



A TEST FOR WEST AFRICAN REGIONALISM: EXPLAINING ECOWAS RESPONSE TO THE CRISIS IN NIGER

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FEBRUARY 2024

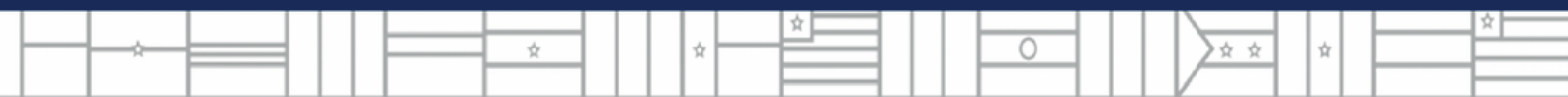


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Executive Summary

Facing the ongoing crisis in Niger, ECOWAS stands at a crossroads. On the one hand, ECOWAS initial threat of military intervention triggered a backlash from various quarters. Burkina Faso and Mali rallied to support the Niger junta, portending a regional split. On the other hand, a less coercive response might throw ECOWAS central role in maintaining peace, security, and democracy in West Africa in doubt. What explains ECOWAS actions in Niger? What can ECOWAS learn from this crisis? The unique nature of the crisis in Niger prompted an initial belligerent response from ECOWAS, but a quest to stay relevant amid pushback moved the organization towards a more moderate approach. Through this shift in strategy, ECOWAS sought to balance existential threats to the organization with the task of restoring constitutional order in Niger. Going forward, ECOWAS would benefit from making better use of its crisis-response architecture, including through consulting a wider range of actors with different perspectives, leveraging the expertise of the Commission staff, and keeping its broader peace, security, and democracy goals front and centre.

Introduction

The Economic Community of West African States (ECOWAS) is no stranger to political crises. Since the 1990s, the regional organization has faced several coups, disputed elections, political tensions, and civil wars in its member states. ECOWAS has a history of responding to crises using different tools, including statements, mediation, membership suspension, sanctions, and military intervention. Most recently, ECOWAS intervened militarily to resolve the Gambian political crisis in 2017.¹ This track record of addressing crises has given ECOWAS the reputation of having the strongest crisis-response architecture among regional organizations across the world.²

Despite this record of activity, the crisis in Niger poses an exceptional challenge for ECOWAS. The July 26, 2023, coup in Niger follows on the heels of successive coups in ECOWAS member states since 2020, including in Mali (2020, 2021), Guinea (2021), and Burkina Faso (twice in 2022). Following ECOWAS's initial response of threatening military intervention to restore constitutional order in Niger, two coup-affected countries, Burkina Faso and Mali, formalized an alliance with Niger—the Alliance of Sahel States—committing to a collective military response to any ECOWAS military intervention in Niger.

On the one hand, ECOWAS is facing the prospect of a regional split, partly as a consequence of its actions. On the other hand, the deteriorating political and security situation in West Africa undermines ECOWAS's mandate to maintain peace, security, and democracy in the region. Both these issues represent significant challenges for ECOWAS, which today stands at a crossroads.³

This paper analyses ECOWAS's response to the coup in Niger and offers lessons for ECOWAS from the Niger episode. First, to provide context, the paper discusses the development of ECOWAS's crisis-response architecture. It then outlines the organization's typical approach to operationalizing this architecture during political crises. With this knowledge, the paper tries to make sense of ECOWAS actions taken to address the crisis in Niger. It does so by highlighting what makes the Niger crisis unique, before attempting to explain ECOWAS's responses, from the initial threat of military intervention to a shift in focus to mediation to contending with other actors vying to manage the crisis. The paper concludes by suggesting strategies for ECOWAS to better address the dual challenges of dealing with member states' crises while ensuring regional legitimacy.

¹Christof Hartmann, "ECOWAS and the Restoration of Democracy in the Gambia," *Africa Spectrum* 52, no. 1 (April 1, 2017): 85–99; Brown Odigie, "In Defense of Democracy: Lessons from ECOWAS' Management of The Gambia's 2016 Post-Election Impasse," Policy & Practice Brief 046 (Durban, South Africa: ACCORD, January 2017), <https://www.accord.org.za/publication/in-defense-of-democracy/>.

²On January 29, 2024, Burkina Faso, Mali, and Niger jointly announced their withdrawal from ECOWAS, with immediate effect. They accused the bloc of insufficient support and imposing "inhumane" sanctions. This paper was completed before this latest development.

³See Tafi Mhaka, "ECOWAS Is Undoubtedly in Trouble, but It Still Has Potential," *Al Jazeera*, September 27, 2023, <https://www.aljazeera.com/opinions/2023/9/27/ecowas-is-undoubtedly-in-trouble-but-it-still-has-potential>.

ECOWAS's Crisis-Response Architecture

Despite being an “economic community,” ECOWAS has one of the most advanced crisis-response architectures among regional organizations. Learning from their experience addressing civil wars in Liberia and Sierra Leone in the 1990s,⁴ member states adopted a series of documents that equipped ECOWAS with frameworks and tools to tackle political crises.⁵ These documents enshrine a pivotal role for ECOWAS in maintaining peace, security, and democracy in the region and within its member states.

