

THE ECOLOGY OF INTERNATIONAL ORGANIZATION AND ADMINISTRATION IN
THE WEST AFRICAN SUB-REGION DOMINATED BY THE ECONOMIC COMMUNITY
OF WEST AFRICAN STATES (ECOWAS).

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ABSTRACT

The paper discusses the ecology of international organization and administration in the West African sub-region dominated by the Economic Community of West African States. ECOWAS has not yet decided on a single approach to election observation that would be valid for each of its missions. Selecting a single methodology would give ECOWAS the means to consistently identify (1) minimum circumstances under which they would agree to observe an election; and (2) the scope of their mission, in terms of length of time in country and focus of observation efforts. One of the strengths of ECOWAS was rightly considered to be the furthest developed regional organization in Africa, in this context, progressive regional protocols for membership integration and harmonization of resources towards the development of her member states. One of the weaknesses of ECOWAS is that it remains largely a project of Heads of States, the integration avant-garde working in Abuja, and the donors. Linkages between ECOWAS and the national capitals still need to be expanded and strengthened. The reality and experience of ECOWAS with election observation illustrates the challenges that must be overcome by African organizations in pursuit of free and fair elections. The main issues facing ECOWAS are gaps in their observation methodology, conflicts of interest, inexperience, and the absence of coordination with other electoral players.

KEYWORDS: Strength, Weaknesses, Reality and ECOWAS

INTRODUCTION

The call for a West African community was made by President William Tubman of Liberia in 1964. An agreement was signed among Côte d'Ivoire, Guinea, Liberia and Sierra Leone in February 1965, but this came to nothing. In April 1972, General Yakubu Gowon of Nigeria and General Eyadema of Togo re-launched the idea, drew up proposals, and toured 12 countries, soliciting their plan from July to August 1973. A meeting was then called at Lomé from 10-15 December 1973, which studied a draft treaty. This was further examined at a meeting of experts and jurists in Accra in January 1974, and by a ministerial meeting in Monrovia in January 1975. Finally, 15 West African countries signed the treaty for an Economic Community of West African States (Treaty of Lagos) on 28 May 1975.

The protocols launching ECOWAS were signed in Lomé, Togo, on 5th November 1976. In 1977 Cape Verde joined ECOWAS, while in 2002 Mauritania withdrew from the Community. ECOWAS was founded to achieve collective self-sufficiency for the member states by means of

economic and monetary union creating a single large trading bloc. It was designated one of the five regional pillars of the African Economic Community (AEC). Together with COMESA, ECCAS, IGAD, and SADC, ECOWAS signed the Protocol on Relations between the AEC and Regional Economic Communities (RECs) in February 1998.

However, the very slow progress towards economic and monetary integration required that the Treaty of Lagos be revised in Cotonou on 24 July 1993, towards a looser collaboration. In 1990 the ECOWAS nations signed a non-aggression protocol, along with two earlier agreements in 1978 and 1981. They also signed a Protocol on Mutual Defense Assistance, in Freetown, Sierra Leone, on 29 May 1981 that provided for the establishment of an Allied Armed Force for the Community.

In 2008 Guinea On 20 October 2009 ECOWAS announced the suspension of Niger from the Organization. On 17th October, ECOWAS asked Niger to postpone its controversial 20th October elections, but the elections had been boycotted by members of the opposition as President Tandja Mamadou faced accusations of trying to lengthen his reign. The ECOWAS Summit of December 1999 agreed on a Protocol for the Establishment of a Mechanism for Conflict Prevention, Management and Resolution, Peace and Security. The Mechanism had a Council of Elders, as well as a Security and Mediation Council. The ten members of the latter are the Foreign Ministers of the following member States: Benin, Cote d'Ivoire, Gambia, Ghana, Guinea, Liberia, Mali, Nigeria, Senegal, and Togo.

STRENGTH OF ECOWAS

One positive realization of the last few years is that guarding democratic standards has become widely accepted as a common task of ECOWAS. This determination is remarkable and displays a new quality in neighbourly relations and the acceptance of democracy as the preferred form of government. But just like in the earlier case of Niger, the Heads of States simply turned against one of their own.

In West Africa, there is a growing consensus that jointly agreed-upon democratic principles – as in the case of Côte d'Ivoire, the right of an election's winner to assume office – have to be enforced, and that this might also necessitate intervention in internal matters of a member State.

