Standing Mediation Committee and ECOWAS Security Mechanism: The Case of Conflict Management in West Africa

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Abstract

he Standing Mediation Committee (SMC) is harbinger of ECOWAS Security Mechanism, which is the abbreviation of the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security. The study basically delineated different stages in the evolution of ECOWAS Security Mechanism (ESM) with focal point on the impetus, challenges and achievements. It argues that although the developmental processes began before the establishment of the SMC, the structured system derived it foundation from it. From this foundation sprang forth the mansion of a highly structured, well organized, legally codified, generally acceptable and certified ESM, which prides itself as the most formidable system of managing conflict in Africa. This has decisively managed conflicts in countries like Cote d'Ivoire, Liberia, Guinea Bissau, Sierra Leone, and Mali. The initiative of the SMC was not only recognized by the United Nation but adopted by it as they codeployed with the ESM. Regional and sub-regional organizations like AU, SADC, ECCAS etc. are also tapping from its fountain as a model worthy of emulation. The study recommends that the newly established ECOWAS Standby Force should be well equipped and combat ready to serve the objectives of ESM.

Keywords: ECOWAS, SMC, WA, Security, Mechanism

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Background to the Study

In recent years, West Africa accounted for most of the conflicts in the international system. Five countries including Cote d'Ivoire, Liberia, Guinea Bissau, Sierra Leone, and Mali which constitutes more than 30% of ECOWAS membership were besieged with wars. It began in the Christmas Eve of 1989 with Liberia and spread to other states in West Africa (WA). When ECOWAS was created on May 28, 1975 there was no security mandate as economic integration was its major objective. Over the year's ECOWAS realized that wars and political instability were a major impediment to the actualization of its objectives. This is the background of the initiative for a comprehensive collective security mechanism which was stimulated by the SMC because of Liberia Conflict.

The objective of the study is to examine the role of the SMC in ECOWAS Security Mechanism and its significance in maintaining peace and security in WA. Oblivious of the fact that the international community is beginning to be apprehensive of the burden of these incessant conflicts and the fact that there is provision in the UN's Charter for regional security. ECOWAS is taking advantage of the provisions and is taking up some of the responsibilities. The impetus for this is hinged on the Charter of the United Nations with specificity to Chapter VII which stipulates that "regional organizations shall make every effort to achieve pacific settlement of local disputes before referring such disputes to the United Nations Security Council (The United Nations 2007).

Predicated on the above provisions, ECOWAS and other sub-regional organizations have made arrangements through treaties and developed strategies and capabilities of maintaining peace in their regions. The initiative of the SMC laid the foundation that gave rise to a highly structured, well organized, legally codified, generally acceptable and certified ECOWAS Security Mechanism.

Methodology and Theoretical Framework

Qualitative Method is the research methodology of the study. Documentary and content analysis are the orbit on which this method revolves. It is such that data is gathered through largely secondary data sources such as text books, journals, newspapers, internet materials etc. The gathered data was reviewed and critically analysed. The study is guided by the theoretical framework of liberal institutionalism as propounded by Robert Keohane and Joseph Nye. Liberal Institutionalism is a novel international relations theory which proclaims that international organizations and institutions like the United Nations, European Union, African Union, ECOWAS can enhance "cooperation between states" (Keohane 1994).

International organizations, global governance and cooperation among states are the major attributes of liberal institutionalism. It attaches high premium on what common goals do or play in the international relations and the capability of international organizations to garner the support and cooperation of states in the international system (Devitt 2011). The basic characteristics of Liberal institutionalism are the multiple medium which encourages s interaction between and among states of the international system without consideration of national borders thereby increasing the links and interaction between leaders and non-state leaders (Claude 1971).

Liberal institutionalism is of the opinion that peace and stability in the international system is enhanced when there is collective cooperation, sometimes through integration that may infringe on some sovereign rights but ultimately promote international and regional economic growth, peace, security and stability (Caporaso 1999). This theory explains the collective security initiative of ECOWAS who keyed into the regional security provisions of the United Nations in fostering regional economic growth, peace and security.