ECOWAS was among the earliest regional organizations, if not the earliest regional organization, to explicitly include intrastate political and security issues in its ambit. The 1993 Revised Treaty includes provisions for ECOWAS to intervene in intrastate crises through mediation, election observation, or peacekeeping (Article 58).⁶ The 1999 Mechanism further allows deployment of fact-finding and mediation missions and, indeed, for “all forms of intervention,” including military intervention.⁷ In addition, the 2001 Protocol, which is supplementary to the Mechanism, elaborates progressive sanctions, culminating in membership suspension, that ECOWAS can impose during a political crisis (Article 45).⁸ The 2012 Supplementary Act on Sanctions further expands on the range of available political sanctions.⁹

The documents also describe the criteria for intervention, giving broad leeway to ECOWAS to determine when to intervene. The Mechanism, for instance, specifies a detailed, but broad, definition of a “Member State in Crisis,” referring

*both to a Member State experiencing an armed conflict as well as a Member State facing serious and persisting problems or situations of extreme tension which, if left unchecked, could lead to serious humanitarian disaster or threaten peace and security in the sub-region or in any Member State affected by the overthrow or attempted overthrow of a democratically elected government.*¹⁰

Further, the Mechanism allows ECOWAS's Mediation and Security Council (MSC) to declare “[a]ny other situation” as a crisis (Article 25). The 2001 Protocol specifically outlines a set of “constitutional convergence principles” for member states (Article 1). Non-adherence to or violations of these principles serve as grounds to intervene. Relevant to the case of Niger, the principles include “[z]ero tolerance for power obtained or maintained by unconstitutional means.”¹¹ ECOWAS's legal provisions, therefore, contain both the criteria

⁴Adekeye Adebajo, *Building Peace in West Africa: Liberia, Sierra Leone, and Guinea-Bissau* (Boulder, CO: Lynne Rienner, 2002).

⁵These include the 1991 Declaration of Political Principles; the 1993 Revised Treaty; the 1999 Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace-Keeping, and Security (“the Mechanism”); the 2001 Protocol on Democracy and Good Governance (“the 2001 Protocol”); the 2008 ECOWAS Conflict Prevention Framework (ECPF); and the 2012 Supplementary Act on Sanctions Against Member States that Fail to Honour their Obligations to ECOWAS (“Supplementary Act on Sanctions”).

⁶ECOWAS Commission, “ECOWAS Revised Treaty,” July 24, 1993.

⁷ECOWAS Executive Secretariat, “Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace-Keeping and Security,” December 10, 1999.

⁸ECOWAS Executive Secretariat, “Protocol A/SP1/12/01 on Democracy and Good Governance Supplementary to the Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security,” December 21, 2001.

⁹ECOWAS Commission, “Supplementary Act A/SP.13/02/12 on Sanctions Against Member States That Fail to Honour Their Obligations to ECOWAS,” February 17, 2012.

¹⁰ECOWAS Executive Secretariat, “Protocol Relating to the Mechanism.”

¹¹ECOWAS Executive Secretariat, “Protocol on Democracy and Good Governance.”

for intervention in intrastate political crises and the range of available intervention tools.

The source of authority for interventions varies depending on the action. The president of the ECOWAS Commission can issue statements and authorize fact-finding and mediation missions. More coercive responses such as sanctions and military interventions must come from the Authority of Heads of State and Government (“the Authority”), the highest and final decision-making body in ECOWAS composed of the heads of state of the ECOWAS members.

Operationalizing Crisis Response

On paper, ECOWAS holds a strong mandate to intervene in its members’ political crises. Past experience has shown that this mandate is borne out. Since 2005, ECOWAS has intervened in over 15 intrastate political crises, almost always activating sanctions.¹² On multiple occasions, ECOWAS has sent military troops, most recently in Guinea-Bissau (2012) and The Gambia (2017).

There is variation in how ECOWAS responds to crises, however. In ECOWAS’s crisis-response structure, final decision-making authority lies with the member states. While the legal documents detail available tools, decisions on which tool(s) to employ and how and when to use them remain with the Authority. The legal texts do not appear to prescribe specific actions for specific situations, instead leaving the Authority with leeway. For instance, the Supplementary Act on Sanctions directs the Authority to impose “appropriate” sanctions (Article 16), indicating flexibility.¹³ While the ECOWAS Commission president can initiate fact-finding and mediation missions, decisions on coercive responses (sanctions, military interventions) must come from the Authority.

In practice, ECOWAS approaches political crises by combining a rough “playbook” with factors specific to the crisis at hand. Based on its interventions in the last two decades, a “typical” pattern of crisis response can be determined.¹⁴ First, a statement of concern is issued, typically by the Commission president. In crises involving unconstitutional changes of government, such as coups, membership suspension follows.¹⁵ Simultaneously, ECOWAS initiates mediation between the opposing parties, often in conjunction with the African Union (AU) and the United Nations (UN). Appointed envoys are typically former or sitting heads of state or other senior political figures. In the case of military coups, mediation often involves putting in place a monitored transition process to restore constitutional order within a specified timeframe. For example, during Niger’s 2009–10 crisis—when President Mamadou Tandja tried to unconstitutionally extend his tenure to a third term and precipitated a coup—ECOWAS sent mediators and the coup leaders relinquished power after

¹²Based on data collected by the author.

¹³ECOWAS Commission, “Supplementary Act on Sanctions.”

¹⁴Interviews with two ECOWAS scholars on March 22, 2023 and March 31, 2023 (virtual).

¹⁵Importantly, suspension does *not* preclude continuation of ECOWAS engagement to restore constitutional order. Indeed, suspended members are required to continue paying dues, including the community levy (Article 45 of the 2001 Protocol). ECOWAS Commission, “Protocol on Democracy and Good Governance.”

presidential elections in 2011.¹⁶ Generally, the threat or use of force has been considered only as a final option, after exhausting other available means to restore order.

Specific aspects of the crisis and the prevailing regional political situation also shape the ECOWAS response. These include the nature of the crisis (coups, election disputes, political tensions, protests and demonstrations, civil wars), the size and stature of the country in crisis, and the preferences of the leading ECOWAS members (generally understood as comprising Nigeria, Ghana, Côte d'Ivoire, and Senegal).

What's Different This Time? The Niger Crisis as an Exceptional Challenge for ECOWAS

At first glance, the coup in Niger appears similar to other crises that ECOWAS has faced in the past—military leaders within a member state (in this case, head of the presidential guard Abdourahamane Tchiani) wrested power from an elected civilian leader (Mohamed Bazoum). Yet, several aspects make this crisis unique.

First, the Niger coup is the first to occur after ECOWAS leaders agreed in December 2022 to set up a regional force specifically to combat unconstitutional changes of government.¹⁷ This decision—a direct response to the string of coups since 2020—has not yet been implemented. Nonetheless, the Niger military's actions directly challenge this new ECOWAS initiative.

