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The Emerging Role of African Regional Organizations in Enforcing Electoral Results

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Of the sixteen elections held in Africa during 2016, more than half were conducted in a free and transparent manner and with an essentially successful transfer of power. Of the elections held in Gabon, Gambia, and Ghana, only those held in the latter country could be characterized as satisfactory, with adequate citizen involvement, little to no unrest or violence, and a peaceful transfer of power. In contrast, the results of the Gabon elections were rejected by opposition leader Jean Ping and many local citizens, who blamed incumbent President Ali Bongo and the electoral commission with a lack of transparency and indeed electoral fraud, especially in Bongo's home province.¹ The elections in Gambia were much more successful, and resulted in the victory of the leader of the opposition, Adama Barrow. Yet the leadership transition was stymied by the rejection of the poll outcome by incumbent President Yahya Jammeh, and his declaration of a three month "state of emergency" one day prior to the scheduled end of his term on January 18th.²

While the above developments may indeed highlight many of the persistent challenges still facing democratization efforts in Africa, the focus of this article will be on the role of regional

¹ "Gabon election 2016: Jean Ping demands a recount", *Al Jazeera*, 1 September 2016. Accessed 20 January, 2017. <http://www.aljazeera.com/news/2016/09/gabon-election-2016-jean-ping-demands-recount-160901090151460.html>

² Vera Songwe, "Africa Mixed Political Transitions in the 3 Gs: Gabon, the Gambia, and Ghana", *Brookings Institution*, 22 December, 2016. Accessed 20 January, 2017. https://www.brookings.edu/blog/africa-in-focus/2016/12/22/africas-mixed-political-transitions-in-the-3-gs-gabon-the-gambia-and-ghana/?utm_campaign=Brookings+Brief&utm_source=hs_email&utm_medium=email&utm_content=39778572

organizations in promoting more active intervention in issues of transition of power among their member states, since the beginning of the 21th century.

Regional organizations and the shift towards an interventionist approach

The traumatic consequences of the failed Operation "Restore Hope" (1993) in Somalia, and the absence of international intervention during the 1994 Rwanda genocide, resulted in the more general abstention from further intervention in African conflict resolution, peace-building, and peace-keeping. Therefore, African states were left alone to perform such tasks during the 1990s. As a result, they often developed a common understanding of their shared vulnerabilities and an awareness of the need to join forces to tackle their common challenges, which included the reconstruction and reform of security and civil services and the judiciary, the monitoring and investigation of human rights violations, and the supervision of transitional civilian governments.

At the turn of the millennium, the new commitment to conduct more effective regional interventions in the continent's conflict zones suddenly became more apparent. This commitment was related to the personal agenda of two prominent African leaders: South African President Thabo Mbeki (1999-2008) and Nigerian President Olusegun Obasanjo (1999-2007). Both men condemned African adherence to the principles of sovereignty and non-intervention in the internal affairs of other African states, and advocated the adoption of a new interventionist stance and thus to usher in a new era of peacekeeping.³ They increased their efforts to strengthen institutional ties between two prominent regional organizations - ECOAWS and SADC (the regional organizations of the West and the South Africa, respectively). Obasanjo and Mbeki also promoted the idea of a new security structure for Africa. For example:

“They championed the idea of military intervention by regional bodies in four specific cases: first, **to reverse an unconstitutional change of regimes**; second, to prevent

³ Adekeye Adedajo and Christopher Landsberg, “The Heirs of Nkrumah: Africa’s New Interventionists,” *Pugwash Occasional Papers*, 2, 1 (January 2000): 65-90; for a detailed discussion on the changes in the African discourse on intervention in the internal affairs of sovereign states, see: Irit Back, *Sovereignty and Intervention in Africa: Conflict Resolution and International Organizations in Darfur*. London: I B Tauris, 2015.

genocide; third, in cases of instability that threaten to spread and engulf other states; and forth, under gross violations of human rights.”⁴

The two presidents’ new commitment reflected a broader continental shift in attitudes towards conflict intervention and prevention by regional organizations, in the stormy environment of post-Cold War Africa. The lessons learned from previous interventions were assimilated into the broader conception of an African Peace and Security Architecture that was being developed at the time, and resulted in the establishment of the African Union (AU) in 2002 and its Peace and Security Council (PSC).⁵

In contrast to the now-defunct Organization for African Unity (OAU)'s vague commitment to the principle of “peaceful dispute settlement,” the AU seemed to have added checks and balances and other monitoring mechanisms that potentially made it a “more effective, democratic, and autonomous organization.”⁶ Although article 4 of the Constitutive Act of the African Union contained a commitment to the former principles of sovereign equality and interdependence among Member States of the Union and to non-interference by any member state in the internal affairs of another, it also emphasized the respect for democratic principles, human rights, the rule of law and good governance, alongside the right of the Union to request intervention in order to restore peace and security. In addition, compared to its predecessor, the AU has been much more resolute in condemning unconstitutional governmental action, and has actively intervened to ensure peaceful transfers of power based on election results. This occurred, for example, in Burundi (2003) and in the Comoros (2008).⁷ Yet the AU has not been entirely consistent in its policy, which is evident from the organization’s benign responses to Zimbabwe’s President Robert Mugabe’s unwillingness to step down from power after losing the 2008 elections.⁸

⁴ Khathu Mamaila, “Mbeki MAP's Out Africa's Fresh Beginning”, *The Star*, 20 July 2001. My emphasis.

