, in order to make ECOWAS more efficient. The organisation remains a key player in regional integration and security cooperation. Criticisms of ECOWAS overlook the fact that the institution reflects the governance and capacities of its member states.

Recommendations

- ▶ The coming months will be decisive for the future of ECOWAS. Mediation efforts aimed at keeping Burkina Faso, Mali and Niger in the organisation should go beyond mere persuasion, and also target states whose positions have weakened the institution.
- ▶ ECOWAS should accelerate the revision of the Supplementary Protocol on Democracy and Good Governance, particularly to be able to act more effectively in cases of constitutional manipulations. Its response to UCGs should also draw lessons from the crisis in Niger, by popularising the Supplementary Act on sanctions and making it clearer and more predictable, especially regarding the modalities of the use of force.
- ▶ Bilateral partners and Western donors seeking to renew their approach to cooperation must take into account the Sahelian peoples' aspiration to exercise full independence in their countries' strategic choices. These partners should focus their support on resuming or intensifying actions in priority civilian areas such as agriculture, health, access to water, and education.
- ▶ Military authorities must conduct truly inclusive transitions, respecting fundamental freedoms. They must also rethink the management of the security crisis in light of the lessons of the past decade, particularly regarding the protection of civilians and the need to complement military action with non-military actions.

Introduction

Since 2020, West Africa has experienced unconstitutional changes of government (UCGs) in Mali (2020 and 2021), Guinea (2021), Burkina Faso (twice in 2022) and Niger (2023). Recurring coups, prolonged transitions, and the January 2024 announcement by three Sahel countries of their withdrawal from the Economic Community of West African States (ECOWAS) have created a complex crisis for the region. Together they present a need for reflection on how to respond to UCGs, manage military transitions, and, more broadly, address democratic governance in West Africa.

This report is based on interviews conducted between January 2023 and June 2024 with national, regional and continental stakeholders and observers of military transitions during Institute for Security Studies (ISS) research missions in Burkina Faso, Guinea, Mali and Niger. It is also based on exchanges between the ISS and interviewees during conferences and meetings, particularly in Togo, Senegal, Ghana, Côte d'Ivoire and Nigeria, supplemented by telephone interviews. Finally, it is based on closely monitoring the various transitions and on ISS interactions with stakeholders in the region over the past 15 years.

The idea of a contagion of coups fails to capture the dynamics behind each specific situation

This analysis is structured into five parts. The first part presents the specifics of the wave of coups d'état in West Africa since 2020. The second examines the resurgence of coups in West Africa and the regional context in which this resurgence occurs. The third part explores avenues to rethink the management of UCGs in light of ECOWAS's response to the constitutional rupture in Niger. This included sanctions and the threat of military intervention. These measures did not however yield the expected results.

The fourth part considers the best way for multi- and bilateral partners to remain engaged in countries undergoing transition without endorsing coups d'état. Finally, the report addresses the need for ECOWAS

to strengthen instruments for addressing violations of democratic governance by elected governments in light of recent coups.

Specifics of the coups since 2020

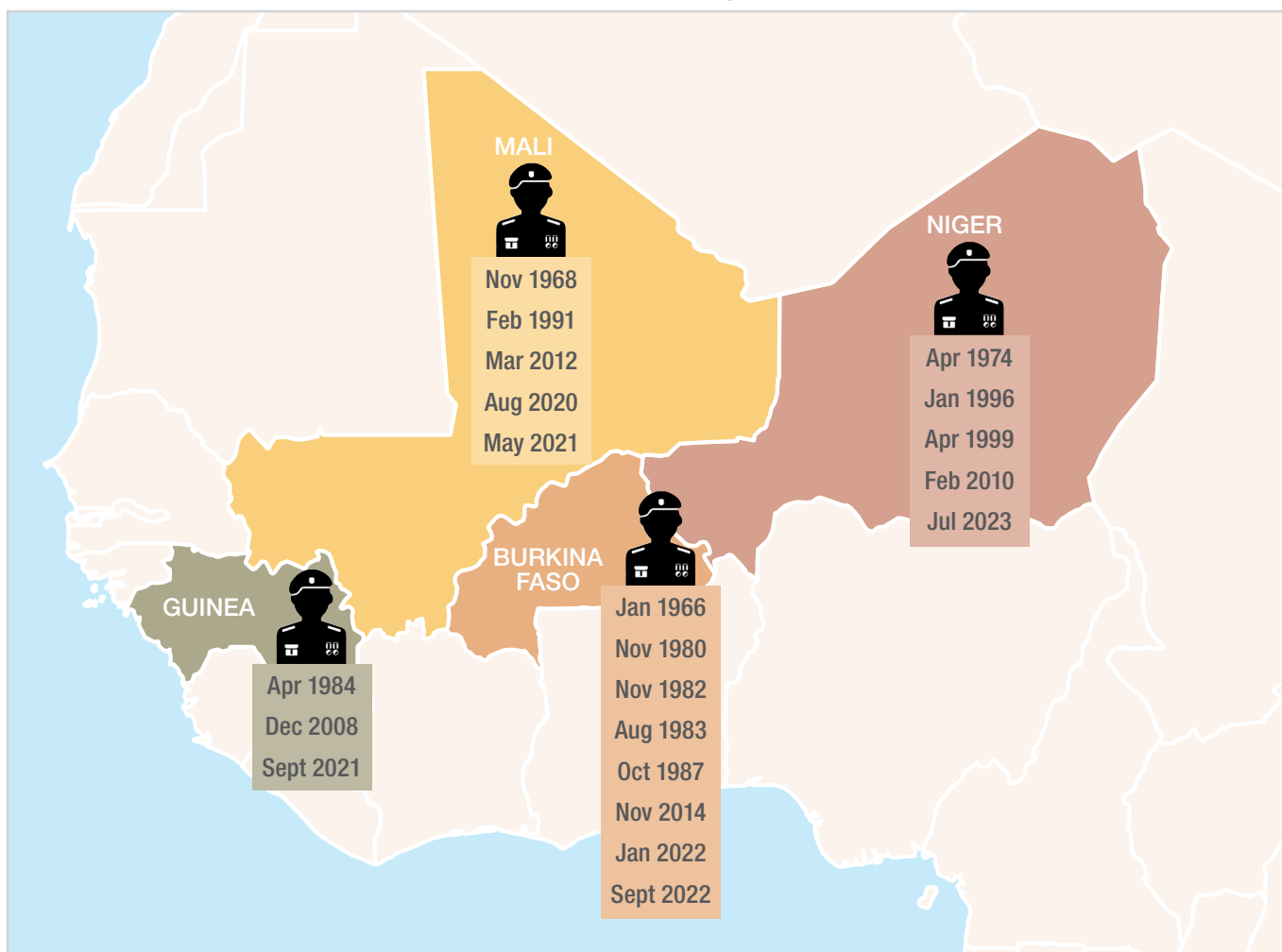
Even if military actors in transitional phases tend to reproduce existing models, the idea of a contagion of coups fails to explore the specific dynamics underlying each situation. It also doesn't account for the repetitive nature of UCGs in these countries.

In Mali, the army forced President Ibrahim Boubacar Keïta to resign on 18 August 2020, after weeks of popular demonstrations led by the coalition known as the 5 June Movement – Rally of Patriotic Forces. At the heart of the tensions were the March and April 2020 legislative elections, the results of which were strongly contested. This post-electoral crisis also occurred within a governance context marked by corruption and nepotism scandals, and growing insecurity.¹

In Guinea, the September 2021 coup was carried out by the Special Forces Group, led by Colonel Mamady Doumbouya, who named the junta the National Committee of Reconciliation and Development (CNRD). The UCG in Guinea, like that in Niger, can be categorised as a palace coup.² However, it was part of the broader context of strong opposition from civil society organisations and opposition political parties, united under the National Front for the Defence of the Constitution. They opposed constitutional amendments that allowed President Alpha Condé to run for, and win, a third term in the October 2020 elections,³ after being elected in 2010 and re-elected in 2015.⁴

In Burkina Faso, the overthrow of President Roch Marc Christian Kaboré occurred after a series of particularly deadly attacks against the defence and security forces. Accusations of serious failures in the chain of command affecting troop support⁵ triggered the action by Lieutenant Colonel Paul-Henri Damiba,⁶ as part of a mutiny caused by the deterioration of the security situation.⁷ Kaboré struggled to stop attacks by violent extremist groups that over six years had caused more than 2 000 deaths and displaced over 1.6 million people.⁸ The Burkinabe people were also fed up with the corruption and nepotism scandals that

Chart 1: Successful coups in Burkina Faso, Mali, Guinea and Niger



marked his governance. They had hoped he would eliminate these practices – especially after the popular uprising in 2014 that ousted the perceived corrupt regime of Blaise Compaoré.

In Niger, political rivalries⁹ and personal interests were apparently behind the 26 July 2023 coup against President Mohamed Bazoum. Unlike the three other countries where the military takeover led to a generational change, in Niger the old military guard continues to rule.