Second, Niger represents the fourth member state to succumb to a coup in the last three years. In the words of ECOWAS Commissioner for Political Affairs, Peace and Security (PAPS) Abdel-Fatau Musah, “This coup is one coup too many.”¹⁸ This creates additional pressure for ECOWAS to contain the perceived contagion of coups.

Third, the emergence of an anti-ECOWAS coalition among member states presents a new, unique challenge. In past crises, ECOWAS has often had to factor in the response of the crisis state's neighbour(s). But the nature and extent of the ECOWAS-adverse involvement of Burkina Faso and Mali in the Niger crisis is more serious than any that ECOWAS has encountered before.

Fourth, the crisis broke out only a month after ECOWAS leaders elected the new Nigerian president, Bola Tinubu, as ECOWAS Chair. How ECOWAS handles Niger is a test of President Tinubu's chairmanship of the organization.¹⁹

¹⁶Christof Hartmann, “Governance Transfer by the Economic Community of West African States (ECOWAS),” SFB-Governance Working Paper Series No. 47 (Berlin: DFG Collaborative Research Center (SFB) 700, Freie Universität Berlin, December 2013), 38–39, https://ciaotest.cc.columbia.edu/wps/sfb/0030745/f_0030745_24883.pdf.

¹⁷ECOWAS Commission, “Final Communique,” Sixty-Second Ordinary Session of the Authority of Heads of State and Government, December 4, 2022, https://ecowas.int/wp-content/uploads/2022/12/Eng_Final-Communique_62nd-ECOWAS-Summit_Rev.pdf.

¹⁸JoyNews, “ECOWAS Made Mistakes and I Must Admit It’ - Amb. Dr. Abdel-Fatau Musah,” YouTube video, August 19, 2023, <https://www.youtube.com/watch?v=tCTDCQXXSg4>.

¹⁹Afolabi Adekaiyaaja, “Coups Are Exposing the Shortcomings of Africa's Regional Organizations,” *World Politics Review*, October 13, 2023, <https://www.worldpoliticsreview.com/ecowas-west-africa-coup/>.

Finally, several characteristics of Niger as a country make this a unique crisis. Niger is the largest country in West Africa by area. Despite having only the ninth-largest economy in ECOWAS (with a GDP of around \$14 billion in 2022), Niger is the fourth-largest ECOWAS country by population (over 26 million in 2022).²⁰ Compared to Guinea-Bissau or The Gambia—targets of recent ECOWAS military interventions—Niger is a large country with a stronger military. Niger’s significant importance to external actors, including France (as an exporter of uranium and former colony) and the United States (as a regional partner in combatting terrorism in the Sahel), means that the crisis has an “outsized global impact.”²¹ Niger also shares a long border with Nigeria, the dominant country within ECOWAS.²² Correspondingly, Niger shares significant bilateral trade with Nigeria (\$226 million in 2022) and, particularly with northern Nigeria, strong cultural and historical affinities.²³ The crisis, therefore, could directly affect Nigeria.

Combined, these features make the present crisis critical for ECOWAS. Niger’s size implies that ECOWAS has much at stake: effective handling would serve as a boost for the organization, but a failure to address the crisis might prove severely damaging. Measures to thwart a “coup contagion” do not appear to have worked thus far. Not only that, the banding together of the coup-affected countries threatens regional unity, if not ECOWAS itself. In their role as ECOWAS chair, Nigeria and President Tinubu face the difficult task of steering ECOWAS back towards democracy. But this is no easy task. Pushing too hard might portend a regional split, but being too soft risks appearing inadequate, or worse, irrelevant.

Explaining ECOWAS Actions

Initial Response: Sanctions and Threatening Force

ECOWAS’s first response was a statement from the ECOWAS Commission released on July 26—the day the crisis emerged—condemning the “attempted coup.”²⁴ This was followed by condemnation and a commitment to restore order from Nigerian President Tinubu in his capacity as ECOWAS Chair.²⁵ Condemnatory statements constitute a standard response—nearly all international and regional organizations make such statements in the event of a coup. Notably, ECOWAS labelled the takeover as an *attempted* coup, fearing that calling it a coup would accord a degree of recognition to the junta.

²⁰World Bank, “World Development Indicators,” 2023.

²¹For further discussion on the role and impact of external actors in Niger, see Gilles Yabi, “The Niger Coup’s Outsized Global Impact,” Carnegie Endowment for International Peace, August 31, 2023, <https://carnegieendowment.org/2023/08/31/niger-coup-s-outsized-global-impact-pub-90463>.

²²Afolabi Adekaiyaoja, “Will Nigeria Reclaim Its Role as a Regional Power?,” *Foreign Policy*, August 2, 2023, <https://foreignpolicy.com/2023/08/02/nigeria-niger-coup-ecowas-bola-tinubu-diplomacy-regional-power/>.

²³Anozie Egole and Temitayo Jaiyeola, “Border Closure Threatens \$226m Nigeria-Niger Trade,” *Punch*, August 7, 2023, <https://punchng.com/border-closure-threatens-226m-nigeria-niger-trade/>.

²⁴ECOWAS Commission, “ECOWAS Condemns the Attempted Coup in Niger,” July 26, 2023, https://ecowas.int/wp-content/uploads/2023/07/Communique-Attempted-coup-in-Niger_230726_083321.pdf.

²⁵Chiamaka Okafor, “Tinubu Speaks on Coup Attempt in Niger,” *Premium Times*, July 26, 2023, <https://www.premiumpost.com/news/top-news/612050-tinubu-speaks-on-coup-attempt-in-niger.html>.

After the initial statements, ECOWAS held an extraordinary summit of the Authority in Abuja on July 30. To the surprise of many, in the summit's final communiqué, ECOWAS leaders threatened to use force to restore constitutional order in Niger if the coup leaders did not hand power back to Bazoum within one week.²⁶ To back this up, the Authority directed the ECOWAS Committee of Chiefs of Defence Staff (CCDS) to prepare to deploy troops. This threat was made alongside the imposition of diplomatic, economic, and financial sanctions. The communiqué called for the appointment of a special representative of the ECOWAS Chair, but only to deliver the Authority's demands, with no explicit mediation mandate.

