



Twenty-five Years of Economic Community of West African States (ECOWAS) Protocol on Democracy and Good Governance: Questioning Challenges and Prospect

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Abstract

This study examines over two decades of ECOWAS security mechanism in protecting democracy and ensuring good governance in West African sub-region. ECOWAS no doubt has been playing a noble role in promoting democracy and political stability in the region since the end of political conflicts in Liberia and Sierra-Leone in the 1990s. However, political crisis in Cote d'Ivoire 2002-2011, Similarly, the political uncertainty that frequently pervades Guinea-Bissau, which recently culminated in military coup, as well as 2025 coups in Mali, Niger, and Burkina-Faso have casted aspersion on ECOWAS capacity in providing stability and good governance in the region. This article uses descriptive content analysis and secondary data in probing ECOWAS activities, successes and challenges in the utilization of its 2001 Protocol on democracy and good governance; while the article also adopted systems theory. In spite of numerous challenges currently facing the organization in effective utilization of 2001 Protocol, ECOWAS has ably deployed its mechanism in managing several conflicts including 2002-2011 Cote d'Ivoire political conflict, its election monitoring mission in Nigeria and Liberia 2023 Presidential elections; the 2024 Presidential political stand-off in Sierra-Leone, as well as 2025 Cote d'Ivoire and Guinea Presidential elections through its mediation and prevention mechanism system. However, study implore member states the necessity for good governance which remains an antidote to sectional feelings and resurgence of coup d'état in the region.

Keywords: Crisis, Conflict, Democracy, ECOWAS, and Governance

Introduction

ECOWAS was established in 1975 by fifteen-member countries for socio-economic integration. However, the reality that stared the organization in the face during the course of its operation necessitated amendment to the treaty of the organization in 1993, which included the "new roles of ECOWAS". Basically, aside humanitarian and political conflict, the continent had in the last two to three decades, remained the epic Centre of the dramatic political fluctuations since post-cold war era. In his article titled 'The Coming Anarchy', Kaplan describes the situation in West Africa in a rather terrible manner, and posited that, the sub-region was evolving into a symbol of Worldwide demographic, environmental and social stress (Kaplan, 1994). No doubt, the level of security decay in West Africa sub-region has replicated with the current political instability in Mali, Niger Burkina-Faso, and now Guinea-Bissau. Though ECOWAS since its inception has adopted the "Protocol on Non-aggression" 1978 Protocol on Mutual Assistance" 1981, however, these protocols could not prevent emergence of intra-state conflicts especially the follow-up conflicts in Sierra-Leone and Liberia in 1980s and 1990s respectively. This eventually necessitated the call for governance reforms.

Three fundamental factors could have informed ECOWAS position on adopting security framework in early years of its establishment. First, the responsibility in maintaining regional peace and security. Second, the aspiration of ECOWAS leaders for security, development and cooperation; third exploiting its collective power for its own defence (Osadolor, 2011). It is against the backdrop of promoting good governance, that 1999 and 2001 Protocols were deliberated and approved. These Protocols: 1999 Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security” as well as, 2001 Supplementary Protocol on Democracy and Good Governance are for the purpose of ensuring stable polity and Good governance in member states. The 2001 Supplementary Protocol gives ECOWAS the oversight responsibility to intervene in member states and impose sanctions in case of unconstitutional changes of government, and where there is evidence of massive violation of Human Rights in member states” (ECOWAS, 2008).

Problem Statement

ECOWAS has persistently and consistently reinforced democracy as the best form of government which enhances stability, free organization’s and citizens participation in governance through active and mass participation in democratic process. However, the region lately has been confronted with negative responses and disenchantment among the people leading to democratic reversion among member states such as Mali, Niger, Burkina-Faso and recently in Guinea-Bissau, thereby questioning the utility and existence of ECOWAS 2001 Protocol in ensuring good governance and consolidating democracy in the region.

Theoretical framework

Systems theory among other theories such as linkage, Communitarian theory are among others modernization theories to the study politics, as well as comparative in a scientific manner as against traditional approach. Lud wig Von Bertalanffy (1901-1972) was the first to put his thought forward in formulating a ‘General Systems Theory’ in 1930 as a prelude to the development of Systems approach. He argues, everything is interconnected and therefore we should study interconnectedness as a means of understanding the World. Systems theory has been used to analyze interrelations among nations, and how crisis within Sub-region can impact globally.