Standing Mediation Committee

The development of strategies and capabilities of maintaining peace in WA earnestly began when Standing Mediation Committee (SMC) was formed by ECOWAS under the auspices of President Babangida of Nigeria who used his position as Chairman of ECOWAS to introduce the Committee. The SMC was formed on 30 May 1990 in response to the Liberian Civil War and comprised of a five-member consultative group drawn from WA countries. These countries were Nigeria, Mali, Ghana, Togo and Gambia (Amadu 2002). One of the major achievements of the SMC was the birth of ECOMOG. The committee deliberated on the conflict in Liberia and there was consensus on peace framework wherein the establishment of immediate ceasefire by the belligerents was a major feature. It was also agreed that ECOWAS Ceasefire Monitoring group (ECOMOG) would be deployed to monitor and observe the ceasefire by the warring parties (Adibe 1997).

It was also charged with the responsibility of creating necessary environment for an election that should be free and fair. ECOMOG, founded on August 1990 by SMC of ECOWAS in Gambia, is now widely regarded as a prototype for sustaining peace, security and stability at sub-regional levels and has gradually metamorphosed into the ECOWAS Standby Force. The ideas of the SMC which was originally for peacekeeping intervention in the Liberian Civil War (1989) was eventually used for Sierra Leone – 1997, Guinea Bissau – 1998, Liberian Second Civil War – 1999, Cote d'Ivoire – 2002. It was also used for the second Cote d'Ivoire Civil War – 2011, Mali – 2012, and the second Guinea Bissau crisis – 2012 (Okeke 2014). The SMC also coordinated the drafting adoption and implementation of the Peace Plan of ECOWAS with provisions for managing and preventing conflict. This eventually became the premise for the establishment and sending of ECOMOG troops to Liberia. This Peace Plan was adopted on November 28, 1990 in Bamako, Mali and is like a compass for future substantive ECOWAS conflict management. ECOMOG was the enforcing mechanism and created support the SMC in overseeing the application stringent compliance of the cease-fire provisions by the belligerents (Addo 2005). ECOMOG was initially beset with a lot of huddles and obstacles. Lessons learned from the initial challenges and willingness of the West African countries to maintain peace at every cost in the sub-region gave rise to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security.

SMC rose laudably to the exigencies of managing conflict and peace keeping in WA when the powers that be in the international system had tactfully abandoned WA in particular and Africa in general. At this time the UN concentrated its resources and personnel in Bosnia, Europe (Sesay 2002). It was not a smooth drive for the SMC because of oppositions it received from some Francophone ECOWAS states who had vested ulterior motives in line with the aggressors in the Liberian Conflict. This vested interest made them to challenge the

constitutional bases of ECOMOG's intervention in Liberia; arguing that the Protocol on Mutual Assistance and Defence (PMAD) which was the premise for which the SMC acted was faulty because the conflict was interstate and not intrastate in nomenclature. Liberian crisis was seen as an internal affair and not an external aggression or attack of another sovereign country on the territorial integrity of Liberia. They postulated that ECOMOG's intervention in Liberia lacked a firm legal foundation because it contradicted Article 18 (2) of PMAD. It also constituted a desecration of the doctrines of non-interference engrained in the Charter of the Organisation of African Unity (OAU) and the territorial integrity and sovereign equality of Liberia which also assured in the charter of OAU/AU and the United Nations (Addo 2005). The lacuna of no initial constitutional backing for the ad hoc ECOWAS Security Mechanism has now been codified in highly structured and certified ECOWAS Security Mechanism. The contention was also clarified with the UN Resolution 788. It has to be noted that there has always been provision for regional security arrangement in the Collective Security arrangement of the UN.

Regional Security Impetus of ECOWAS

The development of strategies and capabilities of maintaining peace in the WA began in earnest with SMC formation. Although SMC was formed in May 1990, ECOWAS as a subregional organization had existed fifteen years earlier. It was established with the primary purpose of promoting development and cooperation among the sixteen countries of and initially concentrated on economic integration and was less concerned with security challenges which manifested the most in civil wars and insurgencies, thereby retarding the achievement of development, economic growth and stability in the region.