While some experts favoured these measures,²⁷ this initial response was rather surprising. ECOWAS had threatened military intervention before exhausting other means such as mediation and sanctions. Not only did this move deviate from past ECOWAS practice, but it also appeared to go against ECOWAS's legal frameworks. Article 6 of the Supplementary Act on Sanctions lists the political sanctions that ECOWAS can impose. "Peace enforcement or restoration of constitutional order by use of legitimate force" is the final option. Further, Article 13 states that sanctions "shall be enforced in increasing order of severity."²⁸ However, during a television interview, PAPS Commissioner Abdel-Fatau Musah defended ECOWAS actions by noting that "ECOWAS array of tools...is not necessarily sequential...[Rather], it depends upon the circumstances. They could be sequential [or] they can be a combination."²⁹

What explains ECOWAS's initial belligerence? One factor is that when leaders meet for an extraordinary summit, they go into closed-door discussions with less material input from the Council of Ministers, the ambassadorial meetings, and the Commission staff compared to ordinary summits. This might make them more prone to take harsher actions. Still, this was not ECOWAS's first extraordinary summit, so the response begs further explanation.

Three aspects seem to have influenced ECOWAS strong stance. One, the crisis represented the first major challenge for newly elected ECOWAS Chair Bola Tinubu. Himself facing challenges to his election victory in Nigeria, President Tinubu may have felt the need to portray strong regional leadership and saw threatening the use of force in Niger as the means to do so.³⁰ But Authority decisions are taken by consensus, meaning all heads of state need to be on board.³¹ This leads to a second aspect: other ECOWAS leaders, especially those facing simmering crises of their own, such as Senegal's Macky Sall, may have wanted to avert potential crises in their own countries by demonstrating that ECOWAS would deal with coups quickly and with force. Three, the urgency instigated by the Niger coup—owing to the

²⁶ECOWAS Commission, "Final Communiqué," Extraordinary Summit of the ECOWAS Authority of Heads of State and Government on the Political Situation in Niger, July 30, 2023, https://ecowas.int/wp-content/uploads/2023/07/Final-Communique_Extra-Summit-on-Niger.pdf.

²⁷Ebenezer Obadare, "Pax Nigeriana," *Council on Foreign Relations*, July 31, 2023, <https://www.cfr.org/blog/pax-nigeriana>.

²⁸ECOWAS Commission, "Supplementary Act on Sanctions."

²⁹JoyNews, "ECOWAS Made Mistakes and I Must Admit It."

³⁰Adekaiyaoja, "Will Nigeria Reclaim Its Role as a Regional Power?"

³¹Despite a provision in the 1999 Mechanism for the MSC to take decisions by two-thirds majority of the members present, in practice, decisions are taken only by consensus, with all active members participating.

country's size, the spread of coups in the region, and the formation of an anti-ECOWAS coalition—puts ECOWAS in new waters, thereby testing the organization's past practice. The threat of sliding into irrelevance on matters of regional security may have prompted ECOWAS to emphasize force. As Ambassador Musah noted, “we must draw a line in the sand.”³²

ECOWAS initial threat of force and tight deadline generated intense pushback. In direct response to the threat, suspended ECOWAS members Burkina Faso and Mali rallied to support Niger. On August 1, they announced that an ECOWAS military intervention in Niger would be considered a “declaration of war” against their countries.³³ By August 24, Nigerien coup leader Tchiani had authorized Burkinabé and Malian troops to enter Niger to fight against a potential ECOWAS military intervention.³⁴ On September 16, these three countries cemented their position into a mutual defence pact—the Alliance of Sahel States—guaranteeing a joint response to any attacks on their territories.³⁵

Opposition to the use of force also came from a diverse array of other actors. Civil society leaders strongly criticized the direct resort to threatening force. For instance, the West African Civil Society Forum, an umbrella network of regional civil society organizations partly founded by ECOWAS,³⁶ issued a statement calling on ECOWAS to avoid military intervention and use peaceful means to resolve the crisis.³⁷ Leaders from Nigeria's northern states protested the move: Former governor of Kaduna State Nasir El-Rufai referred to an ECOWAS military intervention as a “war between brothers.”³⁸ Kano State witnessed popular protests against the planned ECOWAS intervention.³⁹ The Nigerian Senate advised a more peaceful approach.⁴⁰ Algeria, Niger's northern neighbour who is not an ECOWAS member, cautioned ECOWAS against using force.⁴¹ Even the CCDS, tasked by the Authority with preparing for military intervention, appeared to favour diplomacy.⁴²

³²JoyNews, “ECOWAS Made Mistakes and I Must Admit It.”

³³Burkina Faso, Mali Warn against Military Intervention in Niger,” Al Jazeera, August 1, 2023, <https://www.aljazeera.com/news/2023/8/1/burkina-faso-and-mali-warn-against-foreign-intervention-after-niger-coup>.

³⁴Niger Allows Mali, Burkina Faso Troops to Enter Its Territory in Case of Attack,” Reuters, August 24, 2023, <https://www.reuters.com/world/africa/niger-allows-mali-burkina-faso-troops-enter-its-territory-case-attack-2023-08-24/>.

³⁵“Charter of Liptako-Gourma Establishing the Alliance of Sahel States,” September 16, 2023, https://maliembassy.us/wp-content/uploads/2023/09/LIPTAKO-GOURMA-Engl___-2.pdf. This pact was agreed under the auspices of the Liptako Gourma States Integrated Development Authority, a regional organization comprising these three countries formed in 1970. This organization was dormant until 2017, when the countries agreed to extend its mandate to security issues.

³⁶Dele Kogbe, *Rethinking Civil Society Regionalism in Africa: Challenges and Opportunities in Democratic Participation and Peacebuilding in the Post-ECOWAS Vision 2020* (Abingdon, Oxon.: Routledge, 2023), 74.