ECOWAS is rightly considered to be the furthest developed regional organization in Africa in this context. In progressive regional protocols, member States assume the obligation to prevent crises and to adhere to principles of democracy and good governance. These accords have not only been put to the test in Côte d'Ivoire in recent times. However the regional Organization has been needed as crisis manager, mediator and guardian of democratic standards in Guinea, Guinea-Bissau and Niger.

The member States have taken a clear stance against the military juntas in Niger and Guinea and have insisted that power be handed over to democratically legitimated governments.

ECOWAS started with less strength and without much control over member States in terms of security, justice and the enforcement of peace. In fact, during the 1970s and 80s, people only studied the historical background of ECOWAS in Social Studies but could not feel its impact as they do today.

Beginning in 1990, ECOWAS has proven its strength beyond expectations. In August of 1990 ECOWAS organized forces and tested its military might in the Liberian civil conflict under the ECOWAS Ceasefire Monitoring Group, ECOMOG. It remained in Liberia and monitored the

conduct of the 1997 elections that led former President Charles Taylor to the presidency. ECOWAS was also proactive in intervening in the 10-year civil conflict in Sierra Leone.

In 2003 ECOWAS returned to Liberia with another peace mission, this time under ECOMIL, when the war continued following the presidential victory of Charles Taylor. ECOMIL Forces stayed until September when more forces under the United Nations joined and UNMIL took over its peacekeeping mission. Continuous instability in Guinea Bissau has impeded the growth of that tiny West African country, but with the intervention of ECOWAS, using sanctions and peace enforcement, stability is gradually returning there.

Earlier this year ECOWAS scored a major victory when it pressured former Gambian dictator Yahya Jammeh to relinquish power for a democratically elected President to take over. A political commentator during this period of ECOWAS' intervention in The Gambia said the West Africa group was growing in strength even more than the mother organization, the African Union. We acknowledge Nigeria, Ghana and Senegal for the frontline roles they have played in the military interventions of ECOWAS. Besides these major military interventions, ECOWAS has gone further to establish a justice system that has led to the setting up of its High Court in Nigeria.

WEAKNESSES OF ECOWAS

The overdue appointment of new ECOWAS Commissioners (President, Vice-President and seven Commissioners) remains unresolved. As a result of the need to hold special summits on the Côte d'Ivoire crisis, the regular ECOWAS summit scheduled for December 2010 – which was to agree on the appointments – has been postponed several times. For the time being the team surrounding the interim President of the Commission, James Victor Gbeho, remains in office until further notice. The processes in the ECOWAS Commission are still less institutionalized and very hierarchical, often between regional and national policies.

The current crises clearly demonstrate that ECOWAS can hardly enforce adherence to regional standards. Even a perfection of ECOWAS instruments and capacities would not prevent the brunt of the work implementing the Protocol on Conflict Prevention, Democracy and Good Governance having to take place at the national level. The donor community itself has not made much progress in coordinating its programmes in the area of peace and security. The large number of different programmes, donor priorities, approaches and requirements are posing considerable challenges to the Commission. The enormous external financial and material support channeled through the ECOWAS Commission is not subject to any democratic control within ECOWAS. ECOWAS budget also remains largely a matter of secrecy and on the whole impenetrable.

ECOWAS would be well advised to live up to its own standards of good governance in terms of budget transparency and control in order to safeguard its credibility and integrity. The potential role of ECOWAS Parliament continues to be underestimated in this regard both by ECOWAS and the donor community.

The regional parliament still has only an advisory role. But even formulating opinions has proven a difficult task for the parliament, given its unfavourable internal incentive structures as well as its often inefficient and rather hierarchical internal procedures. Also, the members of parliament are faced with enormous demands, and role conflicts, as they are at the same time members of national parliaments, from which they receive their seats and legitimacy.

The direct election of the regional parliament slated for 2010 has been postponed indefinitely. A decoupling of national and regional parliamentary seats is still not being considered, nor has an effective campaign for an enhanced mandate been established. Continue to encourage and foster long-term processes for the establishment of necessary structures and instruments, in particular the establishment of the civilian component of the Standby Force, the creation of mediation capacities within the Commission and the implementation of programmes aimed at strengthening democratic structures at the national levels. Continue to support ECOWAS in the development of a coherent planning instrument for programmes in the area of peace and security and in improving the coordination of donors. Promote the democratization of ECOWAS institutions and processes as well as the strengthening of ECOWAS parliament's mandate.