The need to establish an all-encompassing regional organization that would secure lives and property and enhance economic growth and development has been advocated by some statesmen and political leaders. Prominent amongst them is Senegal's Leopold Sedar Senghor who argued that development will not be protected in an environment of uncertainty and that there was thus the need for us to create a candid West African pact of harmony to safeguard against aggression from outside the region (Okeke 2014). Although the security mechanism Leopold Sedar Senghor advocated was to contain external aggression, he was a classic proponent of regional security for the West African sub-region.

It would not be completely right to say that consideration of the security challenges to the growth and economic development of WA only began with the inspiration of the SMC. This is because as far back as April 1978, ECOWAS members adopted the Protocol on Non-Aggression. This Protocol greatly focused heavily on threats from outside the region and did not anticipate a function for the body in destabilization of WA countries by the coups of the 1970s, 1980 and beyond as well as the internal wars that ravaged WA in the 1990s beginning with the Liberian war (Okeke 2014). It was obviously a protocol designed to protect regimes of incumbent heads of state most of which at this time were dictatorial.

The defense and security trajectory of ECOWAS was further boosted when the Protocol Relating to Mutual Assistance on Defense (PMAD) was ratified on 29 May 1981 in Sierra Leone. PMAD was a regional collective security arrangement for protecting member states

against aggression or armed threats and members agreed to render mutual support and assistance when this occurs. Although signed on 29 May 1981 it came into force on September 1986 – five years after it was signed. The protocol mandated members of ECOWAS to provide assistance and aid to each other with respect to defense any armed attack or threat against any state that is a member thereby considered such armed attack or threat to be against the entire organization (ECOWAS, 1981). Westphalian philosophy which advocated that the internal affairs of sovereign states should be devoid of interference by other sovereign states was in vogue at this time, little surprise is thus expressed that despite the common knowledge that internal crisis was more common in sub-Saharan Africa; no mention was made of it. The protocol was rather for external threats and critics argue that it was designed to protect the regimes of statesmen of that era.

The lofty idea of regional collective security was introduced in the ECOWAS Charter by this protocol but it had great limitations with respect to the constitution of the military force, the implementation, and the fact that anticipated threats were external in nature. The idea of limiting mutual assistance on defence to external threats was to protect and respect the sovereignty of member states and was conspicuously enshrined in Article 18 (2), wherein community militia was not permitted to intervene in the internal conflicts of sovereign countries (Addo 2005). This clause was the major deficiency of the PMAD because most of the security challenges and threats of sub-Saharan countries in particular and Africa in general are internal insurgencies and civil wars. Envisaged inter-state armed conflicts rarely occurs but intra-state armed conflicts is a reoccurring decimal.

Internal security intimidations from assorted conflicts, political suppression, unscrupulous governance, and insecurity caused by military of a given state and other security device, were not deliberated to be part of intimidations of the security of the countries within the community and the community itself. This is the case for the duo of 1978 and 1981 military and defence protocols which were clearly designed for protection of incumbent regime of the leaders of the community as well as a strategy to shelter their interests and shield them against internal and external aggression (Okeke 2014).

At its formation there was no legal framework and it was shrouded with issues. This deficiency was clearly delineated in the Liberian crisis and instigated a major reform. The reform was through the modification of the ECOWAS Treaty to conform to the variations prevalent in the Community and founded on Liberia's experience, in May 1993 the ECOWAS Heads of State and Government requested that the ECOWAS treaty should be reviewed. This was done and the revised Treaty was validated and ratified at Benin in July 1993 by the Authority (Ibrahim, 2008).

Evidently intra-state conflicts were captured in the revised version of the ECOWAS Treaty and is paving way for better prevention and containment of endemic conflicts thereby enhancing the prospects of maintaining peace, security, stability and economic growth in WA. In 1997 there was civil war in Sierra Leone and a similar tragedy at Guinea-Bissau in 1999. These incidences further gave impetus to ECOWAS and necessitated the consolidation of existing peace treaties which manifested Protocol Relating to the Mechanism for Conflict

Prevention, Management, Resolution, Peacekeeping and Security which is abbreviated as ECOWAS Security Mechanism. To this we turn.