³⁷West African Civil Society Forum - Wacsof/foscao, “👊 WACSOFF SAYS...,” Facebook, August 21, 2023, <https://www.facebook.com/wacsof.net/posts/pfbid02mMM7jK3gz89xs4SF4Ak9GNUoftZweWfzMLBUpgzx1GMMsCBHP24r5XQ8UXm9cbBQI>.

³⁸“Don't Go To War Against Our Brothers, Niger – Ex-Governor El-Rufai Warns President Tinubu-Led ECOWAS,” Sahara Reporters, August 22, 2023, <https://saharareporters.com/2023/08/22/dont-go-war-against-our-brothers-niger-ex-governor-el-rufai-warns-president-tinubu-led>.

³⁹Ogaga Ariemu, “Protest Hits Kano over ECOWAS' Planned Military Intervention in Niger,” Daily Post, August 12, 2023, <https://dailypost.ng/2023/08/12/protest-hits-kano-over-ecowas-planned-military-intervention-in-niger/>.

⁴⁰Olanrewaju Kola, “Nigerian Senate Did Not Reject West African Bloc's Request for Troops to Fight Niger's Junta: Senator,” Anadolu Ajansı, August 7, 2023, <https://www.aa.com.tr/en/africa/nigerian-senate-did-not-reject-west-african-blocs-request-for-troops-to-fight-nigers-junta-senator/2962996>.

⁴¹“Military Intervention in Niger ‘Direct Threat to Algeria’ Says President,” Middle East Eye, August 6, 2023, <https://www.middleeasteye.net/news/niger-coup-algeria-military-intervention-direct-threat>.

⁴²Claire Mom, “‘We Stand for Democracy’ -- ECOWAS Defence Chiefs Back Dialogue to Resolve Niger Crisis,” TheCable, August 4, 2023, <https://www.thecable.ng/democracy-is-what-we-stand-for-ecowas-defence-chiefs-back-dialogue-to-resolve-niger-crisis>.

Had ECOWAS gone too far? In trying to manage the situation in Niger, had ECOWAS leaders put the organization's legitimacy, if not survival, at risk? ECOWAS original deadline for reversal of the coup, August 6, passed without an ECOWAS military intervention materializing. According to one prominent scholar of ECOWAS, this left the organization with "egg on its face."⁴³ Would ECOWAS realize this damage to its reputation and shift strategies? Although the move was gradual, ECOWAS did appear to change tack as the crisis persisted.

Gradual Shift to Mediation

After the threat to intervene militarily did not compel the coup leaders to relinquish power, ECOWAS gradually shifted focus to mediation, albeit somewhat grudgingly. At the beginning of August, ECOWAS appeared to send mixed signals. During a second extraordinary summit on August 10, the ECOWAS Authority directed the CCDS to "immediately activate the ECOWAS Standby Force with all its elements" and "[o]rder[ed] [its] deployment...to restore constitutional order" in Niger, while also, in apparent contradiction, espousing a "continued commitment to the restoration of constitutional order through peaceful means."⁴⁴

This dual approach was evident at a CCDS meeting in Accra on August 18. Summarizing the discussions, PAPS Commissioner Abdel-Fatau Musah noted that the "D-day" for a military intervention had been decided and that ECOWAS was "ready to go anytime the order is given."⁴⁵ All active member countries save Cabo Verde had agreed to contribute troops, indicating support for a military intervention from ECOWAS leading members. In the same breath, however, Ambassador Musah stated,

I don't think we must focus on the military aspect. We are ready to resolve it peacefully, but it takes two to tango...Let no one be in doubt that if everything else fails the valiant forces of West Africa, both the military and the civilian components, are ready to answer to the call of duty. Meanwhile, we are still giving diplomacy a chance and the ball is in the court of the junta.⁴⁶

Indeed, amid the brouhaha of a potential military intervention, ECOWAS mediation machinery had sprung into action: ECOWAS was undertaking efforts to speak with both the coup leaders led by Tchiani and ousted president Bazoum, and to get both parties to the negotiating table. To be sure, mediation was never absent from ECOWAS leaders' minds. On July 26, one of Tinubu's first actions was to ask Beninese President Patrice Talon to go to Niamey to mediate. Initial mediation efforts, however, faltered. Talon does not appear to have made the trip to Niamey;⁴⁷ instead, the president of Chad (a non-ECOWAS member)

⁴³Adekeye Adebajo, "Anatomy of the Niger Coup," *Jamaica Gleaner*, August 13, 2023, <https://jamaica-gleaner.com/article/focus/20230813/adekeye-adebajo-anatomy-niger-coup>.

⁴⁴ECOWAS Commission, "Final Communiqué," Second Extraordinary Summit of the ECOWAS Authority of Heads of State and Government on the Political Situation in Niger, August 10, 2023, https://ecowas.int/wp-content/uploads/2023/08/ENG_Final-Communique-1_230810_225639-1.pdf.

⁴⁵Maxwell Akalaare Adombila, "West African Bloc Says 'D-Day' Set for Possible Niger Intervention," *Reuters*, August 18, 2023, <https://www.reuters.com/world/africa/west-african-militaries-meet-finalise-possible-niger-intervention-2023-08-18/>.

⁴⁶"ECOWAS Defence Chiefs Continue Talks on Possible Niger Intervention," *Al Jazeera*, August 18, 2023, <https://www.aljazeera.com/news/2023/8/18/ecowas-defence-chiefs-continue-talks-on-possible-niger-intervention>; "ECOWAS Says Troops Ready for Niger Intervention," *Deutsche Welle*, August 19, 2023, <https://www.dw.com/en/ecowas-says-troops-ready-for-niger-intervention/video-66576716>.

⁴⁷I reach this conclusion because no mention of the trip was made in the July 30 summit communiqué.