However, many Nigeriens, including civil society and trade union representatives, supported the coup to denounce what they viewed as bad governance. The latter was marked by persistent corruption and clientelism entrenched within the Nigerien Party for Democracy and Socialism, to which former presidents Bazoum and Mahamadou Issoufou belong.¹⁰

Burkina Faso, Niger, Mali and Guinea have already experienced eight, five, four and three unconstitutional changes of government respectively since gaining independence. Over the past 15 years, specifically in 2008 for Guinea, in 2010 for Niger, in 2012 for Mali and in 2014 for Burkina Faso, these countries began a transition following a UCG.¹¹ The management of these UCGs by ECOWAS and the African Union (AU) ensured that two of the four transitions were led by civilians. Dioncounda Traoré led Mali from 2012 to 2013, and Michel Kafando led Burkina Faso from 2014 to 2015. In the case of Niger and Guinea, military leaders steered the transitions – Salou Djibo in Niger, and Moussa (now Moïse) Dadis Camara followed by Sékouba Konaté in Guinea. However, in all four countries, power was transferred to an elected civilian government within an average period of about 17 months.

Since 2020, ECOWAS, the AU and the United Nations (UN), as well as bilateral and multilateral partners in the region, haven't successfully pressured coup perpetrators to make sure transitions remain short, or are led by civilians.¹² Coup leaders have chosen to preside over the transitions themselves, with civilian prime ministers. At the time of writing this report, military authorities in Mali, Guinea, Burkina Faso and Niger had been in power for 46, 33, 28 and 10 months respectively. These leaders perceive themselves as actors in a process of rebuilding their states, and some seem to harbour long-term political ambitions.

In Mali, the renegotiated transition period¹³ officially ended on 26 March 2024, without the restoration of constitutional order.

The recurrence of coups raises questions about how to address the structural causes that foster instability

On 25 September 2023, the transitional authorities had already announced the postponement of the presidential election initially scheduled for February 2024 to a date not yet set, citing technical reasons.¹⁴ The inter-Malian dialogue initiated by the authorities, which concluded on 10 May 2024, subsequently recommended 'extending the transition period from two to five years.'¹⁵ Similarly, in Burkina Faso, an amendment to the transition charter following national consultations organised by the authorities on 25 May 2024 officially extended it by five years, despite its initial end date set for July 2024.¹⁶ In Guinea, the military authorities seem to be considering an extension of the transition¹⁷ beyond the December 2024 deadline stipulated in the timeline agreed with ECOWAS. And nearly a year after the coup in Niger, at the time of writing, no duration had been agreed upon with the various national stakeholders or with ECOWAS. However, on 19 August 2023, General Abdourahamane Tiani announced a maximum transition period of three years.¹⁸

In addition to the prolonged and open-ended nature of these transitions, the authorities of the three Sahelian countries announced their withdrawal from ECOWAS with 'immediate effect' as of 28 January 2024,¹⁹

allowing them to evade regional requirements and remain in power indefinitely. This despite Article 91 of the ECOWAS Treaty requiring a one-year notice period for withdrawal. ECOWAS's requirements for a short transition period and non-candidacy of those responsible for institutional government changes are also requirements of the AU, of which they remain members. ECOWAS and some of its member states, particularly Senegal since Bassirou Diomaye Faye's election in March 2024, are trying to convince the three states to reconsider this decision. Before Senegal, Togo had also made efforts to reconcile certain positions.²⁰ However, ongoing mediation processes have not yet been successful.

The repetition of coups in these four West African countries raises important questions about how to address the structural causes that foster instability, and illustrates the need for governance that delivers better outcomes for the populations. It prompts reflection on the management of UCG and military transitions in West Africa, as military leaders no longer adhere to the logic of transition periods. And recent developments, particularly in Mali and Burkina Faso, have created favourable conditions for the establishment of long-term military regimes.

Why coups resurged in West Africa

This section shows how the regional context in West Africa has evolved to enable the resurgence of coups d'état, and complicated the management of ensuing transitions. It underscores three key factors: an initially popular support for the UCGs, a lack of effective regional and continental responses to the political and security challenges, and diminishing influence of Western partners amid heightened geopolitical competition with Russia.

Initial popular support for UCGs

Beyond their respective specificities, the military regimes that successively emerged in Mali, Guinea, Burkina Faso and Niger between 2020 and 2023 at first enjoyed the support of some of the population. This support was less of a carte blanche granted to the UCG authors than an expression of dissatisfaction, mostly by young people, towards the results of the overthrown civilian presidents and their regimes, despite their democratic election.²¹

In the three Sahelian countries, where violent extremism is expanding, frustration towards elected civilian authorities reached its peak due to their perceived inability to restore security among economically and socially burdened citizens. In Guinea, the coup was presented as an extension of the protests against Condé's controversial bid for a third term. These frustrations served as a motive and justification for the military's seizure of power. The reasons for people's disillusionment don't necessarily correspond with the individual motivations of the military and the civilians who support them. Nevertheless, this disillusionment creates favourable conditions for political entrepreneurs, both military and civilian, skilled at crafting narratives that can mobilise support.

In all four countries, the initial support of some of the population for the coup perpetrators allowed them to legitimise, to some extent, their seizure of power by force. However, this support appears to have faded over time.

There is a shrinking of civic space through silencing critical voices, whether from political parties or civil society organisations, particularly media and unions.²²

In all four countries too, the condemnation of the coups and the economic and financial sanctions imposed by ECOWAS against the states have bolstered popular support for UCG authors. These measures have been perceived by the populations as unjust and labelled by Sahelian military authorities as 'illegal, illegitimate, inhumane and irresponsible, in violation of its own texts.'²³ The criticism is that ECOWAS remained silent on what is presented as the causes of the coups, then belatedly targeted only the military coupists. As for the sanctions, they were criticised for affecting mainly the populations. These factors largely explain the failure, discussed below, of the coercive measures adopted by ECOWAS to expedite the return to constitutional order.

Lack of effective regional and continental responses

A second notable development is ECOWAS's gradual loss of leadership, whether concerning the Commission or the presidencies of member states, on issues of security and governance.

ECOWAS effectively managed the political dialogue between Malian stakeholders in the early stages of the crisis in 2012, and mobilised forces to help regain the northern region through the African-led International Support Mission to Mali (AFISMA), with AU support.²⁴ However, both organisations were sidelined from the planning and execution of the international political and military response after the 2013 liberation of occupied northern Mali towns by the French Operation Serval, the Malian Armed Forces (FAMA), and the Chadian forces of AFISMA. Against a backdrop of institutional competition, both between the continental and regional organisations and between these organisations and the UN, AFISMA funding wasn't supported by the UN Security Council which, in 2013, favoured the deployment of the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA).²⁵



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In addition, ECOWAS has faced challenges in combatting violent extremism and terrorism. The emergence of ad hoc cooperation mechanisms such as the Multinational Joint Task Force against Boko Haram in 2014,²⁶ the G5 Sahel in 2015²⁷ and the Accra Initiative in 2017²⁸ has sparked varying degrees of institutional and financial rivalries. These have undermined ECOWAS's position in managing the Sahel security crisis. These initiatives were paradoxically created and supported by ECOWAS members states,²⁹ effectively mobilising their efforts and resources to combat terrorism outside the framework of the organisation. This partly explains why the ECOWAS 2020–2024 Action Plan to improve counter-terrorism efforts³⁰ could never be fully financed.

ECOWAS' ineffective response to terrorism and hasty announcement of an intervention in Niger weakened its legitimacy

The latest addition to the series, the Alliance of Sahel States (AES), created in September 2023 by Burkina Faso, Mali and Niger, also aims to combat terrorism. The objective of this alliance, formed at the height of the crisis between ECOWAS and Niger, was to establish a pact of collective defence and mutual assistance.³¹

Another crucial factor explaining ECOWAS's difficulties in asserting itself against transitional authorities is the unprecedented succession of UCGs and the number of countries simultaneously in transition, unmatched since the end of the Cold War. A solidarity has been formed among the four countries under military rule, particularly those in the Central Sahel, allowing them to present a united front against the regional organisation.

ECOWAS's loss of authority is also explained by its struggle to address governance crises faced by its member states in recent years.

