

REMODELLING RESPONSIBILITY TO PROTECT IN THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS), ON CONFLICT MANAGEMENT

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ABSTRACT

This paper attempts to analyze the roles of Economic Community of West African States (ECOWAS) in Responsibility to protect (R2P), regulating regional peace and security in ECOWAS, based on the theory of cosmopolitanism. The research was conducted by exploring a historical overview of the evolution of R2P in ECOWAS as a necessary yardstick to investigate the phenomena. The paper also analyzes the first humanitarian intervention in Liberia (1989-1997) as it was this civil war which transformed the roles of ECOWAS in R2P. Despite its many institutional and political weaknesses and limitations, ECOWAS has been developing a variety of tools and mechanisms to respond effectively to complex disasters and emergencies (both natural and manmade) by building up comprehensive regional security architecture. Furthermore, it has become the first and only regional or international organization that enshrines the principle of 'responsibility to protect' (R2P) in its Constitutive Act. This regional approach to and formal endorsement of the R2P principle allowed it to assume a particular place in the promotion of peace and security in its area. This article aims to critically assess the effectiveness of the ECOWAS on the member states by exploring its real capacity in preventing and responding to emergencies and violent conflicts, and therefore in rendering the principle of R2P operational. The outcome of the research reveals that, the formalization of principles does not necessarily mean their effective implementation. The organization's use of the R2P principle is also greatly conditioned by internal and external factors.

Keywords: ECOWAS, Responsibility To Protect (R2P), Conflict Management, Security, Capacity, Prevention and Response

INTRODUCTION

The formation of Economic Community of West African States (ECOWAS) was an attempt to overcome the isolation of most West African countries following the colonial period and the period of post-independence nationalism. However, following widespread conflict and instability in the sub-region in the 1990s and early 2000s, the leaders came to the realization that economic prosperity cannot be achieved in the absence of peace and security. ECOWAS Responsibility to Protect (R2P) beginning with a process that saw the adoption of nascent security protocols in

1978, the region has today developed and institutionalized elaborate conflict resolution, peacekeeping and security mechanisms.

ECOWAS (R2P) dynamics and unpredictability of conflicts in the sub-region posed significant challenges to the traditional conceptualization and practice of humanitarian intervention. State collapse, which can be both a cause and consequence of complex political emergencies, have expanded the remits of Responsibility to protect (R2P) and humanitarian intervention from the 'fire brigade' mentality of efforts aimed at rebuilding collapsed states. ECOWAS (R2P) of peacekeepers, therefore established safe havens, shared their limited military supplies with starving civilians and secured humanitarian relief corridors. To varying degrees of success, ECOMOG missions also engaged in peacebuilding efforts, including implementing disarmament, demobilization and reintegration programmes, security sector reform and organizing elections. These interventions also provided an opportunity for the UN to co-deploy with a regional organization in peacekeeping as was envisaged in the UN charter. In Liberia and Sierra Leone, ECOMOG co-deployed with UN observer missions whilst ECOWAS Missions in Liberia and Cote d'Ivoire provided rapid deployment forces that were transformed into UN peacekeepers. Despite the problems of co-ordination, logistics and differences in mandate and culture, the co-operation between the UN and ECOWAS allowed each organization to maximize its comparative advantage whilst working together to resolve the conflicts. Lessons learned in these missions have provided a blueprint for how the UN and regional organizations can work together.

CONCEPTUAL REVIEW

The conventional (realist) state-centric approaches to understanding conflict and peacebuilding are problematic (Buzan *et al.*, 1998). Sometimes, the state is merely a fiction, and as an actor the state often fuels conflict, threatening human security. But at other times, the state undoubtedly provides human security in a hostile environment. It is important to recognize that non-state actors are also part of the security logic, both in a positive and a negative sense. For instance, private security companies may sometimes be providers of security, and at the same time, be part of the problem. This implies that the conventional distinctions between international and domestic, and between state actors and other actors, have become blurred, losing much of their earlier significance. In this new situation it is relevant to ask, 'who threatens who', and 'who should be secured from what'? The state cannot be taken for granted, but it cannot be wished away either. The state is thus both part of the problem and the solution. A useful analytical strategy is to integrate both the region and human security as referents, and as units of analysis (Buzan and Weaver, 2003).