ECOWAS Security Mechanism

The Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security (ECOWAS Security Mechanism) was endorsed in Togo on 10 December 1999 and is viewed by many scholars as the most innovative security arrangement adopted by ECOWAS. The mechanism ultimate goal is to fortify the conflict management, prevention and stability capability of WA states on the one hand and develop efficient peacekeeping, peace building, and humanitarian support system. Additionally, it addresses crime and criminality cross border which is currently a great problem for WA (Kabia 2011). The ECOWAS Security Mechanism has different arms or institutions which facilitates the realization of its noble objectives. They include: 1. Assembly of Heads of States 2. The Mediation and Security Council (MSC) 3. The Early Warning and Response Network (ECOWARN) 4. The Council of Elders and 5. The ECOWAS Standby Force (ESC)

By the dictates of ECOWAS Security Mechanism, the assembly of heads of states is the most powerful authority and has the final say with regards to managing and preventing conflict as well as peacekeeping, conflict resolution, security threats, humanitarian provision, peace building, proliferation of arms control, cross-border crime watch etc. (Okeke 2014). This prerogative is however delegated to the Mediation and Security Council who takes action for the Assembly of Heads of State. Invariably the Assembly of Heads of States delegates its powers to the Mediation and Security Council.

The Mediation and Security Council (MSC) is the mandated council of Heads of States and Ministers of Foreign Affairs for the decision and implementation process of ECOWAS Security Mechanism. MSC embraces the membership of 9 WA states for which the Assembly elects seven members and the remaining two are the incumbent chairperson and the immediate past chairperson (Okeke 2014). There are no permanent seats. Final decision on issues that border on intervention which may take the shape of peacekeeping or peaceenforcement are determined by the MSC through a two-thirds majority voting process. Membership of the Mediation and Security Council is by election on a rotational basis. Elected members have the mandate to serve for two years and have the option of serving a second term if re-elected.

Apart from outright conflict the MSC can intervene when there is severe and enormous abuse of the rule of law and human rights or when there is a coup or failed coup with the mission of overthrowing elected leaders of a democratic government as well as any other position that made be deliberated by the MSC (Article 25). A broad spectrum of approaches is adopted by the ECOWAS Security Mechanism in the attempt to maintain peace and security in WA. In very critical cases the ECOWAS Security Mechanism applies the use of force which is executed by the ECOWAS Standby Force. This is however always the last resort as other diplomatic avenues are extensively exhausted before such military interventions.

The Council of Elders is a constituent of eminent and highly revered personalities, who by virtue of their status are selected and mandated to use their positions of honour to work for humanity as peace ambassadors. This they can do by serving as peacemakers. The council of elders have a very vital role to play in the diplomatic process of negotiation, mediation and conciliation for peace. This normally precedes the mission of the fact finding commission. The African Union and the United Nations are informed if the situation is to be controlled by the use of force. The Council of Elders are chosen from highly respected politicians, traditional rulers and religious leaders. The list of selected members for the Council of Elders is approved by MSC.

The ECOWARN which is an acronym for the ECOWAS Early Warning system is another major pre-emptive approach to conflicts in West Africa. It functions in the form of networks of observation at regional observatories that carry out risk assessment and evaluation of the political, economic and social condition in WA (Haysom 2014). It serves as an observatory that monitors and informs (warns) the mechanism of potential threats to peace in any West African County. The sixteen member states of ECOWAS are for this purpose divided into four zones to ensure effective observation. Predicated on reports from the observatories, ECOWAS Security Mechanism devises appropriate response techniques. This anticipatory and preemptive approach nips potential conflicts from the bud.