The perception of double standards depending on whether it's a military coup or an 'constitutional coup' perpetrated by elected governments, as seen for example in Burkina Faso in 2014 or in Guinea in 2020, has significantly damaged the organisation's image in the eyes of citizens. It's also provided additional arguments to transitional military authorities and their supporters.³²

Article 2 of the ECOWAS Supplementary Protocol on Democracy and Good Governance of 2001³³ stipulates that 'no substantial reform of electoral laws shall take place within six (6) months preceding elections without the consent of a broad majority of political actors.' It's because of this clause that ECOWAS sanctioned Niger in 2009 when former President Mamadou Tandja modified his country's Constitution less than four months before the end of his term.³⁴

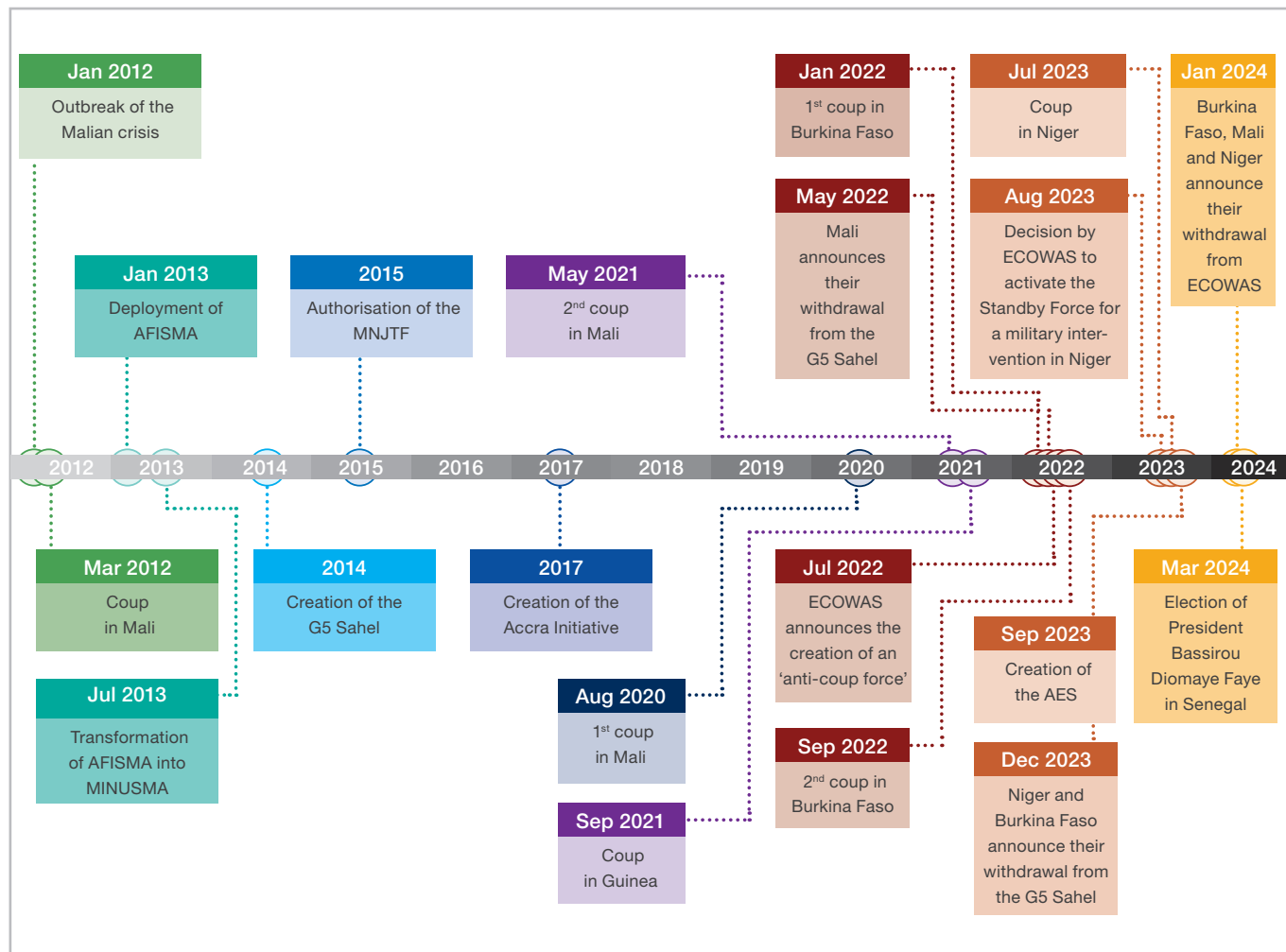
Since then, some states have learnt from this case to make changes to electoral laws or constitutions well ahead of the six-month limit so that ECOWAS cannot intervene, while opposing reforms to the Supplementary Protocol to remove this timeframe.³⁵ This has rendered ECOWAS legally powerless regarding constitutional amendments and controversial third terms.

Ultimately, ECOWAS was weakened by the lack of an effective response to the Sahel terrorist threat since 2012, the promptness with which it announced an anti-coup force in December 2022³⁶ and activated its Standby Force to intervene in Niger in 2023,³⁷ and the apparent double standards in its response to military and constitutional coups. The prevailing criticism, however, overlooks the fact that the institution primarily reflects the governance and internal capacities of its member states.

Alongside ECOWAS's loss of leadership on security issues, the lack of compensation by the AU, which has played a limited role in the region since MINUSMA's deployment, and the waning momentum of the Nouakchott Process³⁸ have amplified the lack of African solutions to several growing problems. This highlights the urgent need to rethink the mechanisms underpinning Africa's peace and security architecture.

Given the issues facing ECOWAS, the AU could have played a bigger role in managing UCGs, in line with the principles governing the relations between the AU and the regional economic communities (RECs).³⁹ It however adopted a somewhat tolerant approach towards the Chadian transition following the 2021 death of President Idriss Déby, but imposed sanctions on Mali and Guinea (and later Burkina Faso and Niger). This perceived inconsistency⁴⁰ in the AU's stance on Chad has placed the organisation in a delicate situation, making it hard for it to decisively engage in subsequent UCGs and transitions in West Africa.

Chart 2: Timeline of key events in West Africa



Loss of influence of Western partners

A third key dimension of the evolving regional context is the deterioration of relations between France and other Western states on the one hand, and the military governments of Burkina Faso, Mali and Niger on the other. The rise of military leaders in these states progressively led to the review of military cooperation with a view to diversifying partnerships.

The second coup d'état of May 2021 in Mali marks a turning point from this perspective. The military authorities chose to strengthen cooperation with Moscow from December 2021, by deploying Russian instructors and personnel from the private paramilitary company Wagner (now called Africa Corps) – whose mission is to help counter terrorism. At the same time, the government continues to acquire Russian equipment and weaponry for FAMA, initiated during Keïta's

presidency, expanding this programme to include drones manufactured by Turkey.

The military in power in Bamako simultaneously moved towards dismantling the international security architecture established from 2013 in response to Mali's security crisis. They argued that a decade of multinational interventions had not reversed the course of insecurity and that the presence of French military forces had, to some extent, hindered the momentum of Mali's forces.⁴¹

France was celebrated as a liberator 10 years earlier, during Operation Serval.⁴² However, the deterioration of relations between Bamako and Paris led, on 2 May 2022, to the denunciation of the defence agreements binding the two countries, and a request for the departure of Operation Barkhane, Serval's successor.⁴³ Furthermore, Mali decided on 15 May 2022 to withdraw from the G5 Sahel and its joint force. This decision came after Mali's

accession to the rotating presidency of the G5 Sahel was blocked by certain member states. According to the official statement from Malian authorities, this action was linked to 'manoeuvres of an extra-regional state desperately seeking to isolate Mali.'⁴⁴

The French military personnel of Operation Barkhane, who had refocused their deployment on the bases in Ménaka and Gao, began leaving Mali from June 2022, at the request of Mali's transitional authorities.⁴⁵ Subsequently, the departure of the Takuba Task Force, composed of European contingents, was announced by France in agreement with its European partners,⁴⁶ and the end of the European Union Training Mission (EUTM) was decided by EU member states in May 2024.⁴⁷

ECOWAS' performance primarily reflects the governance and internal capacities of its member states

Mali further denounced the instrumentalisation by Western powers of MINUSMA's Human Rights Division, in the context of operations conducted by FAMA, and ultimately requested the withdrawal of the UN mission in June 2023. This became effective as of 31 December 2023.

For Mali, given France's penholder role at the UN Security Council regarding MINUSMA and its status as the framework nation for EU missions, these multilateral instruments appeared to be heavily influenced by France. This sparked distrust among Malian authorities. Established in 2015, the EU Capacity Building Mission in Mali (EUCAP Sahel Mali) is the only EU mission that has not been suspended or dismissed by the authorities. This exception deserves to be highlighted, as it shows that collaboration remains possible despite the context.⁴⁸

The break with France extended to Burkina Faso and Niger in 2023, with the withdrawal of French forces from these countries at the request of the military authorities who came to power. This rejection is part of the broader context of deep public disapproval of French policy in Francophone Africa and on which the military leaders rely to establish popular support and legitimise their power. Similarly, Burkina Faso and Niger eventually withdrew from the G5 Sahel on 2 December 2023, accusing the organisation of 'serving foreign interests at the expense of the Sahel people.'⁴⁹ Two days later, on 4 December 2023, Niger terminated its security and defence partnership agreement with the EU, under which the EUCAP Sahel Niger mission and EU Military Partnership Mission in Niger (EUMPM Niger) were deployed.⁵⁰

Following Mali's lead, Burkina Faso and Niger also opted to diversify their partnerships. In Burkina Faso, military cooperation with Russia was formalised in January 2024 with the deployment of around 100 Russian instructors.⁵¹ In Niger, the National Council for the Safeguard of the Homeland (CNSP) initiated a process to reassess all the country's strategic partnerships



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and denounced the military cooperation agreement with the United States on 16 March 2024. From 10 April 2024, the transitional authorities communicated about the arrival in Niamey of Russian cargo ships carrying military equipment and instructors.⁵² These developments follow the signing of military cooperation agreements with Moscow in December 2023.⁵³

These strategic developments in the Sahel have heightened French rejection and Western downgrading in the region against the backdrop of geopolitical tensions that have emerged from 2014 between the West and Russia, notably due to the annexation of Crimea in Ukraine, and which culminated in Russia's invasion of Ukraine in February 2022.