The Economic Community of West African States (ECOWAS) has reacted resolutely and unanimously to the crises in Guinea, Niger and Côte d'Ivoire. Her member States have widely accepted the promotion and enforcement of democratic principles as a common task. The ad-hoc crises management comes at the expense of the long-term development of structures needed to cope with such crises; e.g. a coherent action plan in the field of peace and security as well as mediation capacities and effective sanctioning and intervention capabilities.

ECOWAS security architecture moreover exhibits blind spots and displays deficits in terms of internal democracy, which pose a danger to the integrity of the organization. There is no gainsaying that the lack of a defined role for financial institutions in the legal framework in the West African integration scheme has remained at the heart of the reasons why the much long awaited integration of the States of West Africa still remains a mirage. An evaluation of the treaty reveals a clear dearth of the provisions necessary to define and accord the respective financial institutions specific roles and parameters enough to accord them the formal intervention edge needed to facilitate the indispensable provision of funds and policy to finance and control the ambits of the integration scheme to its desired destination. This development has been largely responsible for the complacency that has been exhibited by the financial institutions in dealing with the issues of integration. As it stands today, the financial institutions take indiscriminate and disharmonized approaches in dealing with the issues of integration. Coextensive to the foregoing is the challenge faced by the financial institutions in the non-implementation of a system of cooperation among ECOWAS member countries. The trade within the community has not been stimulated, and the way it goes even shows a tendency to decrease. As trade decreases, so does the potential of the financial institutions to find fertile cooperative grounds of engagement. It is further observed that in the realization of their mandate in the economic integration of West Africa, financial institutions are constrained by the non-realization of a common Central Bank for ECOWAS.

It is a known fact that the countries of Europe were able to achieve a common currency with ease because of the crucial and pivotal role played by the European Central Bank (ECB) in the areas of monetary and economic policy coordination. The WAEMU countries were also able to achieve their current tempo of macroeconomic stability because of the sustained intermediation role played by the common Central Bank of West Africa States (BCEAO), which was established by the francophone countries of the sub-region. But under ECOWAS experiment, the establishment of the ECOWAS Central Bank still exists in form, and not in reality; the mechanisms needed to achieve this are weak and the governments are not pro-active in this regard.

REALITY OF ECOWAS

It is observed that the current instability in Africa's polity, expressed in economic decline and social discontent, reflect a leadership crisis in the continent. If this is true of individual countries, it is equally valid for the regional integration process. The emergence of stronger leadership could supply the vision and necessary direction and demonstrate the sacrifice and commitments that are essential in any cooperative endeavor. However, not all countries are given the same appreciation of the need for cooperation. It would appear that some have to be coaxed, persuaded and pulled along by others. The advantages to be derived from West African economic cooperation are so obvious and the role that economic cooperation could play in the development of each African country is so fundamental that one is at a loss as to why a solution to the problems has not been the main concern of member States of ECOWAS. Indeed, advocates of closer economic integration in the sub-region have ably demonstrated that the "critical factors on which the arguments and conclusion against ECOWAS are based, are some of the very factors which the West African countries are desirous of changing through economic integration.

West Africa has been fortunate in having certain leaders and countries that are strongly committed to the ideal of regional integration. Some member states have always been more assiduous in meeting their financial obligations to the community than others, and the committed ones have taken the lead in initiating important regional cooperation projects and programs.

Some community arrangements have required special sacrifices from certain member States (regarding formulae for determining financial contributions, trade liberalization schedules, or compensation formulae for the loss of tariff revenue), and the acceptance of these arrangements is a clear manifestation of solidarity and community spirit.

Some commentators have argued that West Africa's low economic development and the indifference of some governments to regional integration under ECOWAS make it necessary for West Africa to adopt a loose form of regional cooperation conducted on a pragmatic and ad hoc basis.

The successes of the Southern African Development Community (SADC) and the Association of South East Asian Nations (ASEAN), and the loose arrangement with the Latin American Economic System (SELA) have been cited to support this argument. An analysis of the West African experience of integration within the context of ECOWAS shows an abysmal record with regard to the poor execution of community programs. The provisions of the revised treaty instituting the principle of supra-nationality are not being applied. Several protocols are contravened, particularly those pertaining to the free movement of goods and persons. The situation shows all too clearly that a sense of belonging to a plural-national community is critically lacking. The extent to which ECOWAS programs succeed and the materialization of the political commitment of member States will depend on how effective the Executive Secretariat proves to be at promoting the development of West Africa. This basic principle brings to the fore the need for coherent community programs and policies that are realistic, pragmatic and capable of furthering the cause of regional integration. To that end, it will be necessary to formulate programs that emphasize the benefits of collective action. The Executive Secretary will need to pinpoint priority areas of intervention within which actions will be taken in tandem with efforts being made by individual States.