A vital achievement of ECOWAS Security Mechanism is the establishment of ECOWAS Standby Force (ESF). ECOMOG gave inspiration for the establishment of ESF with great innovations. It is the coercive tool and peace-enforcement apparatus of the ECOWAS Security Mechanism. Apart from peace-enforcement, ECOWAS Standby Force may be deployed as an intervention measure against organised crime, conflict prevention, overthrow or attempted overthrow of democratic governments, humanitarian intervention, and peace-building. ECOWAS Standby Force (ETF) consists of 6,674 troops and has two major units which are: a. Task Force, comprising 1,646 soldiers and the Main Brigade comprising 5,028 members. The troops are to be deployed from different units but Sierra Leone is to serve as logistics depot.

Evidently the ECOWAS Security Mechanism is the road map of collective security in West Africa and effectively dismantled most of the security obstacles. ECOWAS Security Mechanism can be viewed as the community's chatter on collective security and is in sharp contrast with previous norm of non-intervention because intervention in the internal conflicts of ECOWAS member states is herein authorised. The empowerment is predicated on condition where there is gross violation of human rights and breakdown of law and order (Ademola 2000). This treaty provides the legal framework for Collective Security in WA with highly organized structures.

The initiative of the SMC which began like a not clearly defined, weak legal basis, and ad hoc arrangement has now reached the advanced stage of ECOWAS Security Mechanism which has greatly improved conflict management in West Africa. It now has a mandate that is legally binding to all members and recognized by the international community under UN purview. Its structures, institutions, activities and procedures are now worthy of emulation by other regional and sub-regional organizations. It is presently a model of regional conflict prevention

and management mechanism. It has made tremendous achievements despite some obstacles. To this we turn.

Achievements and Obstacles

The SMC must be commended for timely intervention in the Liberia crisis. Despite the ad hoc or tentative nature of the initial arrangement, it stood the test of time and mitigated the total humanitarian catastrophe which the conflict was tilting to. As we earlier noted, the international community was at this time distracted by the conflict in Bosnia and this apparently beclouded their concern for Liberia. The design of the SMC has now developed to be a model worthy of emulation by other regional bodies. By implementing and improving on the recommendations of the SMC ECOWAS is rated as having the best sub-regional community in the world for conflict prevention and management (Sesay 2002). The SMC eventually metamorphosed into the ECOWAS Security Mechanism which have in no little measure contributed to knowledge with a global script for peacekeeping by regional organizations which has enhanced the approach to conflict resolution. The model has been adopted by SADC and AU (Hartmann 2015).

Some of the outstanding achievements of the ECOWAS Security Mechanism is that it restored democratic government, ousted by a military coup in Sierra Leone (1998). President Armad Tejan Kabbah was overthrown by the army, he sought the assistance of ECOWAS Security Mechanism (ad hoc – formative stages following the initiatives of the SMC), and was rescued from the national army and reinstated as President by ECOMOG who also served as the national army since the army at this time wanted his demise. The ad hoc ECOWAS Security Mechanism also intervened and restored normalcy in the aftermath of military coups to scuttle democratic governance in Guinea-Bissau – 2003 as well as Togo – 2005.

It also mediated and arranged for the stepping down and exile of Charles Taylor in August 2003, following renewed hostilities that plunged Liberia into another conflict. It fully intervened in the conflict when it became full blown. That same year (2003) another ECOWAS taskforce was dispatched to intervene in the crisis in Côte d'Ivoire. The police and military forces of ECOWAS were deployed to restore peace and rule of law in the crisis that engulfed Côte d'Ivoire – 2010, Mali – 2012 and Guinea-Bissau – 2012 sequel to coups (Hartmann 2015) Côte d'Ivoire's case was incisive because the monitoring and pronouncement legitimized and enthroned Alansan Ouatarra as winner in the November 2010 elections at the expense of the incumbent President Laurent Gbagbo. Earlier (2005) ECOWAS Security Mechanism monitored and legitimized the electoral process at Togo following the death of President G. Eyadema. Countries like Guinea and Niger have been suspended from ECOWAS sequel to military coup as part of the tough stance against disregard for established democratic principles (Kabia 2011).