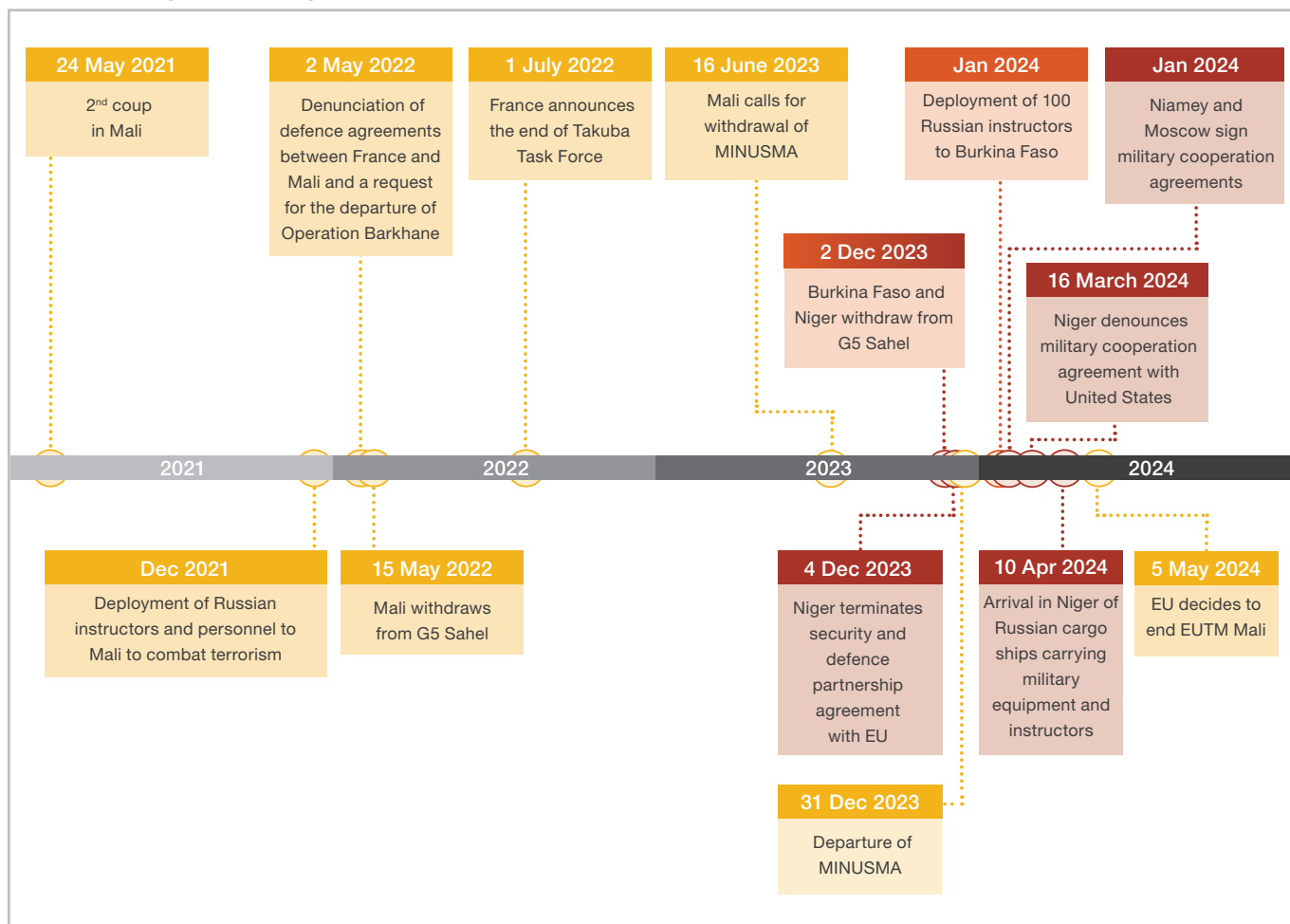
Moreover, the current military regimes' sovereigntist stance of the military regimes in Central Sahel significantly limits external actors' room for manoeuvre. Their position enhances their popularity at home,

although this is also due to certain Western partners' refusal to partner with Russia.⁵⁴ France's acceptance of General Mahamat Déby's assumption of power after his father Idriss Déby's death in April 2021,⁵⁵ while using undiplomatic language towards the transitional authorities in Mali due to their partnership with Russia,⁵⁶ also added to tensions.⁵⁷

The advent of military rule in the Sahel has led to a review of military cooperation with the aim of diversifying partnerships

It is worth noting the uniqueness of Guinea's situation, where the authorities, while expressing solidarity in principle with their Sahelian counterparts,⁵⁸ have not been directly antagonistic with their regional and Western partners. Guinea is trying to avoid the geopolitical

Chart 3: Changes in strategic alliances in the Sahel



influence game observed in the region by rebalancing its partnerships between Western countries, particularly France, on the one hand, and China, Russia and Turkey on the other.⁵⁹

Finally, despite the diversification of partnerships, which has facilitated significant investments in defence and security equipment in Sahelian countries, the security situation remains critical. It is crucial for the military authorities in power in the Central Sahel to draw lessons from the past 12 years of countering violent extremist groups in the region and the experiences of countries in the Lake Chad Basin in their fight against Boko Haram.⁶⁰ This involves diversifying the responses. In addition to the need to address supply chains, recruitment and financing of groups.⁶¹ Alongside better calibrated military approaches that consider civilian protection, it has also become urgent to integrate complementary non-military measures. In particular, by developing programmes to incentivise combatants' disengagement from terror groups.⁶²

Ultimately, these developments in West Africa's regional strategic environment, particularly in Central Sahel, have since 2020 posed significant challenges to multilateral organisations in their peace and security missions, against the backdrop of a broader crisis in multilateralism.⁶³ They appear to question the ability of ECOWAS, as well as the AU, the UN and bilateral actors, to effectively manage the UCGs and support transitions.

Lessons from the crisis in Niger

At the opening of the Extraordinary Summit of ECOWAS heads of state on 24 February 2024, Nigerian President Bola Tinubu, the organisation's current chairman, called for a re-evaluation of ECOWAS's current approach to facilitating the return of constitutional order in member states undergoing military transitions.⁶⁴ Such a reassessment requires learning from recent crises in Mali, Guinea, Burkina Faso and, more specifically, Niger, with a view to refining the regional organisation's current tools and practices when dealing with a UCG event.

ECOWAS's management of Niger's coup d'état on 26 July 2023 evolved into an unprecedented crisis for the organisation, leading to Burkina Faso, Mali and Niger deciding to leave the regional bloc. This decision was a direct consequence of ECOWAS's escalation of the

situation through its unprecedented array of political, economic and financial sanctions, and its threat of military intervention. This reaction by ECOWAS heads of state was due to Niger's coup occurring after the bloc had barely stabilised its relations with other countries under transitional regimes following periods of high tension. This coup was apparently considered as the last straw, necessitating a strong response.

Revise the sanctions regime to make it clear and predictable

ECOWAS's sanctions regime, as outlined in the Supplementary Act on Sanctions Against Member States that Fail to Honour their Obligations to ECOWAS, remains relevant and useful. Community rules need mechanisms to sanction countries that do not comply with them. However, ECOWAS should reconsider the use of sanctions in light of their effectiveness in achieving the expected results, especially in Niger's case.⁶⁵

Sanctions strengthened patriotism among the population and consolidated political support for the military authorities

To facilitate Bazoum's release and reinstatement to his role as Niger's head of state, ECOWAS's 30 July 2023 heads of state summit decided on a series of sanctions against the country. These included standard measures such as closing land and air borders, suspending commercial transactions and aid from financial institutions, freezing the country's assets, and travel bans and asset freezes for officers involved in the coup and their family members. However, the sanctions also included a severe embargo on essential goods, including food and pharmaceutical products, medical equipment, petroleum products, and electricity supply.⁶⁶

Faced with the failure to achieve the intended objectives and criticism of the embargo from Nigerien authorities and citizens, the 24 February 2024 heads of state summit unilaterally decided to lift the sanctions.⁶⁷ The sanctions had led to an almost complete shutdown of the country's economy, and severely impacted already vulnerable citizens, with an average increase of 75% in food prices in Niamey's markets.⁶⁸

Additional Act A/SA.13/02/12 concerning the sanctions regime

The Supplementary Act A/SA.13/02/12 of 17 February 2012 concerning the sanctions regime against member states that do not fulfil their obligations to ECOWAS is the organisation's reference instrument in terms of sanctions. It provides for two categories of sanctions:

Judicial sanctions (article 5)

The Court may issue decisions sanctioning member states for failures to fulfil their obligations arising from the ECOWAS Treaty, Conventions and Protocols, Regulations, Decisions and Directives

Political sanctions (article 6)

Political sanctions applicable against member states failing to fulfil their obligations towards the Community may include:

- (i) the suspension of granting any new loans or assistance by the Community;
- (ii) the suspension of disbursements for all loans, ongoing projects, or community assistance [programmes];
- (iii) the rejection of nominations for statutory and professional positions;
- (iv) the suspension of voting rights;
- (v) the suspension of participation in Community activities;

- (vi) the refusal to support nominations put forward by the member state concerned for elective positions in international organisations;
- (vii) the refusal to hold any ECOWAS meetings in the member state concerned;
- (viii) the suspension of the member state concerned from all ECOWAS bodies; during the suspension, the sanctioned state remains obligated to pay dues for the suspension period;
- (ix) travel bans for leaders, their family members and supporters, notwithstanding the community provisions on the free movement of people;
- (x) freezing of financial assets;
- (xi) the recall of ambassadors by other member states from the state in breach of democracy;
- (xii) an embargo on arms destined for the concerned member state;
- (xiii) a ban on running for the highest office;
- (xiv) condemnation and non-recognition of governments resulting from unconstitutional changes;
- (xv) imposition of peace or restoration of constitutional order through the use of legitimate force.

Furthermore, as in Mali in 2022,⁶⁹ these measures strengthened people's patriotic sentiment, thereby consolidating the political base of the military authorities, and ultimately backfired on the organisation. Indeed, as previously highlighted, the grievances expressed by Burkina Faso, Mali and Niger to support their withdrawal from ECOWAS mainly concern the sanctions imposed by the organisation, described as 'illegal, illegitimate, inhumane and irresponsible, in violation of its own rules.'⁷⁰ In a way, the military authorities have succeeded in portraying themselves as victims of these sanctions, almost overshadowing the fact it was the military coups that actually triggered them.

ECOWAS bases these sanctions on the Supplementary Act on Sanctions Against Member States that Fail to Honour their Obligations to ECOWAS, adopted during the 40th heads of state and government ordinary session in Abuja in February 2012.⁷¹ The fact that many stakeholders and observers, both inside and outside the ECOWAS Commission, first learnt about the sanctions regime during the crisis in Niger, underscores the need for more communication around this instrument and to incorporate it into the Supplementary Protocol on Democracy and Good Governance.

The chart below of sanctions adopted following coups in Mali, Guinea, Burkina Faso and Niger shows that sanctions

Chart 4: ECOWAS sanctions following coups in Mali, Guinea, Burkina Faso and Niger

Sanctions	Mali I	Mali II	Guinea	Burkina Faso I	Burkina Faso II	Niger
Suspension of the country from ECOWAS decision-making bodies						
Closure of land and air borders with ECOWAS countries						
ECOWAS exclusion zone for all commercial flights						
Travel ban on members of the junta and their families, and freezing of their financial assets						
Suspension of the country from all commercial and financial transactions with ECOWAS countries						
Embargo on food products						
Embargo on pharmaceutical products, medical materials and equipment						
Embargo on petroleum products and electricity						
Freezing of state assets in ECOWAS central banks						
Freezing of state and public sector assets in commercial banks across ECOWAS countries						
Suspension of all financial assistance and transactions in favour of the state by ECOWAS financing institutions (ECOWAS Bank for Investment and Development and West African Development Bank)						
Freezing all service transactions, including public services						
Restrictions on the recruitment of citizens of the country for professional positions						

Source: Communiqués from the ordinary and extraordinary summits of ECOWAS heads of state on the situations in Mali, Guinea, Burkina Faso and Niger (2020–2024)

were not uniformly applied. Niger was subject to harsher treatment than other countries as there appears to be a clear distinction in the measures the organisation took based on the causes and circumstances of the coup at hand, and on the level of cooperation of the transitional authorities.

Coup leaders presented themselves as the victims of sanctions, which overshadowed the fact that their military coups had triggered them

The sanctions imposed against Guinea, some of which were lifted after the adoption of a transition roadmap in October 2022,⁷² had limited economic consequences. As a country with access to the sea, and not landlocked like the three countries in Central Sahel, Guinea has been able to mobilise internal resources, notably through increased customs duties and taxes. The financial leverage of sanctions could not be applied because the country was not a member of the West African Economic and Monetary Union (WAEMU), and only members could be subject to monetary restrictions.

A reflection on the effectiveness, predictability and coherence of the sanctions regime appears imperative. A revised sanctions regime, including clearer application criteria while remaining flexible, and ensuring above all that the impacts on innocent citizens are minimised as much as possible, would enable the regional body to adopt a more systematic yet contextually adaptable stance. Predictability in the grading of sanctions based on objective criteria and clarification of triggers for different levels of sanctions would also be beneficial. This would help avoid giving the impression that heads of state are acting disproportionately

Clarifying the modalities and doctrine of the use of force

ECOWAS also combined the sanctions against Niger with the threat of military intervention to reinstall Bazoum, activating its Standby Force following the 10 August 2023 heads of state summit.⁷³ This recalls, despite the different contexts, his threat to use force to install the opposition candidate, Adama Barrow, who won the December 2016 presidential election in The Gambia, in the face of outgoing President Yahya Jammeh's refusal to relinquish power despite his defeat.⁷⁴ In 1997, in Sierra Leone, the ECOWAS Monitoring Group's armed intervention succeeded in overthrowing the junta that had deposed President Alhaji Ahmad Tejan Kabbah.⁷⁵ In both cases, ECOWAS's actions produced the expected results. However, gradually abandoned in the case of Niger, the threat of resorting to force has been counterproductive, similar to the sanctions.⁷⁶

While some countries genuinely wanted this intervention, others, along with certain personnel within the ECOWAS Commission, viewed it more as a deterrent strategy, similar to the situation in The Gambia. The threat needed to appear sufficiently credible for it to be taken seriously.



UNLIKE THE SUCCESS IN THE GAMBIA IN 2016, THE THREAT OF USING FORCE WAS COUNTER-PRODUCTIVE IN NIGER

However, this had the additional consequence of fragmenting ECOWAS, as the Central Sahel states decided to create the AES in the form of a collective defence mechanism. Indeed, on 31 July 2023, Mali and Burkina Faso said any armed action by ECOWAS against Niger would be considered a declaration of war against them.⁷⁷

Furthermore, at the continental level, the AU's Peace and Security Council (PSC) abstained from endorsing a decision for ECOWAS military intervention during its meeting on 14 August 2023.⁷⁸ The PSC requested an assessment of the humanitarian, economic and security implications of an intervention, while advocating for a diplomatic solution.⁷⁹

ECOWAS must find ways to carry out military action while maintaining its strategic and financial autonomy

These internal and external obstacles must prompt ECOWAS to clarify its doctrine on the use of armed force in UCG situations, as provided for in Article 6 (XV) of the 2012 Supplementary Act on the sanctions regime. In December 2022, ECOWAS heads of state announced the creation of a military force tasked with restoring constitutional order in member states.⁸⁰ However, the limits of such a regional force would quickly be reached. Especially when weighing the risks of using force in UCG situations where loss of life or material damage has not occurred, as was the case in Niger – but also in Mali, Guinea and Burkina Faso.

In fact, it was the use of force contemplated by ECOWAS that threatened to escalate the situation on the ground. The physical safety of Bazoum, the divisions within the army, and the support of the population for the junta through the establishment of popular resistance committees, represented significant risks that could have pushed Niger into violence. Furthermore, the predictability of the use of force is a condition for a clear and coherent doctrine. Of the six coups that have occurred in West Africa since 2020, only Niger has faced a threat of intervention.⁸¹

Finally, ECOWAS must consider how it will find the means for a military intervention with full strategic and

financial autonomy. Considering its military capabilities and geographical proximity, Nigeria was expected to take the leadership of the planned intervention in Niger. However, the war plans relied heavily on logistical support from the US and financial assistance from the EU.⁸² The unexpected shift in the American stance towards a diplomatic solution slowed the momentum of the intervention. At the same time, strong Western support for restoring Bazoum, especially from France, which faced the risk of losing its foothold in the Sahel region,⁸³ may have fuelled the perception of an intervention aimed at defending external interests.

Rethinking support for transitions

Beyond the crisis in Niger, which could be analysed as an exceptional situation, developments in the overall regional context, and the trajectories of military transitions in Burkina Faso, Guinea and Mali, highlight the limitations of ECOWAS's conventional approach to managing UCGs. A more pragmatic management of coups and the transition periods they initiate is needed – in order to address both the structural and circumstantial issues that contribute to these events recurring.⁸⁴

Burkina Faso, Guinea, Mali and Niger's recent political history demonstrates that a return to constitutional order through the organisation of democratic elections alone doesn't guarantee the stability of states in the medium and long terms. Except for Bazoum, all leaders overthrown since 2020 came to power either through previous coups, such as Paul-Henri Damiba in Burkina Faso, or through winning elections that were held following a transition after a coup.