Mahamat Déby visited Niamey on July 31—evidently at ECOWAS behest—and met both Tchiani and Bazoum.⁴⁸ An ECOWAS delegation comprising former Nigerian military Head of State General Abdulsalami Abubakar and the Sultan of Sokoto Muhammadu Sa’ad Abubakar, tasked with delivering the ultimatum agreed at the first extraordinary summit, was unable to meet the junta leaders on a visit to Niamey on August 4,⁴⁹ and a joint mission by ECOWAS, the AU, and the UN was rebuffed by the coup leaders on August 8.⁵⁰

On August 12, Tchiani met a group of Muslim clerics from Nigeria sent to mediate by Tinubu, but it is unclear whether this was an official ECOWAS mission.⁵¹ That meeting, however, opened the door for ECOWAS. Tchiani eventually expressed regret over his refusal to talk with the ECOWAS envoys, which he claimed he did owing to anger over ECOWAS seven-day ultimatum.⁵² Tchiani eventually met the ECOWAS delegation on August 19, when the envoys also met Bazoum.⁵³ Following this, however, Tchiani announced a three-year transition to constitutional order, which ECOWAS promptly rejected.⁵⁴

Throughout August, ECOWAS leaders and officials continued the rhetoric of using military force if talks fail. But even as the mediators made little headway in altering the junta’s position, the intervention threat appeared increasingly weak. Eventually, during a meeting with the Nigerian Muslim clerics on August 24, President Tinubu stated that he was “the one holding back ECOWAS” from deploying a military force.⁵⁵ The following day, ECOWAS held a press conference where Commission President Omar Aliou Touray announced that the organization would “fully explore diplomatic channels” in Niger and downplayed the military intervention option.⁵⁶ According to one Abuja-based practitioner, ECOWAS was “trying to pretend like they never threatened the use of force—like it never happened.”⁵⁷

How can we explain this switch in tactics by ECOWAS? In some ways, the mediation-based approach reflects a return to “typical” practice. Burkina Faso, Guinea, and Mali are each undergoing ECOWAS-mediated transition processes to restore constitutional order. (How

⁴⁸Farouk Chothia, “Niger Coup: Ousted President Mohamed Bazoum Meets Chad’s Leader,” *BBC News*, July 31, 2023, <https://www.bbc.com/news/world-africa-66358951>.

⁴⁹“Niger: ECOWAS Delegation Fails to Meet Junta Leader,” *Africanews*, August 4, 2023, <https://www.africanews.com/2023/08/04/niger-ecowas-delegation-fails-to-meet-junta-leader/>.

⁵⁰ECOWAS Commission, “Press Statement,” August 8, 2023, https://ecowas.int/wp-content/uploads/2023/08/Press-Release_230808_215603.pdf.

⁵¹“Nigeria Religious Chiefs in Niger to Meet Military Leaders,” *Agence France Presse*, August 12, 2023, <https://www.barrons.com/news/nigeria-religious-chiefs-in-niamey-to-meet-niger-military-leaders-regime-source-6bfe874d>.

⁵²“Niger Regime Leader ‘Open to Explore Diplomacy’: Mediators,” *Bangkok Post*, August 14, 2023, <https://www.bangkokpost.com/world/2628634/niger-regime-leader-open-to-explore-diplomacy-mediators>.

⁵³Sam Mednick, “Talks between Regional Bloc and Niger’s Junta Yield Little, an Official Tells The Associated Press,” *AP News*, August 20, 2023, <https://apnews.com/article/niger-coup-extremists-ecowas-cf275c0961530b679523255a4fcc99e5>.

⁵⁴Idowu Bankole, “Niger: ECOWAS Rejects Junta’s 3-Year Transition Plan,” *Vanguard News*, August 20, 2023, <https://www.vanguardngr.com/2023/08/niger-ecowas-rejects-juntas-3-year-transition-plan/>.

⁵⁵Chiamaka Okafor, “Niger Coup: I’m Holding Back ECOWAS, Others from Military Invasion - Tinubu,” *Premium Times*, August 24, 2023, <https://www.premiumtimesng.com/news/top-news/617628-niger-coup-im-holding-back-ecowas-others-from-military-invasion-tinubu.html>.

⁵⁶“ECOWAS to Fully Explore Diplomatic Channel in Resolving Political Crisis in Niger,” *Economic Community of West African States (ECOWAS)*, August 26, 2023, <https://ecowas.int/ecowas-to-fully-explore-diplomatic-channel-in-resolving-political-crisis-in-niger/>.

⁵⁷Interview with development agency practitioner, Abuja, September 12, 2023.

those transitions are proceeding is a separate question.⁵⁸) But in Niger, why did ECOWAS go from all guns blazing to a more moderate approach?

One explanation is the role of popular opinion. The intervention threat was not received well by the people of Niger. It created popular sentiment against ECOWAS, which was seen as an instigator of conflict and in cahoots with France.⁵⁹ Once this became evident, ECOWAS leaders felt they had to back down. This stands in contrast with the Gambian crisis of 2017—in that case, the Gambian people welcomed ECOWAS troops, allowing ECOWAS to intervene militarily and restore constitutional order.⁶⁰ Popular support for the coup presents a quandary for ECOWAS. The organization must, in accordance with its mandate, consider imposing punitive measures for a clearly unconstitutional move, but at the risk of going against the will of the people. In Niger, support for the coup from the populace may have forced ECOWAS to reconsider the military option.

A second explanation concerns ECOWAS's consideration for its survival. International organizations were once considered durable, even “immortal.”⁶¹ Recent research, however, has shown that if an international organization underperforms or if member states no longer consider it relevant, the organization risks becoming, in one scholar's words, a “zombie,”⁶² or worse, dying.⁶³ When Niger called ECOWAS bluff regarding military intervention, the Authority felt it needed to “do something.”⁶⁴ This led them to order deployment of the ECOWAS Standby Force. Yet, when faced with backlash on this move, ECOWAS felt public opinion turning against them, rife with accusations of warmongering. Downplaying its prior belligerence, therefore, served to deflect criticism and to ensure that ECOWAS continued to play a leading role in managing the crisis.