EXPERIENCE OF ECOWAS

Election observation is a key element of building a stable democracy. In States that are undergoing democratic transitions, election observers can build citizens' confidence in the electoral process; while in States holding elections following a conflict, observers can help conflicting parties trust the election will be conducted fairly even if they do not yet trust each other. Since democratization began in Africa in the 1970s, international actors have observed elections (and provided electoral assistance) throughout the continent.

However, recently, African players have started to become more involved in the observation of African elections. They began as early as 1980, with the independence elections in Zimbabwe, but their work did not gain momentum until 2002, with Zimbabwe's heavily observed presidential elections.

Regional groups like the Organization of African Unity (OAU), the Southern African Development Community (SADC), and the Economic Community of West African States (ECOWAS), have moved election observation (and election assistance) to the core of their mandates in order to better enhance democracy, good governance and conflict prevention.

This movement is important because, in the future, international observers and donors will hand over responsibility for election observation to Africans, who will choose their own approach in the light of their thorough understanding of the African context.

However, before this time, they will have to overcome a number of challenges in order to bring their practice of election observation in line with international standards. Some recent African observation missions have generated controversy over their effectiveness and credibility. For example, Western and African groups developed widely divergent assessments of Zimbabwe's 2002 elections.

More recently, ECOWAS' report following observation (by 150 observers) of Togo's 2005 presidential elections provoked international criticism for sanctioning a flawed election process. In fact, ECOWAS' experience with election observation illustrates the challenges African organizations must overcome in pursuit of free and fair elections. The main issues facing ECOWAS are gaps in their observation methodology, conflicts of interest, inexperience and the absence of coordination with other electoral players.

The ECOWAS Protocol on Democracy and Good Governance does set out general principles for ECOWAS election observation. However, the document does not provide clear enough criteria and operational guidelines to serve as a checklist for observers. ECOWAS also lacks standard operating procedures that could facilitate the planning for observation missions in difficult terrain or challenging security environments.

ECOWAS does not have a code of conduct that binds its observers to common rules and standards and ensures consistency in their work. In this respect, ECOWAS lags behind other African organizations, such as SADC, which have developed methodologies that are viable, albeit not always fully implemented.

What hurts ECOWAS' credibility the most is its lack of a long-term approach to observation. It is now generally recognized that observers must observe the *electoral process*, which can take up to two months, not just Election Day. ECOWAS currently sends missions for about 10 days, which is insufficient to make a credible assessment. While most Western organizations now take a long-term approach, African organizations are generally still struggling

to send observers for more than the two weeks surrounding Election Day. Consequently, the findings and assessments of African observers are often neither sufficiently detailed nor credible.

Conflicts of Interest

ECOWAS must address a conflict of interest between its dual roles as mediator and election observer among her member States—as both roles are important aspects of her mandate to build democracy and ensure stability in the region. For example, in Togo earlier this year, following the death of long-time President Eyadema Gnassingbe, ECOWAS diplomats successfully negotiated a nine-step plan to hold presidential elections and then oversaw its implementation.

However, an ECOWAS observation mission was also charged with making an independent assessment of the election process and all its players. Critics have accused ECOWAS of whitewashing the election outcome for the sake of maintaining stability in Togo and have questioned the credibility of its observer declarations.

Similar scenarios could emerge in ECOWAS' current mediation efforts in Liberia and Ivory Coast, where elections are imminent. Other organizations have faced similar problems. For instance, the Organization for Security and Co-operation in Europe (OSCE) in Bosnia and Herzegovina, but have since been systematically addressing conflicts of interest.

Experience and Capacity

Another reason why ECOWAS is still struggling to field an observation mission that meets international standards is its lack of experience and capacity. At the moment, the ECOWAS Secretariat in Abuja does not have an elections unit and therefore lacks the capacity to plan, mobilize and manage election observation missions.

In addition, the organization does not have an adequate pool of trained, experienced observers from member States. Finally, ECOWAS has not taken full advantage of the recognized African expertise in the election administrations and civil societies of her member States. In view of the fact that ECOWAS has only recently undertaken observation missions, a lack of experience is not surprising. However, the Organization might not have the time to let its ability grow gradually. West Africa has a busy election calendar and many countries in the unstable region will require outside observation of likely difficult polls.