Relevance of the theory to the study

The interrelation of states according to this theory signify how systems theory is relevant to discussing this paper. Hence, the utility of this theory in discussing this paper cannot be underestimated in view of the fact that all countries within West Africa shares bother with one another. This for instance was apparent in Cote d’Ivoire political conflict from 2002-2011 which adversely affected neighbouring countries of Mali, Burkina-Faso and Liberia among others. The theory assumes that systems and sub-systems are Continents and Sub-region within international System. In line with the assumptions of this theory, ECOWAS intervened in the conflict to avoid spill-over effect across the region. It also imperative to argue that all countries across the region shares historical and socio-economic ties across the region, which could have caused untold catastrophe if ECOWAS had not intervened in the conflict. Therefore, the argument of

this theory is that none of the Sub-System enjoys independent existence, as they all relate to the larger systems. It then follows that any crisis either within the system or Sub-system would have severe impact on the whole which may eventually call for intervention of the whole systems (third Parties), as ECOWAS later deemed it fit to intervene.

In summary, this theory favours maintenance of the status-quo by ensuring all parts work for the stability of the whole. No doubt, this theory is capable of enriching our understanding that international system is made of fact, and whatever any conflict that happens within Sub-region or at Continental level would have adverse effect on the whole system, which could compel the intervention of regional organization. The theory has also enriched our knowledge the extent of interconnectivity that exist among nations and no one can entirely be indifferent to happenings in other parts of the World. Hence, a conflict in one state or region has potential to spill-over to other, if not quickly nip in the bud.

Research question

- i. How relevant has ECOWAS 2001 Protocol on 'Democracy and Good Governance' being in promoting democracy and good governance in West Africa?
- ii. How has the perennial challenges facing ECOWAS hindered implementing the goal of 2001 protocol on democracy and good governance?

Objectives

- i. To discuss the relevant of ECOWAS 2001 Protocol on 'Democracy and Good Governance' in promoting democracy and Good Governance in West African sub-region.
- ii. To discuss how common challenges facing ECOWAS has impeded the organization in implementing the goal of democracy and good governance in West Sub-region.

Literature Review (Democracy and Good governance)

The concept of democracy has become a universal word in contemporary World as a system of government that gives opportunity for both educated and illiterate ones, an active participation in governance. The concept (democracy) has become popular these days that, it has become ultimate vision and mantra of those struggling for freedom and better way of life (Idowu 2008:30). This is not to argue that democracy is not facing a critical period and disenchantment among electorates in the region due to mal administration and poor governance. Nevertheless, over the past decades, democracy as a form of government has continued to gain more ground all over the World. These have been linked with several reasons, most important the legitimacy crisis hanging over military rule, single party system, dictatorship and totalitarian rule, human rights abuses, economic crisis and lack of accountability. Democracy operate under strict rules and principles which made it different from other forms of government. However, the extent to which democratization establishes these elements may provide the basis for evaluating its success or otherwise Omotola, (2007:251). However, this is not to argue that democracy is not facing a critical challenge, especially in West Africa where military coup has become more fashionable.

Good governance is an antidote to development, peace and stability of any society. The term emerged in the 1980s and 1990s through the World Bank to explaining how good

governance influence performance of state economy. The concept is described as a way in which power is used to regulate state economy and “social resources” of a country in achieving development. Hence, good governance clarifies the process of measuring how various public institution of “governance conduct public affairs,” utilization of public resources, protection of human rights, corruption free society and respect for rule of law. Its thus worthy to suggest that the concept emerges as, a model to compare ineffective economies or political bodies with viable economies and political bodies (Khan, 2004). In the recent World assessment (2014), governance articulates six indicators of promoting good governance as:

- Accountability and Transparency
- Freedom from violence and stability in political system
- Effectiveness of government policy
- Elimination of corruption
- Quality of governance
- Rule of law.

However, most of these attributes are lacking in most third World countries, which indicates the outcome of bad and uncountable system of governance in African states. Though, agitation for good governance has been ongoing for long, which is known to be limited to third World countries, nonetheless, the concept has become a “political weapon in the hands of Western global hegemony to manipulate, suppress their independence and perpetually place them under their influence.