In our attempt to conceptualize and theorize below, we will try to elaborate on what is needed in order to integrate both the region and human security aspects. Thus, it is necessary to assess to what extent external factors such as the ECOWAS and the regional actors of the conflict conceive the conflict as regionalized, and the purpose of conflict management. Hence, we need to find out how the ECOWAS R2P has de-escalating conflict management, which players they have identified as the most proper ones to approach (if not the state), and how the ECOWAS (R2P) sees that human security can be established. The point of departure for such an exercise is revealing state-society structures, and to simultaneously focus on the primary actors, asking 'who is security for' and 'whose security is promoted' by peace operations. Importantly, these

questions also lead us to a more explicit focus on the interplay between the external intervener and the targets of R2P.

CONCEPTUAL PERSPECTIVES

Humanitarian intervention can be defined as the interference of a third party: a state, collection of states, or non-state agents; the interference in domestic affairs using a military force in order to prevent human suffering or violations of human rights actual or anticipated (Evans, 2002). The purpose of such intervention is to restore peace in areas where the conflict threatens regional or international security. How humanitarian interventions differs from the idea of Responsibility to Protect (R2P)

The responsibility to protect focuses on the victims of crises, not the rights of the intervening party or the state being intervened; and the notion of sovereignty, under R2P, is about responsibility and not control. R2P can be seen as an attempt to create collective security for a number of states, rather than the realist notion of hegemonic power and resources of individual states to assure its own security. Both ideas seek to protect human rights, but R2P became necessitated as the intentions of an intervening party have often been deemed suspicious. A state is now, according to R2P, only allowed to intervene in case of war crimes, genocide, ethnic cleansing or crimes against humanity. Furthermore, the three pillars of R2P prevention, reaction and reconstruction are equally important in collective security. The idea of a collective security means that responsibility falls on several actors as some states are better equipped for prevention, others for the averting of an on-going conflict, and some on the reconstruction phase of R2P. ECOWAS (R2P) derives from humanitarian intervention; but it has developed alongside globalization where the world is more connected and where a domestic conflicts affects regional and even global security.

THEORETICAL FRAMEWORK

The theory adopted for this research is cosmopolitanism theory; the cosmopolitanism is a theory of international relations where people are viewed as citizens of the world, rather than belonging to particular states or nation-states. This idea challenges the classic ideological political traditions of realism and liberalism within international relations. Realism and liberalism suggest that states are internally sovereign and possess the monopoly of violence within its own territory. Furthermore, realism and liberalism beliefs are that the sovereign state is the dominant actor in the international arena of politics where anarchy reigns, meaning, sovereign states are not subordinated to any authority, although Liberalism believes in the importance of state-cooperation (Benning, 2018). A realist would argue that actions of states are based on self-interest and that international institutions have little or no effect on shaping the behavior of states. The cosmopolitanism world view, however, argue that there is no real distinction between international and domestic political affairs. Liberalism and cosmopolitanism share the idea that power is important to analyze in international relations but that there is more than just share power-relations in international affairs; economic, cultural, military and technology also binds states and people together. Cosmopolitanism believes in sovereignty in the people, rather than the state as the sole political entity and that a society of states should “evolve into a society of people”. Joseph F. Bennings claims that in cosmopolitanism, states are not the law; they are, however, bound by it (2018). The morality and philosophical ideas of cosmopolitanism is based

on the values of humans as well as the idea of globalization. The principles of this ideology are breaking free from the notion of territorial-based political entities and the belief in transnational institutions and state cooperation. Mary Kaldor (2012), argues that cosmopolitanism is not “a project for a single world government” but rather transnational intuitions which are made up of a cluster of sovereign states; all of which agreeing to be subordinated to a particular set of rules and laws. In other words, the “cosmopolitanism” is the law which all member states have accepted. Kaldor calls this a “global over watch”; the international institutions, be they NGO’s (nongovernmental organization) or continental organizations, operate within the same boundaries and parameters as the sovereign states. Furthermore, the function of the “global over watch” is to ensure that states implement these sets of rules, especially those regarding humanitarian laws and human rights. This would allow the “overwatch” to intervene in internal conflicts and domestic affairs as it is simply a way of ensuring that states operate within these sets of rules.

METHODOLOGY

This paper explored two methods of data collection; documentary methods of research on theorizing ECOWAS Responsibility to protect (R2P) in conflict management, and historical method of presentation in order to deal with the issues, the researcher also make use of primary materials, such as policy pronouncements, workshop materials, speeches, conference papers and official documents. The secondary sources include; literatures and desktop research including; academic thesis and dissertations as well as published and unpublished articles, e-mail, printed and unprinted materials, using computer software for all documentation such as scanning of hard copies and electronic compilation of all available documents that discussed the ECOWAS (R2P) in conflict management.