Finally, the ECOWAS Commission staff may have contributed to the shift. Staff input likely featured more prominently in deliberations as the crisis wore on. As discussed above, extraordinary summits tend to feature lesser input and preparation from Commission staff. However, ordinarily, Authority decisions are taken with the aid of recommendations contained in staff reports. When a crisis emerges, staff from the PAPS Department

⁵⁸Mubin Adewumi Bakare, “ECOWAS Management of Political Transitions in Mali, Guinea and Burkina Faso: Achieving Stability, Sustainable Democracy and Development,” Research Paper (Abuja: Centre for Democracy and Development, February 2023), <https://www.cddwestafrica.org/reports/ecowas-management-of-political-transitions-in-mali-guinea-and-burkina-faso-achieving-stability-sustainable-democracy-and-development/>; Lassane Ouedraogo, “A Situational Analysis of the Transition in Guinea Conakry: Two Years After the Coup,” Report Paper (Abuja: Centre for Democracy and Development, September 2023), <https://www.cddwestafrica.org/reports/a-situational-analysis-of-the-transition-in-guinea-conakry-two-years-after-the-coup/>.

⁵⁹“Niger Coup Supporters Rally as Regional Force Mulls Intervention,” *Voice of America*, August 11, 2023, <https://www.voanews.com/a/niger-coup-supporters-rally-as-regional-force-mulls-intervention-/7222246.html>.

⁶⁰Interview with ECOWAS official, Abuja, September 7, 2023.

⁶¹Richard T. Cupitt, Rodney L. Whitlock, and Lynn Williams Whitlock, “The (Im)Mortality of International Governmental Organizations,” *International Interactions* 21, no. 4 (January 1996): 389–404.

⁶²Julia Gray, “Life, Death, or Zombie? The Vitality of International Organizations,” *International Studies Quarterly* 62, no. 1 (March 1, 2018): 1–13.

⁶³Hylke Dijkstra and Maria J Debre, “The Death of Major International Organizations: When Institutional Stickiness Is Not Enough,” *Global Studies Quarterly* 2, no. 4 (October 1, 2022): ksac048; Mette Eilstrup-Sangiovanni, “Death of International Organizations. The Organizational Ecology of Intergovernmental Organizations, 1815–2015,” *The Review of International Organizations* 15, no. 2 (2020): 339–70.

⁶⁴Olayinka Ajala, “Niger: Ecowas Military Intervention Could Trigger 3 Bad Outcomes,” *The Conversation*, August 17, 2023, <http://theconversation.com/niger-ecowas-military-intervention-could-trigger-3-bad-outcomes-211549>.

⁶⁵Habibu Yaya Bappah, “ECOWAS Protagonists for Peace: An Internal Perspective on Policy and Community Actors in Peacemaking Interventions,” *South African Journal of International Affairs* 25, no. 1 (January 2, 2018): 88.

collectively brainstorm and outline different scenarios with recommended actions.⁶⁵ The Early Warning Directorate also prepares policy briefs, with best-case, middle-case, and worst-case scenarios. ECOWAS Early Warning and Response Network (ECOWARN) is run by a civil society organization—the West African Network for Peacebuilding—which advocates for diplomatic solutions to crises.⁶⁶ It’s plausible that after two extraordinary summits, the role of the Commission staff—who may have been caught unawares by the initial ultimatum—became more prominent in informing ECOWAS strategy. This might account for the increased focus on mediation.

Contending with Alternative Crisis Managers

Several months into the coup in Niger, ECOWAS is contending with the role of other actors that are seeking to manage the crisis, including Algeria and the Togolese-led African Political Alliance. Compared to its early response, ECOWAS present rhetoric is marked by the absence of talk of an intervention force. This about-face reflects that ECOWAS may be concerned about its central position in managing the Niger crisis amid a growing constellation of interested actors.

Algeria entered the fray as early as August 6, when President Abdelmadjid Tebboune “rejected” an ECOWAS military intervention as it would present a “direct threat to Algeria.”⁶⁷ Further, on August 23, Algerian Foreign Minister Ahmad Attaf embarked on a tour of Nigeria, Benin, and Ghana⁶⁸ while another high-ranking Algerian Foreign Ministry official visited Niger on August 24.⁶⁹ Following these visits, on August 29, Attaf proposed Algerian mediation between the parties in Niger, with a six-month transition plan.⁷⁰ Privately, some ECOWAS leaders were unhappy with this initiative—an “external,” non-ECOWAS country interfering in what was understood to be a matter for ECOWAS.⁷¹ Yet, after Algeria announced on October 2 that Niger had accepted its mediation offer,⁷² ECOWAS publicly welcomed the Algerian effort.⁷³ However, Niger denied agreeing to Algerian mediation,⁷⁴ following which Algeria announced “suspension” and “postponement” of the initiative.⁷⁵

⁶⁶Interview with civil society practitioner, Abuja, September 9, 2023.

⁶⁷“Military Intervention in Niger ‘Direct Threat to Algeria,’” *Middle East Eye*.

⁶⁸“Crisis in Niger: Algeria Begins Mediation in Three Ecowas Countries,” *Africanews*, August 23, 2023, <https://www.africanews.com/2023/08/23/crisis-in-niger-algeria-begins-mediation-in-three-ecowas-countries/>.

⁶⁹“Algeria Sends Official to Niger for Talks after Coup,” *Arab News*, August 24, 2023, <https://arab.news/jbzpn>.

⁷⁰“Algeria’s FM Proposes Six-Month Plan for Niger’s Transition to Democracy,” *France 24*, August 29, 2023, <https://www.france24.com/en/africa/20230829-algerian-fm-proposes-six-month-plan-for-niger-s-transition-to-democracy>.

⁷¹“Niger: ECOWAS Irked by US and Algerian Mediation Efforts,” *Africa Intelligence*, October 5, 2023, <https://www.africaintelligence.com/west-africa/2023/10/05/ecowas-irked-by-us-and-algerian-mediation-efforts,110061842-gra>.