Methodology

This study adapted survey method as the paper seeks to review over two decades of ECOWAS utilization of its Protocol on ‘Democracy and Good Governance’, challenges and way forward. The article is also logical, as it aim to establish the effectiveness or otherwise of the 2001 Protocol and its utility in strengthening democracy and good governance. The article therefore relies on secondary source of information, such as textbooks, online materials, and other relevant information, as well as content analysis to scrutinize information gathered.

Overview of ECOWAS 2001 Protocol on Democracy and Good Governance

ECOWAS 2001 Protocol on ‘Democracy and Good Governance’ was established to deepen democracy and quality of governance in ECOWAS member states. This Protocol no doubt has become an instrument being used to compel member states to operate within the limit of democratic principles. The Protocol was adopted 21st December 2001 by the heads of State and government to complement the deficiency of 1999 Protocol. It was adopted to promote internal democracy, good governance and dissuade internal conflict among member States. ECOWAS explicitly reaffirms its commitment to the objectives set out in the Protocol on Democracy and Good Governance by stating on its purposes.

“(i) to create space and conditions for fair and equitable distribution and exercise of power and the establishment and reinforcement of governance institutions; (ii) to ensure the active participation by citizens in the political life of Member States under common democratic, human rights and constitutional principles articulated in ECOWAS Protocols, the African Charter on

Human and People's Rights, NEPAD principles and other international instruments" (Point 52).

Basically, the significance of democratic rule, rule of law, and good governance within the organization increased with the Protocol on Democracy and Good Governance (ECOWAS, 2001- a), formally established clear mandatory standards for ECOWAS member States: rule of law with autonomy, free and fair elections, mass political participation, supremacy of civilian over military structures and decentralization of power across levels of governance. The organization also committed itself to "zero tolerance for power obtained or maintained by unconstitutional means" (Article 1c). And in the case of usurpation of power by the military, the Protocol spelled out sanctions, which the 'Authority of Heads of State and Government can apply sanctions against member state involved which will be based on the recommendation of the 'Mediation and Security Council'. Also, for the purpose of ensuring free and fair elections, (Article 2-10) contain mandatory rules and procedures: No substantial modification shall be made to the electoral laws in the last six months before the elections, except with the consent of majority of political" (Article 2).

Similarly, the Protocol also requires member States to have an independent and neutral electoral body (Article 3). Article 12 allows the Regional body to dispatch election Monitoring Observers to monitor elections, though this is not clearly stated in the article thus, ECOWAS might send such monitoring teams even without the consent of the respective State (Gandois, 2009:149). The executive Secretary might also dispatch a fact-finding or exploratory mission to members countries where an election is approaching (Article 13). And for the purpose of ensuring peaceful transfer of post-election, Article 9 urges Parties or candidates who lose the election "to concede defeat to the political party and /or candidate finally declared the winner". The Protocol also emphasizes respect for human rights as part of perquisites for good governance.

The earlier "principles" refers to the rule of non-discrimination, and necessity of every individual to have option of going to Courts "to ensure the protection of his/ her right" which could be seen as an instance of the universality norm (Article 1-h). And on the concept of good governance, "ECOWAS shall assist Member States to promote the professionalization of governance institutions by building and strengthening transparent, non-partisan, efficient and accountable national and local institutions, in particular the civil service" (Point 53-b).

Further to this point, Member States shall also, "establish and ensure the functioning of mechanisms and processes for power decentralization, including the strengthening of local government structures and assisting traditional rulers to effectively oversee community development" (point 53-h).

ECOWAS 2001 Protocol on Democracy and Good Governance: the journey so far

The 2001 Protocol on 'Democracy and Good Governance' has provided an avenue to ensuring peace and stability in the region. Although, the protocol cannot be argued to have effectively and audaciously averted coups in some member states notably; Mali, Burkina Faso, Guinea Nige and recently in Guinea-Bissau. However, this is not to argue that the Protocol has not played key roles in conflict ridden States in West Africa sub-region.