Regional Cooperation

African observation of elections would be much improved if ECOWAS and other African organizations took a common approach to election observation. All too often, various observer groups have different standards for what they consider democratic elections. As a result, several groups issue diverging statements about the same election (as was the case in Togo in 2005), doubts are raised both about the competence of these groups and the fairness of the election. Such a situation also allows political parties in the host country to play one observer group off another for their own benefit.

The good news is that ECOWAS and other organizations have committed themselves to cooperating with each other. In fact, in 2004, the United Nations initiated discussions on a global Declaration of Principles for International Election Observation. Most African organizations, foremost the OAU, are committed to signing the final document. However, as long as different groups have differing methodologies, capacities and expectations, as well as diverging political

agendas, it will be difficult to reach agreement on a common line without compromising the position of individual partners. Moreover, ECOWAS and other international bodies should cooperate to a greater extent with local observer groups who represent the civil society and who know the local political scene and traditions intimately.

Although much needs to be improved upon, the recent increase in election observation by African organizations is generally a positive development. ECOWAS and other African organizations have a clear mandate in this respect and should continue to take a comprehensive approach, integrating elections into wider conflict prevention strategies, albeit with due care, to avoid a conflict of interest among themselves. Assuming a role in elections gives African institutions the chance to take democracy building on the continent into their own hands and, with time, prove that they can do this in a responsible and coordinated manner. Clearly, African organizations understand the continent's traditions, cultures and politics in a way that outsiders never will. Therefore, African observer organizations must receive all the support and encouragement they need to assume an increasingly central role in the observation of African elections.

Conclusions

As part of the ECOWAS strategy, the States through the Treaty have the hydra-headed, multidimensional strategy of integration set down by the Organization, in areas of potential cooperation among themselves. However, in the wake of the global economic meltdown of 2008, the EU has been struggling with a slow-moving but unshakable crisis that has underscored the flaws behind their common currency, the Euro.

Today, the European debt crisis is an ongoing financial crisis that has made it difficult for some countries in the Euro zone to refinance their government's debt without the assistance of third parties. Notwithstanding the austerity measures taken to stave off complete financial collapse in the Euro zone, the crisis is by no means over. Clearly, there is no gainsaying that the fierce competition among nations to optimize their market advantages above others with the strategy of integration, leaves the nations of West Africa with little or no option but to cue in. These nations must embrace this option wholeheartedly and with unbridled commitment, especially in view of the fact that even the successful nations of the world which would have otherwise been complacent, are embracing the strategy to sharpen their advantages over and above their competitors.

The Economic Community of West African States (ECOWAS) was formed in the year 1975 with the main aim of helping the countries in the West African region attain economic stability. Currently, the Organization has a membership of fifteen States, that include Nigeria, Sierra Leon, Guinea Bissau, Togo, Mali, Niger, The Gambia, Senegal, Cote d'Ivoire, Ghana, Burkina Faso, Benin, Cape Verde, Guinea, and Liberia. With its headquarters in Abuja, ECOWAS aims to improve the living standards in the West African States, to foster cooperation and integration among member States and contribute to the general development of all African States both politically and economically.

In order to achieve her objectives, the Organization seeks to harmonize the policies in the various States, especially such regarding their trading activities, so as to promote this cooperation, integration, and development. The adopted policies were in respect to the

preexisting problems such as poverty, corruption, unfavorable trade rules and charges, high crime rates, and terrorism.

Recommendations

1. ECOWAS and Europeans should focus more on the relationship between regional organizations and the AU as well as relations between regional organizations and the member countries.
2. ECOWAS should continue to encourage and foster long-term processes for the establishment of necessary structures and instruments, in particular the establishment of the civilian component of a Standby Force, the creation of mediation capacities within the Commission and the implementation of programmes aimed at strengthening democratic structures at the national levels.
3. Promote the democratization of ECOWAS institutions and processes as well as the strengthening of the ECOWAS parliament's mandate by the countries of the sub-region.
4. There should be harmony in enacting policies that will favour all ECOWAS member States. By doing this, it would make it possible for the organization to integrate her various projects and programs in the West African sub-region.
5. ECOWAS member States should create a common market in which the movement of people, goods and services would be free.
6. There should be combined efforts from all member States in the West African sub-region for peace, development, and integration.

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