Ibrahim Boubacar Keïta, who was overthrown by Colonel Assimi Goïta in 2020, was elected president of Mali following the elections held in 2013, at the end of the transition established after the 2012 coup led by Captain Amadou Haya Sanogo.

In Burkina Faso, Roch Marc Kaboré became president after winning the November 2015 elections held during the transition period following the 2014 popular uprising that ousted Blaise Compaoré after 27 years in power and after a failed coup attempt in September 2015. In Guinea, Condé was elected president in 2010 after Moussa Dadis Camara seized power in 2008, following the death of President Lansana Conté.

Niger stands out as a special case where, following Issoufou's election in February 2011 after the military transition led by Colonel Salou Djibo (2010–11), Bazoum benefitted from a peaceful transfer of power on his election in 2021. This despite a coup attempt just two days before his inauguration.⁸⁵ The uniqueness of Niger's case nonetheless confirms a fundamental observation. That is, the persistence of coups in the four countries, despite democratic elections held at the end of the shortest possible transitions, stems from structural causes that cannot be addressed adequately and sustainably by the conventional approach to managing UCGs.

The most efficient way to constructively engage and support states undergoing political transition is to optimise the outcome of these transitions

The most efficient way for ECOWAS, the AU and bilateral partners to constructively engage and support states in transition could have been to optimise the outcome of transitions by focusing on their substance – not just their duration.⁸⁶ This would have required examining periods of constitutional breakdown as key moments in the historical trajectory of the affected states. This would have been conducive to setting milestones for addressing the structural weaknesses that fuelled recurrent instability. For the time being, this window of opportunity seems to have closed before it could be seized, given the ongoing militarisation of states in transition.

Focusing exclusively on the swift return to constitutional order through organising democratic elections does not guarantee either improved governance or states' stability in the medium and long terms. It is still too early to know whether long transitions, including those that end in elections confirming military rule, would be able to offer this guarantee over time. In both cases, however, the risk of the recurrence of coups persists in the short term.

Strengthening states' stability

In order to significantly contribute to strengthening the medium- and long-term stability of states facing UGC situations, national actors, supported by national, regional and continental stakeholders and their partners, should identify areas where progress could be made, despite challenging circumstances. It should be emphasised here that the goal is not to encourage prolonged military transitions or military involvement in the political sphere. If applicable, their tenure in power should be as short as possible, as stipulated by continental legal instruments. However, given the long-term consolidation of military authorities currently in power in the region and the failure of regional and continental UCG management tools, a certain pragmatism is required to stabilise actions in these countries.

At the same time, transitional governments' strong sovereigntist positions grant them independence from ECOWAS injunctions and limit external



ELECTIONS ALONE
DO NOT GUARANTEE
LONG-TERM STABILITY

partners' room to manoeuvre. However, the shortcomings of certain regional norms against the UCGs should not allow transitional authorities to question everything and disregard all normative constraints. This could open the door to instability and setbacks. New coups in these countries could lead to violent confrontations between multiple factions of the defence and security forces, potentially causing serious consequences for the military chain of command, citizens and regional stability.

Transitional authorities must keep in mind populations' deep aspirations for change. Their security needs and the implementation of long-term structural actions should not justify indefinite transition periods. The envisaged process should instead aim for sufficient and measurable progress on selected priority projects, whose implementation should also be continued by democratically elected authorities at the end of the transition.

To this end, states and their external partners will need to establish appropriate legal and assessment mechanisms so that future civilian authorities remain committed to the process and effectively carry it forward beyond their election.

The recurrence of coups d'état in Burkina Faso, Niger, Mali and Guinea since their accession to independence has made security sector reform (SSR) a strategic priority. The long-standing politicisation of these states' military institutions tends to establish a tradition of military interference in the political sphere.⁸⁷ This sense of legitimacy to interfere in countries' governance has become ingrained within their armies, fostering the seizure of power through coups.⁸⁸ As a result, these countries have been governed for many years by military regimes or former military personnel who transitioned into civilian roles.

Conversely, in countries where the military institution is characterised by professionalism, poor political and economic governance by civilian governments does not automatically lead to military intervention in the political sphere. An example is Senegal, where institutions and civil peace were significantly tested between March 2021 and February 2024 due to serious political unrest. In Senegal, military interference in the political sphere does not exist because of the army's professionalism.⁸⁹

In most of the countries considered, SSR processes have been initiated by previous governments. In Burkina Faso, the National Security Forum conceptualised SSR in 2017, focusing on a National Security Policy, a strategic reform plan 2018–2022, and a military programming law aimed at planning to equip the army with the appropriate materials. In Mali, a multidisciplinary think tank on SSR, established by Keïta in November 2013, proposed a process of SSR along with a strategy for resource mobilisation.

The EUTM and EUCAP Sahel Mali and MINUSMA missions have provided support in this context. In Guinea, Condé's government organised a national seminar on SSR in March 2011. This facilitated the identification of priority actions by sector, and the sequencing of their implementation in the short (2011), medium (2012), and long (2013–2015) terms through a national steering committee created on 14 April 2011.

Transitional authorities must keep in mind civilians' deep aspirations for change

These attempts at reform, however, did not achieve the intended qualitative transformation, due to lack of genuine political will. In Burkina, Mali and Guinea these various countries, SSR processes haven't received adequate funding and have been hindered by civilian governments' hesitation to challenge the sensitivities of defence and security forces reluctant to change. The current authorities must therefore prioritise the revitalisation of these processes. The fact that they originate from the defence and security forces is strategically advantageous. It could reassure their fellow servicemen about the objectives of this SSR, and the benefits it represents for improving the functioning, organisation and governance of the sector.

In terms of governance, as mentioned earlier, all these coups occurred in the context of a strong popular demand for a qualitative change in how these countries were governed. At the same time, the radical change in political ethics customs and practices is central to the rhetoric of the military authorities, who have also developed their own strategic priorities in this regard.

In Guinea, the transitional authorities have adopted, as a guiding principle, the concept of rebuilding the state⁹⁰ in order to bring about changes in its functioning and its relationship with citizens. The Interim Reference Program (PRI) 2022–2025, promulgated on 30 December 2022, aims to establish a unified framework for government intervention and its development partners. Designed to create the conditions for rebuilding the Guinean state, the PRI serves as the operational tool for implementing the transitional government’s roadmap. This roadmap is made up of five axes: (i) institutional rectification; (ii) macroeconomic and financial framework; (iii) legal framework and governance; (iv) social action, employment and employability; (v) infrastructure, connectivity and sanitation.

The long-standing politicisation of the military tends to establish a tradition of military interference in the political sphere

In Burkina Faso, the major directions outlined in the Charter of the Patriotic Movement for Safeguard and Restoration – reaffirmed by the amended Charter of 25 May 2024 – have been summarised into four operational pillars following the ‘rectification’ of September 2022 in an Action Plan for Stabilisation and Development (PASD) (2023-2035): (i) combatting terrorism and restoring territorial integrity; (ii) responding to the humanitarian crisis; (iii) rebuilding the state and improving governance; (iv) working towards national reconciliation and social cohesion.⁹¹

The project to rebuild Mali is articulated through consolidated reforms within the *Cadre stratégique de la refondation de l’État* (Strategic Framework for the Rebuilding of the State) (CSRE 2022-2031),⁹² aiming to achieve ‘a new Mali that is well-governed, secure and stable, committed to sustainable development, social cohesion, and respectful of human rights and socio-cultural values.’⁹³ In terms of inclusivity, these reforms are politically grounded on the 517 recommendations of the National Conferences on Refoundation (ANR) convened by the authorities from 11 to 30 December 2021 with the aim of establishing ‘an uncompromising diagnosis of the seriousness and depth of the crisis and its challenges’⁹⁴ and adopting a consensus-driven roadmap. According

to the official report, the consultations recorded the participation of 84 700 delegates and were held in 95.52% of the municipalities and 85% of the districts of Mali.⁹⁵ However, the ANR was boycotted by a portion of the political class, civil society, and armed groups who signed the Algiers Accord for Peace and Reconciliation in Mali.

Inclusivity is an essential criterion to ensure the success of long-term structural actions, both in terms of their design and their implementation.

However, in the four countries under transition regimes, civic and political spaces have gradually been restricted through the repression of freedoms of expression, opinion and peaceful assembly, and through arbitrary arrests and detentions. Freedom of information is also hampered by regular disruptions to internet and social media access, and by the suspension of certain media outlets and news websites. In this context, several journalists, human rights defenders and opposition figures have gone into exile.⁹⁶ Furthermore, in Mali and Burkina Faso, political parties’ activities are banned.⁹⁷

This development poses an even greater risk given that Malian and Burkinabe authorities have extended their respective transitions following national consultations that did not include all stakeholders. Authorities in the four countries in transition should focus on restoring the activities of political parties and ensuring respect for collective and individual freedoms. That would ensure as broad a social and political support as possible for efforts to strengthen state stability.