The timeliness and effectiveness of the regional collective security initiatives of West Africa gave it much recognition in the international comity of nations to such a level that the United Nations co-deployed with it. ECOWAS through the inventiveness of the SMC became the first regional organisation to be the pacesetter in a peacekeeping process that was not only recognized by the United Nations but adopted by it. The United Nations keyed into the on-

going process and became a partner in what became UNOMIL which was the very first UN peacekeeping operation taken in conjunction with a peacekeeping mission that is already created by a different organization (Addo 2005). The added achievement is that these initiatives is that it afforded the opportunity UN co-deployment in peacekeeping with a regional organisation as earlier anticipated in the charter of the United Nations (Kabia 2011). At the regional and sub-regional levels ECOWAS Security Mechanism is now a model that has been adopted by AU, SADC and ECCAS (Kabia 2011).

These achievements notwithstanding, ECOWAS Security Mechanism is fraught with challenges and obstacles in their efforts to restore peace and security in conflict-ridden countries of West Africa. Rivalry, divergence in interest and lack of political consensus among West African countries were the major obstacles that confronted the ECOWAS Security Mechanism at its formative stages. This played out the most in the divergence of interest between Anglophone West Africa and Francophone West Africa. It was this discrepancy that made the SMC to be constituted by only Anglophone states at its ad hoc stages. In fact, some Francophone countries openly supported and funded the scuttling of incumbent governments which gave rise to the conflicts.

A typical case in point was Burkina Faso and Cote d'Ivoire who supported the aggressions in Sierra Leone and Liberia. On a visit to Togo in September 1990, Burkina Faso's President Blaise Campaoré publicly admitted that his government was militarily supporting the NPFL (Addo 2005). A UN Panel eventual implicated Burkina Faso for providing assistance to NPFL and RUF of Liberia and Sierra Leone respectively (Kabia 2011). Francophone WA countries were tactfully opposed to the formation of ECOMOG and openly supported the rebels fighting ECOMOG. Charles Taylor actually launched his attack against the government of Samuel Doe from Cote d'Ivoire (Kabia 2011).

These have accentuated lack of political will and apathy to support peacekeeping operations in war-turn West African countries. Credibility and acceptability of mediators for peacekeeping operations is another challenge because of the non-neutrality and by extension partiality of some member states. There is the inclination of some states to support aggressors and vice versa as was the case in Liberia and Sierra Leone. This tendency encourages rivals in a dispute that has degenerated into conflict not to honour signed agreements if it is not very favourable to their power equation (Addo 2005). Financial constraints of member states is a great impediment of the ECOWAS Security Mechanism. Money to fund peacekeeping operations is always a challenge and most of the states in West Africa are grossly financial incapable of raising requisite funds for peacekeeping in consonance with global best practices.

Conclusion and Recommendation

The study basically delineated the different stages in the evolution of ECOWAS Security Mechanism with focal point on the impetus, challenges and achievements. Although the developmental processes began before the establishment of the SMC, the structured system derived it foundation from it. From this foundation sprang forth the mansion of a highly structured, well organized, legally codified, generally acceptable and certified ECOWAS

Security Mechanism. The initiative of the SMC is not only recognized by the United Nations but adopted by it as the United Nations keyed into the initiative and also co-deployed with its mechanism. Regional and sub-regional organizations like AU, SADC, ECCAS etc. are also tapping from its fountain as a model worthy of emulation.

The study recommends that the newly established ECOWAS Standby Force should be well equipped and combat ready to serve the objectives of ECOWAS Security Mechanism. This is because in the absence of a capable enforcement mechanism the whole purpose of the system would be defeated. To sustain the laudable objectives of maintaining peace and security in West Africa, statesmen and heads of states should work in unity and abhor unhealthy rivalry and ulterior actions that could jeopardize the good intentions of the ECOWAS Security Mechanism. Preventive diplomacy should be adopted in every ramification in anticipation of conflicts. The role of the Council of Elders is all important in this regard. They should be equipped, trained and encouraged to use their good offices for negotiation, mediation, conciliation and other requisite diplomatic processes that can forestall full blown war in any West African state.

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