ECOWAS R2P in Conflict Management

ECOWAS (R2P) management framework provides for regional intervention in the event of political crisis in member’s states. In fact, ECOMOG has been adopted as the regional intervention force. Intervention became popular in the 1990s when ECOWAS deployed ECOMOG forces in Liberia to prevent Charles Taylor led National Patriotic Front of Liberia (NPFL) from overthrowing the government of Samuel Doe. ECOMOG intervention can take the form of peacekeeping or peace enforcement. It can also monitor ceasefire agreements, and when the conflict parties who signed the ceasefire fail to abide by the terms of the agreement, such violations are taken into consideration to determine whether there is need for ECOMOG to intervene and compel the un-cooperating parties to respect the provisions of the ceasefire agreement. In other words, ECOMOG missions could change from peacekeeping to peace enforcement depending on the conditions on ground and it can again quickly convert from the latter to the former. Such was the case in Liberia and Sierra Leone where ECOMOG intervened as a peacekeeping force to protect government properties and civilian populations. The violence shown by the NPFL and the Revolutionary United Front (RUF) in both countries meant that intervention passed from peacekeeping to peace enforcement operation.

Apart from Liberia and Sierra-Leone, ECOMOG missions have also been deployed in Guinea Bissau (1998) leading to a ceasefire on 20th July 1998 followed by the Abuja peace agreement on November 1, 1998. It also intervened in Cote D’Ivoire primarily to monitor the October 17, 2002

ceasefire agreement (Woods, 2003). ECOMICI (ECOWAS Mission in Cote D'Ivoire) was made up of about 1,400 troops deployed from Senegal, Ghana, Benin, Togo, and Niger under Force Commander, Major General Abdoulaye Fall (Mitikishe, 2000). Following the UN Security Council vote on February 28 2004 in favour of integrating ECOMICI, the Mission was absorbed into the UN Operation in Cote D'Ivoire (UNOCI) which took effect from April 4, 2004.

ECOWAS R2P in Conflict Prevention Framework (ECPF)

Problems relating to implementation of the preventive aspect of the 1999 Mechanism especially late response to crisis informed the establishment of the ECOWAS R2P of Conflict Prevention Framework (ECPF) in 2008. The goal of the conflict prevention framework is to ensure the creative transformation of conflict, diffusion of tensions and prevent conflict outbreak, escalation, spread or relapse. In other word, it involves institutionalizing measures to ensure that conflicts do not arise in the first place or if they do, that they do not reoccur. The emphasis according to the framework is not to prevent conflict parse (since conflict is a natural phenomenon), but to ensure that it does not escalate into violence. This involves identifying conflict triggers i.e. sudden events or accelerators that could spark a crisis which could in turn lead to violent conflict.

It can be argued that, the ECPF is a proactive alternative to ECOMOG. Rather than wait for conflict to occur, escalate and become violent before intervention, the position should be to prevent the occurrence or recurrence of violent conflicts. This means that, military intervention should only constitute a measure of last resort. This would be done by initiating measures such as sustainable development and strengthening a culture of democracy and developmental reforms not only aimed at preventing socio-economic conditions from deteriorating, but also, actively pursuing peace building in post-conflict countries over a period of time so as to forestall a relapse into conflict.

The ECPF has components such as Early Warning, Preventive Diplomacy, Human Rights and the Rule of Law, Media, Democracy and Political Governance, Women, Peace and Security, Natural Resources and Governance, Peace Education etc. Critical to the ECPF is the early warning component which is designed to help ECOWAS member states predict the emerging conflicts and facilitate interventions to avert, diffuse or creatively transform such potential or latent conflict situations. To achieve the early warning objectives, the ECOWAS Early Warning and Response Network (ECOWARN), was reinvigorated.

Peace and Security Governance of ECOWAS (R2P)

The key question in this section is how the ECOWAS (R2P) de-escalation of a particular conflict has led to certain peace and security governance strategies. Such governance will also, in the third and final step, reveal something about how the ECOWAS (R2P) sees the importance and potential impact of the regional conflict management on the ECOWAS's own security. Which actors and agencies are involved, and what institutions, tools and instruments are utilized and implemented? What role does the ECOWAS R2P ascribe for itself; in particular, is it a part of multilateral security mechanisms (especially the UN), or is it part of an autonomous mechanism? What does that mean in terms of the legitimacy and legality of the peace operation? Have these security structures changed over time, and in relation to the security logic? Christou, *et-al*, (2010). With

the assumption that conflicts are not sudden events, but are rather historical structures that are transformed over time, we need to make a basic distinction between the forms of intervention during different phases of the conflict cycle (Hettne and So"derbaum 2005). It is well established in peace research that each of these phases in the conflict cycle contains corresponding forms of (external) engagement and intervention: conflict prevention, peacemaking, peacekeeping and post-conflict peacebuilding (peace enforcement can be used in several phases) (Doyle 2001). The idea of different forms of intervention (or peace and security governance) in relation to the conflict cycle is not new, but it was brought to the forefront of the peace and security discussion with the presentation of the Agenda for Peace by the UN Secretary-General Boutros Boutros-Ghali in 1992.