Investing in priority civilian sectors

Whether it’s the UCGs that have occurred since 2020 or the strategic shifts towards alliances with Russia, recent developments in the regional context have severely strained the relationships of Central Sahel states with their traditional bilateral partners, such as the EU and its member states. In the case of Niger, political tensions have significantly impacted cooperation, leading to the suspension not only of security cooperation agreements by the EU, but also of financial and development aid.⁹⁸ More broadly, however, there’s been a reduction in bilateral cooperation in high-impact humanitarian areas within transitional countries. This is due both to the deteriorating security situation and decisions by some

states to suspend financing for projects or redirect funds to other themes, such as defending human rights.

However, it is crucial for the wellbeing of populations and the short-, medium- and long-term stability of countries in transition that traditional Sahel partners continue, despite political developments, to invest in priority civilian sectors such as agriculture, access to water, health and education.

Through their support for UGCs and their adherence to the sovereigntist rhetoric of the military authorities, Sahelian populations have expressed a strong desire to exercise full independence in their countries' strategic choices and political directions.

Inclusivity is an essential criterion for ensuring the long-term success of structural actions, both in their design and their implementation

This assertive stance is not limited to current transitional periods. It represents a principle that future democratically elected authorities won't be able to deviate without major political consequences. Article 34 of Mali's Constitution of 22 July 2023 sets out the terms of public action, including international cooperation, to say: 'Public action is guided by principles based on respect for state sovereignty, the sovereign choices of the People and the defence of their interests.'

This aspiration of Sahelian citizens must not only be understood by bilateral partners and donors, but above all should inform the renewal of their approach to cooperation with the region. Drawing lessons from the failures of a decade of international interventions in the Sahel, supporting transitions in states experiencing UGCs must be based on specific priorities and objectives, and according to modalities set by governments in consultation with partner non-governmental organisations.⁹⁹

The strategic shift of alliances by Mali, Burkina Faso and Niger towards Russia significantly narrows the scope of cooperation with Western partners in the security domain.

At the same time, the Sahel's military governments themselves appear reluctant to resume this cooperation for now. Therefore, support from European partners should primarily be considered through resuming or intensifying development cooperation and supporting actions in identified priority civilian sectors, all while accepting the principle of multipolar engagement.

While the agriculture and livestock sectors structure the overall economy of Sahelian countries and constitute a vital source of income for rural communities, their production methods have seen little modernisation. As a result, they struggle to cope with the effects of climate change and increasing demand. The pressures on increasingly scarce resources and tensions over



RESTRICTIONS ON CIVIC
AND POLITICAL SPACES
POSE A RISK

their control largely fuel the insecurity prevailing in the Sahel's rural areas. This situation makes the modernisation of production methods a strategic issue for stabilisation.

According to a prospective study by the ISS's African Futures and Innovation (AFI) programme, the development of agriculture offers the greatest potential to significantly reduce poverty in Mali by 2043.¹⁰⁰ In Niger, significant improvements in the agricultural sector can stimulate economic growth, with agricultural yields potentially more than doubling by 2043, leading to a reduction in the country's dependence on food imports.¹⁰¹ Similarly, investment in modern agricultural technologies, access to credit for farmers and the promotion of food security could allow Guinea to transition from a situation of dependence on food imports to a net exporter of agricultural products by 2043.¹⁰² In Burkina Faso, AFI's forecasts indicate that by making investments to modernise agriculture and make it more resilient to climate change, the country could produce enough food by 2031 to meet local demand and potentially export the surplus.¹⁰³

Support from European partners should be considered while accepting the principle of multipolar engagement

Furthermore, in addition to increasing humanitarian needs in the region, the past decade of crisis in the Sahel has reshaped the characteristics of social demand for basic infrastructure. With more than four million displaced people and refugees in the region as of April 2024, insecurity in rural areas tends to accelerate demographic concentration in urban areas, creating additional pressure on already limited urban resources and services. Without sustained anticipatory investments in sectors such as water and sanitation, education, and health, there is a risk that Sahelian cities could become additional hotbeds of destabilisation in the region in the near future.

A study conducted by the UN High Commissioner for Refugees and the Danish Refugee Council¹⁰⁴ from 2021–23 in the three countries of the Central Sahel and Chad shows that these basic social sectors are continuously deteriorating. The rate of households reporting no access to healthcare has increased considerably: +4% from 2021 to 2022, and +15% from 2022 to the second half of 2023. The study also shows that the proportion of households identifying water as one of their priority needs increased from 33% in 2021 to 42% in 2023. In June 2023, more than 7 800 primary schools were closed in the Central Sahel, including 5 318 in Burkina Faso, 1 545 in Mali and 958 in Niger. Some 1.4 million children did not have access to education due to poverty, lack of infrastructure, and insecurity.

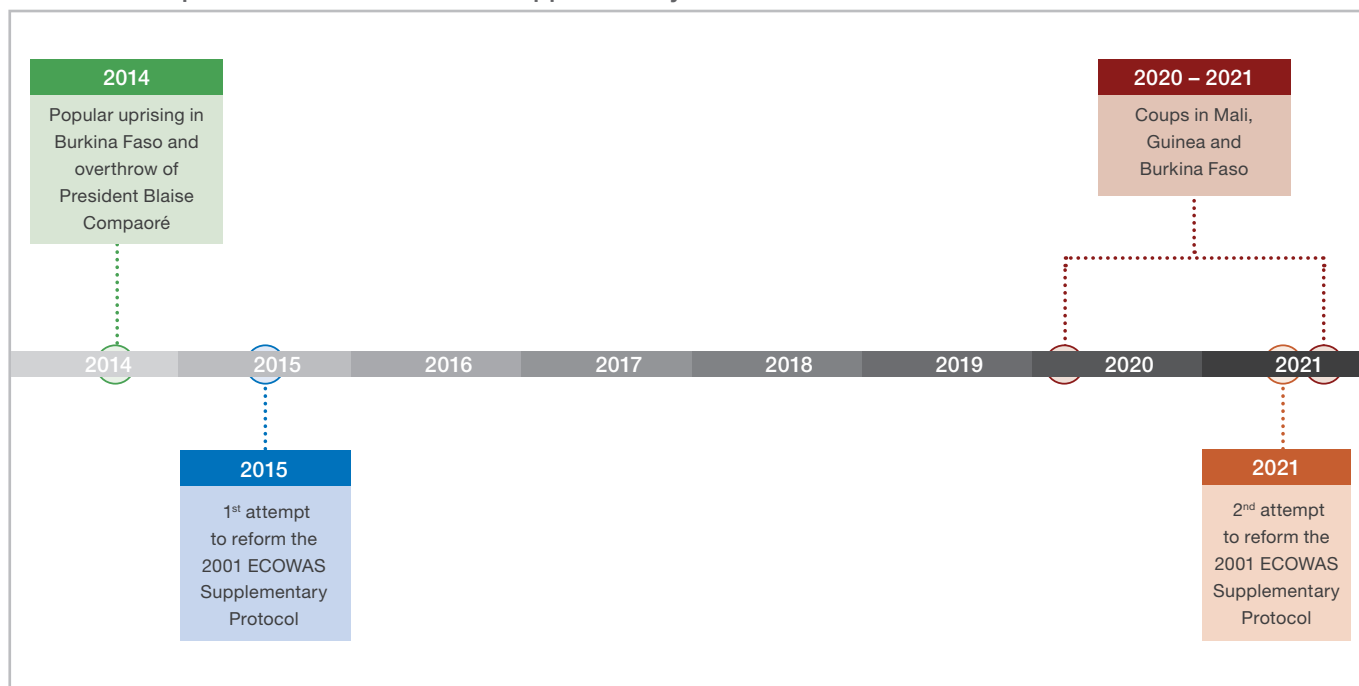


INITIAL POPULAR SUPPORT FOR COUPS WAS DRIVEN BY A REJECTION OF THE OUSTED AUTHORITIES' GOVERNANCE RECORD

Strengthen control of democratic governance

The recurrence of coups in countries currently in transition also highlights the importance of maintaining attention beyond post-coup elections. The

Chart 5: Attempts to revise the ECOWAS Supplementary Protocol



implementation of the reforms and structural actions previously mentioned, aimed at laying the foundations for sustainable stability, should be viewed as a long-term process that extends beyond the transition period. ECOWAS and the AU must identify appropriate mechanisms so that the authorities elected at the end of the transition are also bound by the structural reforms initiated during the transition period, before they assumed power.

More broadly, the initial popular support for coups in Mali, Guinea, Burkina Faso and Niger was based on the rejection of the overthrown civilian authorities' governance and the systems in place. This rejection is, indeed, of the economic and social situations in these countries, which result from long-standing governance failures that historically also included military leadership. In these political regimes characterised by strong presidentialism and weak checks and balances, and in which 'the winner takes all,' the predatory and antidemocratic practices of economic and political elites close to power have hampered the dividends of democracy expected by the majority and have ultimately paved the way for UCGs.