- (a) In **Guinea-Bissau**, for illustration, ECOWAS has been playing an active role in ensuring stability in the country especially during the country's civil war (1997-1998). However, the follow-up to Abuja accord paved the way for cessation of hostilities among warring factions. Thus, with the adoption of 2001 'Supplementary Protocol' ECOWAS became more active in the country starting from 2003, and especially after the October 6, 2004 mutiny. In September 2003, President Kumba Yala was overthrown due to the President increasingly erratic behaviour and regression of democratic institution in Guinea-Bissau. This set the stage for ECOWAS intervention in the country. In 2002, for instance, Stakeholders and opposition parties accused the President of violating the country's constitution and demanded his resignation. In response, the President dissolved the Parliament and repeatedly postponed elections (Augel, 2003). This in turn precipitated coup that ousted former President Yala, in 2003. ECOWAS's effort with the support of international Community succeeded in achieving smooth political transition toward reconstitution and establishing strong democratic structures and rule of law. ECOWAS no doubt has continued to maintained its presence in the country due to perennial instability in Guinea-Bissau, Until the 2025 military coup in the country.
- (b) **Cote d'Ivoire**: In the light of Cote d'Ivoire political conflict 2002-2011, and reactions against 2020 Presidential election; ECOWAS activated its 2001 Protocol by insisting Gbagbo ceded power to the winner of 2010 Presidential, while the organization also threatening use of military force to remove Gbagbo then from office. ECOWAS with the help from international Community removed Gbobgo and installed Allasane Ouattara as the President. Also, in 2020 after the declaration of President Ouattra as the winner of the election, and the follow-up crisis, ECOWAS without delay intervened to forestall full blown crisis because of the significant position of Cote d'Ivoire not only for regional stability, but also for economic stability of West Africa. Given this ECOWAS wasted no time for quick intervention in the country's December 2025 Presidential election that declared Allasan Quattrra as the country's President for the third term in office.
- (c) **Mali**: Although, ECOWAS could not intervene militarily to restoring democratic order in Mali, Burkina-Faso and Niger as a result of the country's military coups, however, ECOWAS has continued to maintain significant pressure on the Juntas, the need to allow democracy to grow in their respective states. Though the trio have suspended their active participation in ECOWAS activities indefinitely and consequently renouncing their membership of the organization, nevertheless, the organization has continued to intensify efforts to normalize relation with these coup leaders with the hope of ensuring and guaranteeing constitutional democracy, stability and security across the region.
- (d) **Togo**: This Protocol was also tested in Togo when the death of former Togolese leader, Gnassingbe Eyadema resulted in questionable transition that led to Faure Eyadema assumed office as the President. ECOWAS jointly condemned the "constitutional coup". ECOWAS also threatened sanctions, if constitutional order were not restored. AU Chairman and the President Olusegun Obasanjo (former) also threatened the Togolese leadership with military action, although this was not the AU's nor ECOWAS's official position (Engels, 2005, Khonert, 2005); while Faure at the end succeeded his father, however, ECOWAS efforts prevailed in ensuring that the process went through democratic process.

(e) In the case of **Gambia** following the country's disputed Presidential election outcome in 2016, ECOWAS managed to "restore democracy" in the country using its established Protocol on democracy and good governance mechanism; with sanctions and threat of force as applicable. ECOWAS however succeeded in enthroning Adama Boro as the duly elected President of Gambia after several initiatives ranging from sanctions, negotiation and threat of force that never materialized.

The recent coups in **Guinea-Bissau** was also a focus in utilizing ECOWAS intervention mechanism. The organization quickly responded by dispatching Nigerian former President Good Luck Jonathan to lead the mediatory team between the coupist and the government. All efforts are geared towards stability of the region.

Factors inhibiting ECOWAS effective utilization of its Protocol on 'Democracy and Good Governance'

ECOWAS has recorded some successes in promoting peace and stability in the region through its mediation and intervention mechanism. The organization however has continued to face several challenges in sustaining peace, stability and good governance in the region. It was against the backdrop of multidimensional crisis facing the organization that Cyril argues that "ECOWAS peacekeeping is suffering from the crises that have bedeviled some of the countries in the region, and of note are problems of frail political will, inadequate funding and poor logistics" (Cyril. 2009). Similarly, challenges also involved inadequate safeguarding and protection of civilians in conflict zones area, human rights abuses committed by troops and more.

