Another blow to ECOWAS' regional governance architecture….?

By:

Nneka Okechukwu

February 11, 2024

The 28th January announcement by the military governments of Niger, Mali, and Burkina Faso of their 'immediate withdrawal' from ECOWAS, and the swift response from the regional bloc, marked the latest in ongoing tensions around recent military takeovers across West Africa. Beyond the immediate implications of this withdrawal, the question arises as to what this means for governance, both within the three countries and in the region at large. I foresee a number of ways in which this situation could play out:

One potential outcome is that the withdrawal of the three states from ECOWAS will herald the slow disintegration of the bloc, as member states come to question the necessity of adhering to their obligations under the Treaty. However, this is unlikely to be the case, and we can look no further than the long-debated Brexit, which so many wrongly predicted would strike a blow to the unity of the European Union. To the contrary, the withdrawal of these states is more likely to lead to ECOWAS tightening its regional governance structures to prevent future coups. This becomes even more likely in light of these states'

recent announcements that ‘national sovereignty’ will be prioritised over election-holding.

At the other end of the scale, this could be just another episode of a saga that has involved posturing on all sides. In this scenario, either the formal withdrawal notices do not get filed, or if they do get filed, they will subsequently be withdrawn by the states. After all, this would not be the first time states threaten to withdraw from multilateral institutions. Some African states, including even South Africa, which has very recently scored a massive victory before the International Court of Justice, have at different times since 2017 announced their withdrawal from the International Criminal Court, only to then reverse this decision. It is therefore not implausible to consider this recent announcement in light of previous similar actions, even if this withdrawal will be from a regional rather than international organisation.

A third, and in my opinion most likely, outcome is that ECOWAS will indeed be shaken by these withdrawals, when/if they are formalised. However, the bloc is likely to rally, with its 12 remaining member states ensuring its continued viability despite this setback. A number of factors speak to this possible outcome. First, ECOWAS’s status as the most active of all the African regional economic communities on governance (with its Treaty, the 2001 Supplementary Protocol on Democracy and Good Governance, and its Vision 2020 and Vision 2050) means that it has the necessary structures - if not yet the political will - to strengthen governance across the region. It also has an extensive trade agenda, from which all of its member states benefit and are likely to protect. Niger, Mali and Burkina Faso might either return to the fold at a later point or remain pariahs, with attendant economic implications.

Even if this occurrence does not lead to the disintegration of the bloc, ECOWAS should take it as a cautionary reminder that its governance agenda is not as bulletproof as it would like to imagine. Already in 2015, Togo and The Gambia (and later Senegal) blocked an ECOWAS-led attempt to install a two-term limit to presidential terms in the region. ECOWAS has also been complicit in letting constitutional manipulation slide. As has previously been noted, unconstitutional change of government by other means have led the bloc - and the African Union - to where we are today by undermining both continental and regional governance agendas. If ECOWAS really wants to be serious about governance going forward, it needs to put aside meaningless bluffs, and

instead focus on cleaning house, both by updating and refining its instruments and taking a firmer stand against all forms of unconstitutional changes of government.

View online: Another blow to ECOWAS' regional governance architecture....?

Provided by Afronomicslaw