This also directly calls into question ECOWAS's ability to act decisively to rectify and sanction violations of

democratic governance by elected civilian governments, whether involving electoral fraud or constitutional manipulation. This situation largely explains West African populations' disillusionment towards the regional organisation, widely perceived as a 'union of heads of state.'

However, the challenges posed by the increasing number of UCGs and the announcement of Burkina Faso, Mali and Niger's withdrawal from ECOWAS paradoxically present an opportunity to revise the Supplementary Protocol on Democracy and Good Governance.

Predatory and undemocratic practices have paved the way for coups

In line with ECOWAS's prohibition of amendments to election laws within six months of an election, one option could be to make obtaining political consensus mandatory for any modification of laws regarding elections and presidential terms, regardless of timing.

This option would also be consistent with paragraph 5 of Article 23 of the African Charter on Democracy, Elections and Governance, which considers 'any amendment or revision of constitutions or legal instruments that

undermines the principles of democratic alternation' as constituting a UCG subject to appropriate sanctions similar to a military coup.

Another more explicit option to guarantee alternation would be to prohibit successive terms beyond two. Solutions of this type, among others,¹⁰⁵ have been proposed twice in attempts to revise the Supplementary Protocol on Democracy and Good Governance, in 2015 and again in 2021, at the request of the heads of state.

The proposals were aimed at strengthening democratic mechanisms and governance, providing ECOWAS with additional means to act in situations of constitutional manipulation, and establishing a community standard on term limits.

The timing of these attempts to revise the Supplementary Protocol is noteworthy. It suggests this is more a reactive stance by West African heads of state and their desire to protect their power from popular or military overthrow than wanting to meet popular demand to move towards an ECOWAS that can respond to governance challenges. Indeed, they correspond with the aftermath of the overthrow of Compaoré in 2014 and the succession of coups beginning in 2020.

In light of the current challenges faced by ECOWAS, the AU should play a much more active and assertive role

However, the need for these reforms appears more urgent now than ever, and ECOWAS heads of state should seize the opportunity offered by the current context to put the issue of revising the Supplementary Protocol back on the table for discussion. Such a revision could help improve the organisation's image in the eyes of West African citizens, and create the conditions for the return of states that have announced their departure.

Conclusion

The situation in West Africa, although worrying, should not make us lose sight of progress in democratic governance globally on the continent. Indeed, faced with nine recorded cases of UCG on the continent since 2020, there have been 11 cases of peaceful alternation of power, including five victories by the opposition against outgoing presidents or their designated successors. The recent example of a constitutional change in government in Senegal shows that despite the challenges, there is reason to hope for a gradual consolidation of democratic governance. However, the regional context reminds us of the need to address the shortcomings of certain regulatory texts and institutional and political practices, based on the identified challenges.

Redefining the methods and processes of UCGs in West Africa has become an urgent issue for security and stability in the region. At the forefront of

9

COUPS vs

11

PEACEFUL CHANGES
OF GOVERNMENT IN AFRICA
SINCE 2020

these issues, ECOWAS has, however, seen its authority deeply challenged by the political crisis in Niger, following the coup d'état in July 2023. The resulting fragmentation of the regional bloc, with the creation of the AES and the announcement of the withdrawal of Burkina Faso, Mali and Niger, has severely impacted the organisation's deterrence capacity. There's a high risk of an increase in political crises that could lead to UCGs, supported by strong social demands in the best-case scenario. The worst-case scenario, namely clashes between military factions, was narrowly avoided in Niger but could manifest in the event of a UCG elsewhere.

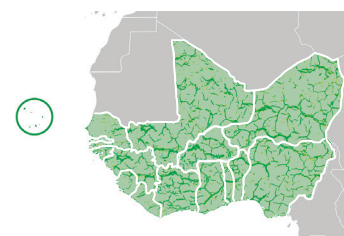
The first weeks of the transition are a crucial window of opportunity to maximise the accountability of military authorities to their populations

One key aspect of responding to these regional developments lies in the distribution of roles between ECOWAS and the AU and their implementation. Like the other regional communities, West Africa needs strong regional leadership with undisputed legitimacy, capable of guiding the region's states through periods of political turbulence. Given ECOWAS's current challenges, the AU should play a much more active and assertive role in managing UCGs in the Sahel and West Africa, respecting the principle of subsidiarity.

The second aspect of adapting to the new regional context concerns the methods of managing UCGs. It's important to distinguish three phases in this regard. The first phase is the occurrence of the coup d'état. For this phase, this report recommends that ECOWAS, while drawing lessons from its management of Niger's political crisis, not only establish a clear and predictable sanctions regime, but also clarify their doctrine for the use of force

The second phase is the transition period, which continental and regional organisations, as well as the bilateral partners of the states concerned, must strive to optimise for more efficient management of the structural problems that UCGs express. Structural actions aimed at long-term stability can be initiated in terms of SSR and governance. In this context, and given the ongoing progressive restrictions on civic space, the first weeks of the transition are a crucial window of opportunity in which to maximise the accountability of the military authorities to their populations, regarding the commitments made, or to be made, with external partners.

The third phase is the return to constitutional order, during which the attention of political actors, civil society, the media, and regional and external partners must be focused on the country in recovery. The popular support for the UCGs in Mali, Guinea, Burkina Faso and Niger stems mainly from the rejection of the ousted civilian authorities' governance, teaching us that democratic elections should no longer be a blank cheque for elected authorities.



ECOWAS' FRAGMENTATION SINCE THE NIGER COUP HAS DENTED ITS DETERRENCE CAPACITY

However, short-term challenges remain. Foremost among these is the announcement of Burkina Faso, Mali and Niger of their exit from ECOWAS, and the risks this decision poses to regional integration. However, the continued membership of these states in the WAEMU, for now, helps to preserve some achievements.

Bamako, Niamey and Ouagadougou are currently maintaining their position for an immediate exit. This benefits them politically as it removes them from the organisation's authority and statutory requirements. However, ECOWAS's official position is that the withdrawal of the three states will be effective only on 29 January 2025 – at the end of the one-year statutory period stipulated by the ECOWAS treaty.¹⁰⁶ It has called on Mali, Burkina Faso and Niger to reconsider their decision.

The coming months will be crucial for regional integration, security cooperation¹⁰⁷ and the future of ECOWAS, which celebrates its 50th anniversary in 2025. Mediation efforts¹⁰⁸ aimed at keeping Burkina Faso, Mali and Niger in the organisation will likely involve advocacy with these states and negotiating the duration and objectives of their transitions, organising elections, and the need to preserve an open civic space. However, while the effectiveness of ECOWAS has been put to the test, there are also urgent challenges it must address: revising the Supplementary Act on the sanctions regime,

revising the Supplementary Protocol on Democracy and Good Governance, supporting the fight against terrorism in its member states, and ensuring its financial and strategic autonomy based on internal resources.

Mediation and reconciliation with the AES could be an opportunity to accelerate the ECOWAS reform process

Civilian leaders of other ECOWAS member states must be aware that some of their actions, even if legal, can weaken the organisation in its ambition to promote and protect standards of democratic governance in the region.

Seeking additional terms by interpreting or amending constitutions contrary to their spirit and the wishes of the majority of the member state's citizens is an example.

Any reform of instruments related to democracy and good governance must therefore also involve states whose positions have contributed to blocking certain initiatives and attempts to revise and reform in recent years. Mediation and reconciliation efforts with the AES countries could be a chance to accelerate the organisation's reform process. Such a process would aim to address the dysfunctions that have contributed to its weakening through events involving the AES states themselves.

Notes

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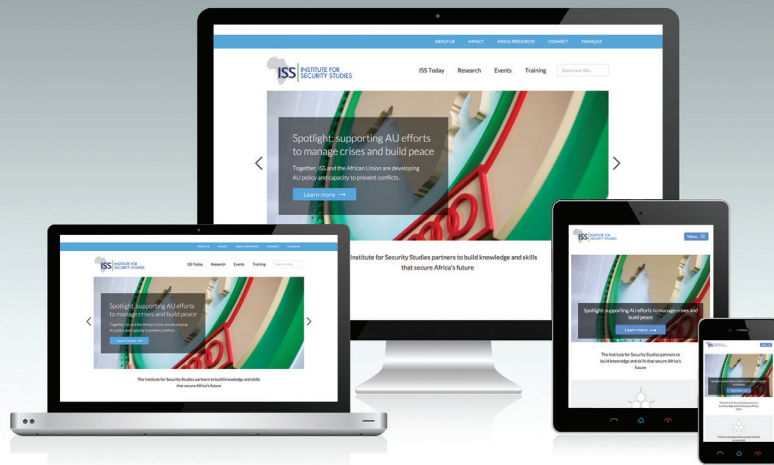
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About the authors

The research work for this report was conducted by Aïssatou Kanté, Fahiraman Rodrigue Koné, Hassane Koné, Issaka K Souaré, Djiby Sow, Lori-Anne Thérroux-Bénoni and Paulin Maurice Toupane. Seydou Boubacar Daffé and Ndeye Fatou Faye, scholarship researchers, provided their support.

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