⁵ Report on the Status of the Establishment of the Continental Peace and Security Architecture, Presented at the 57th meeting of the PSC, Addis Ababa, Ethiopia, 21 June, 2006. Reference: PSC/PR/3) LVII). See also: Ulf Engel and Joao Gomes Porto, “Africa’s New Peace and Security Architecture, Promoting Norms, Institutionalizing Solutions”, *Journal of Conflict and Security Law*, 16, 1 (2011): 212-217.

⁶ Thomas D. Zweifel, *International Organizations and Democracy: Accountability, Politics, and Power*, Boulder: Lynne Rienner, 2006: 148.

⁷ Henri Boshoff, “Burundi: The African Union’s First Mission”, *Institute for Security Studies*, 9 June, 2011. Accessed 20 January, 2017. <http://hdl.handle.net/123456789/31434>.

⁸ Irit Back, “Beyond Zimbabwe: The African Discourse on Dictatorship and Democracy”, *Tel Aviv Notes*, 6 August, 2008.

The importance of strengthening the cooperation between continental and regional organizations in issues requiring an interventionist approach was clearly manifested in the case of the 2011 ECOWAS and AU intervention in Côte d'Ivoire. The combined efforts of these organizations changed the fate of the West African country. Following incumbent president Laurent Gbagbo's refusal to recognize the victory of the Northern contender Alassane Ouattara in the November 2010 elections, the PSC suspended Côte d'Ivoire from all AU activities, and declared its unequivocal support in the Ivorian people's rights to determine their own political future. This represented the manifestation of the organization's commitment towards a conciliatory approach. ECOWAS, for its part, proved to be even more steadfast in its support for democratic change based on the choice of the Ivorian people. It rejected any form of compromise between the parties and threatened the use of force if President Gbagbo refused to accept the results announced by the Ivorian electoral commission chief. It too suspended Côte d'Ivoire until the accurate results of the elections were implemented.⁹ Ultimately, the cooperation between ECOWAS and the AU, combined with international intervention, led to the inauguration of the elected President, and seemingly prevented the continuation of political unrest in that country for some time. Recently, however, renewed political instability and tensions between the government and the military are jeopardizing the legacy of the AU and ECOWAS intervention.¹⁰

Addressing the Gambian issue

At the moment, another regional intervention is taking place in Gambia, thus strengthening the claim that regional organizations are increasingly more active in the resolution of African leadership transition issues. As soon as the first reports of the evolving political crisis in Gambia began to spread, the AU and ECOWAS took it upon themselves to mediate a settlement of the impasse.¹¹ Both organizations demanded the immediate resignation of President Jammeh, and combined their diplomatic and military efforts. As Jammeh continued to reject the proposed solution, AU and ECOWAS adopted a more decisive stance. On January 19th, Barrow was sworn in at the Gambian Embassy in neighboring Senegal. Meanwhile, a force of 7,000 infantry and tanks

⁹ "Cote d'Ivoire expelled from ECOWAS", *Al Jazeera*, 7 December, 2010. Accessed 20 January, 2017. <http://www.aljazeera.com/news/africa/2010/12/20101272090983941.html>

¹⁰ See, for example: "Cote d'Ivoire: Côte d'Ivoire Vice-President Takes Office amid Army Discontent", *Radio France Internationale*, 16 January 2017. Accessed 20 January, 2017. <http://allafrica.com/stories/201701161184.html>

¹¹ Songwe, "Mixed Political Transitions".

crossed the border into Gambia, and threatened to forcibly remove Jammeh if he did not step down of his own accord. "We have suspended operations and given him an ultimatum," said Marcel Alain de Souza, head of the 15-nation ECOWAS. "If by midday he doesn't agree to leave The Gambia ... we really will intervene militarily."¹² Eventually, Jammeh agreed to step down and left Gambia to Guinea.¹³

The intervention in Gambia is another link in the chain of regional African organizations increasing their involvement in mediation efforts, peacekeeping trials and even direct intervention in intra-state issues in 21th century Africa. Yet, it seems that criteria for intervention vice abstention are still unclear, and may well be case-dependent. As the fight for democratization and democracy in Africa has not been won completely, the effectiveness and the consequences of regional intervention in power transitions will only become known in the years and decades to come.

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¹² "Gambia: Yahya Jammeh gets a final deadline to step down", *Al Jazeera*, 20 January, 2017. Accessed 21 January, 2017. <http://www.aljazeera.com/news/2017/01/gambia-yahya-jammeh-final-deadline-step-170120044922953.html>

¹³ "Jammeh Leaves Gambia", *Jolof Media Network*, 21 January 2017. Accessed 22 January, 2017. <https://jolofnews.com/2017/01/21/live-report-gambians-react-to-jammehs-departure/>