⁷²“Algeria Says Niger Accepts Its Mediation in Resolving Political Crisis,” *Reuters*, October 2, 2023, <https://www.reuters.com/world/africa/algeria-says-niger-accepts-its-mediation-resolving-political-crisis-2023-10-02/>.

⁷³“Nigeria Welcomes Algerian Mediation in Niger,” *Agence France Presse*, October 5, 2023, <https://www.barrons.com/news/nigeria-welcomes-algerian-mediation-in-niger-aa91e9bc>.

⁷⁴“Niger Says It ‘Was Surprised to Read It Had Accepted Algeria’s Mediation Offer,’” *Anadolu Ajansı*, October 4, 2023, <https://www.aa.com.tr/en/africa/niger-says-it-was-surprised-to-read-it-had-accepted-algeria-s-mediation-offer/3007858>.

“Algeria ‘Postpones’ Its Mediation in Niger,” *Africanews*, October 10, 2023, <https://www.africanews.com/2023/10/10/algeria-postpones-its-mediation-in-niger/>.

“Niger Open to ECOWAS Support on Matters of Security, Minister Says,” *RFI*, October 23, 2023, <https://www.rfi.fr/en/africa/20231023-niger-open-to-ecowas-support-on-matters-of-security-minister-says>.

On October 21–22, a meeting of the Lomé Peace and Security Forum (LPSF) marked the first international summit participation by the Niger junta outside of its interactions with Burkina Faso and Mali.⁷⁶ The LPSF is a Togolese initiative under the African Political Alliance, a platform formed by Togo in May 2023. It comprises 10 African countries, notably including ECOWAS suspended members (Burkina Faso, Guinea, and Mali, in addition to Niger). The summit outcome document, the Lomé Declaration, mentions neither ECOWAS nor Niger by name, but nonetheless alludes to the situation in Niger. In a veiled repudiation of ECOWAS approach, the declaration calls on subregional, regional, and international organizations to prioritize transition states’ control over their territories, the broader context of regional security, and “go[ing] beyond the usual normative frameworks” in dealing with transition states.⁷⁷

One might view these efforts by Algeria and the LPSF as challenging ECOWAS central crisis-response role in West Africa. Indeed, one might even read the Algerian and Togolese initiatives as offering mediation between ECOWAS and Niger—a stark change for ECOWAS from mediator to mediated. What can ECOWAS do amid the threat to its regional legitimacy presented—or perhaps revealed—by the Niger crisis? This report concludes by offering some lessons for ECOWAS from its handling of the situation in Niger, which could help tap the potential of its well-developed crisis-response architecture.

Conclusion: Lessons for ECOWAS from Its Niger Response

As ECOWAS grapples with how to proceed in Niger and faces tough questions about its role in regional security, the above analysis yields important lessons for how ECOWAS deals with political crises.

First, ECOWAS should seek to diversify the range of voices that inform crisis-response decisions. These include regional civil society organizations, popular opinion in the crisis-affected state, and suspended member states. While the Authority takes final decisions, opening the door to hearing from these groups may produce more salutary outcomes. Time does present an issue—when scrambling to respond to an event, it may not be feasible to gather all different perspectives. Nonetheless, many relevant actors issue public statements, which could be factored into Authority discussions. Bringing in suspended members’ views may appear controversial. However, this would be in line with ECOWAS commitment to continue engaging with suspended members. Recently, the AU organized a dialogue with suspended ECOWAS members⁷⁸—incorporating this practice into ECOWAS may serve to reduce some antagonism against the organization.

⁷⁵“Niger Open to ECOWAS Support on Matters of Security, Minister Says,” RFI, October 23, 2023,

<https://www.rfi.fr/en/africa/20231023-niger-open-to-ecowas-support-on-matters-of-security-minister-says>.

⁷⁶African Political Alliance, “Declaration of the First Edition of Lomé Peace and Security Forum,” October 22, 2023,

https://lpsf.africa/wp-content/uploads/2023/10/EN_FINAL-DECLARATION-OF-THE-FIRST-EDITION-OF-LOME-PEACE-AND-SECURITY-FORUM_2023-10-22.pdf.

⁷⁷Interview with ECOWAS official, Abuja, September 7, 2023.

⁷⁸ECOWAS Commission, “Supplementary Act on Sanctions.”

Second, ECOWAS could better leverage the in-house expertise held by staff at the ECOWAS Commission, especially during extraordinary summits. Although issues of capacity are present, the Commission—specifically the PAPS Department and Early Warning Directorate—is composed of highly qualified technocrats with rich expertise and experience in crisis response. The ECOWARN program is particularly well renowned, with the AU’s Continental Early Warning System being designed after it. Full use of the Commission would involve proactively seeking input from all levels, from the expert staff up to the ambassadorial and ministerial levels.

ECOWAS’s shift to moderation in Niger can be partly explained by greater input from the Commission staff. Incorporating their role earlier on may have prevented ECOWAS from the embarrassment stemming from its retracted bid for military intervention in Niger.

Third, it is important for ECOWAS crisis response to be guided by its broader goals of maintaining peace, security, and democracy in West Africa. The Supplementary Act on Sanctions clarifies that sanctions are meant to be coercive but not punitive (Article 4). Any ECOWAS response, therefore, must envision how that action would lead to fostering solutions. In the Niger extraordinary summit communiqués, ECOWAS’s broader strategy vis-à-vis the crisis was not always clear, as evidenced by apparent contradictions in the summit decisions. Keeping ECOWAS goals front and centre and articulating how a decision, including a decision to use military force, advances those objectives would be crucial to achieving success.

It remains to be seen what role ECOWAS will play in the Niger crisis going forward. With the final mediating parties and terms as yet unresolved, ECOWAS could find itself playing a crucial role, in line with its organizational mandate. Yet, with this crisis, ECOWAS is in uncharted territory. No crisis in the recent past has fractured West Africa as has this one. ECOWAS approach going forward will likely involve a balance between the organization’s quest to remain relevant amid a crisis of legitimacy on the one hand and its goal to fulfil its peace, security, and democracy mandate on the other.

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