Basically, lack of finance has been a devastating issue facing the organization from the inception. The reason has been the poor state of economies of member states which usually hinder their mandatory contribution to the purse of the organization. The lack of finance for instance is evident in Liberia and Cote d'Ivoire conflict. ECOWAS was able to restored stability in its first intervention in Liberia in 1996 at the early stage of the crisis, however, the conflict resurged in 1997 due to inadequate finance to manage the situation. It is thus argued that "ECOWAS Peacekeeping finances, and support continually remain dependent on the international Community sponsorship such as the UN, EU, and other states like the US, France and other European countries whose support is linked to their personal interest" (Bamfo, 2013).

The persistent lack of consensus among member States on security matters had also remained a significant constraint hindering the effective peacekeeping activities of the organization. This scenario was evident during Cote d'Ivoire political crisis 2002-2011. Basically, bias interest has continued to obstruct quick decision making in relation to deployment of troops for peacekeeping operation, considering that interest remains different and tends to limit peacekeeping (Gberie,2003). This is not unconnected with differences in colonial orientation of ECOWAS member States. The absence of peacebuilding has also continued to hinder the effort of the organization in building lasting peace by understanding the society involves in the conflict and by utilizing more effective diplomatic means in resolving crisis. This has remained a major challenge for ECOWAS for decades.

Similarly, is the lack of coherence among ECOWAS leaders to confront the issue of bad governance, stay-put syndrome, and abuse of constitution amongst member states. All these factors have notably been major reasons for resurgence of military coups in the region in recent times. There has been disillusionment among electorates in the region over governance styles which in consequences has increase poverty level and other social vices across the region. The failure of democratic governance to addressing challenges such as insecurity, unemployment among others facing the people made Malian military junta recently condemned democracy as not the government of the people and for the people as being proclaimed.

Lack of effective mediation and coherent diplomatic means, which are important peace processes remain lacking amongst the Council of the Wise and other ECOWAS mediatory bodies (Onwuka, Abdall; Karbo & Murithi, 2009). Thus, it is worthy to argue that lack of quality mediatory skills has continued to create challenges for ECOWAS, not only for effective peace building, but had on several occasion created armed conflict that ordinary would have been resolved diplomatically. This situation was evident when the duo of (Mali, Niger and Burkina Faso military Junta exited from ECOWAS due to poor handling of negotiation. It was glaring that poor negotiation skills destroyed all hopes for these three states to rethink of their decision after their excision from ECOWAS.

New findings/ knowledge

- i. Understand the concepts of Protocol of democracy and good governance in West Africa
- ii. understand the application of the concepts within West African region
- iii. understand the inconsistencies, challenges and prospect of the 2001 Protocol in protecting democracy and ensuring good governance in the region.
- iv. Suggest ways for ECOWAS on the best way for effective utilization of 2001 Protocol on democracy and good governance.

Conclusion

ECOWAS has done remarkably in restoring peace and stability in West Africa Sub-region. The organizations' desire to perpetually maintain peace in the region inspire the organization in setting -up several institutional frameworks including 2001 Protocol in promoting democracy and good governance. Though, ECOWAS has not been consistent and decisive in its action anytime democracy is being threaten in the region. However, one cannot vilify the organization, but rather to exalt it, having persistently committed to good governance in the region. However, they would be able to attain more of their objectives by carrying out the following measure.

Recommendations

- ECOWAS should consider it necessary to act on case-by-case basis by implementing any decision agreed-to during in-house debate.
- ECOWAS must begin to work toward improving its 'Mediatory' effort, so as not to be seen as being bias in time of settlement of misunderstanding and conflict resolution. For instance, the case of Mali, Niger and Burkina-Faso that led to their withdrawal from ECOWAS membership.

- At the same time, ECOWAS must continue working in alliance with Sister's organization, such as AU and UN for maximum security and stability in the region.
- In order to meet up with the challenges of military intervention in the 21st Century, it is important for ECOWAS to boost the capability of ECOWAS Standby-force for prompt and effective intervention when situation call for it.
- Similarly, the organization must continue to agitate for good governance among member states as the only antidote to political stability, economic development, and aversion to military coups in the region, and strong financial capacity of member States.

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