The phases are useful in that they can help us identify how the ECOWAS constructs the conflict and how it links it to governance strategy and forms of intervention. Is there an awareness of what the form of intervention can provide during the particular phase in the conflict cycle? In addition, what is the ECOWAS's timeframe for its involvement? This is relevant because the crucial question is whether the ECOWAS includes both a short-term, action-oriented perspective, as well as a long-term perspective in which transitions to other forms of interventions are considered.

ECOWAS (R2P) of Multilateralism and Regionalism in Peace and Security Governance

Given the ECOWAS's emphasis on 'effective multilateralism' it is clear that the ECOWAS is often involved in multilateralism, but this involvement may also be in combination with other modes of interventions. Unilateral and most plurilateral interventions lack legality in terms of international law but may on some occasions appear legitimate. Hence, analytically, it is necessary to make a basic distinction between the different modes of third party involvement in a particular conflict: the idea that conflicts within a certain region are best dealt with directly by the region concerned is not new; in fact, this idea was discussed upon the formation of the UN, and was mentioned in the UN Charter. In earlier debate, however, the 'region' was conceived simply as an intermediate actor, to which a security task could be delegated from the multilateral level. However, hand-in-hand with increasing regionalisation, the relationship between multilateral (UN) and regional approaches has become both complex and increasingly strenuous. Most observers claim that the UN constitutes the foundation of a rules-based world order. Go-it-alone strategies outside a UN framework for instance, through NATO plurilateralism or US unilateralism are controversial. Regionalism constitutes the main rules-based alternative to UN-based multilateralism, and its role has been intensively discussed at various junctures over the course of the last century. Since 1992 the UN Secretary-General convened six high-level meetings with the main regional organisations involved in security matters. The Secretary-General's 2005 *In Larger Freedom* stated that 'the United Nations and regional organisations should play complementary roles in facing the challenges to peace and security' (Annan 2005).

Likewise, the High-Level Panel on Threats, Challenges and Change, set-up by the Secretary-General to reflect on UN reform, acknowledged in its 2004 report that regional groupings have made 'important contributions to the stability and prosperity of their members' (United Nations 2004, p. 85). The High-Level Panel also urged the Security Council to make greater use of Chapter VIII provisions to use regional organisations to prevent and respond to threats. The

critical requirements from a UN perspective are that: (a) regional action should be organised within the UN Charter and be consistent with its purposes and principles; and (b) the UN and regional organizations should collaborate more effectively and in a more integrated fashion than in the past (Thakur, 2005).

The general emphasis on regional conflict management is triggered by the belief that a 'region', or a regional organization, is in a better position than the immediately concerned states to take the role of mediator in ethnic and other conflicts, and in terms of culture and values still be closer to the parties, or understand them better, than extra-regional mediators. A particular problem in contemporary conflict theory is that peace and security governance is designed and analysed from the standpoint of the intervener, with less attention given to the national context and the targets of the intervention. For example, there is a vigorous debate around the idea of 'liberal peace'. Paris (2004) analyses all 14 major UN peacebuilding missions in civil wars conducted between 1989 and 1999, highlighting that they were all built on a common strategy of immediate democratization and marketization. Paris calls for an approach that first establishes domestic institutions capable of managing the disruptive and destabilizing effects of democratization and marketizations. Hence, the relevance of the national and local context, as well as the relationship between intervener and the targets of intervention, are crucial in the choice of policies carried out (Richmond 2005).

MAJOR FINDINGS

Impact is frequently expressed in terms of the success or failure of an ECOWAS (R2P). There is however no consensus among academics, policy-makers or recipients of intervention as to what constitutes or explains successful of (R2P); assessments are subject to bias and politicization. Our framework seeks to problematize the way the ECOWAS defines the success or failure of its engagements. We need to acknowledge two general weaknesses of the way success and failure are defined and how impact is assessed.

The first general weakness is that ECOWAS (R2P) are often predicated upon very sweeping definitions of 'successful' outcomes, and are justified with morally charged and normative propositions by interveners, such as human rights, human security and the responsibility to protect. The strategies adopted by interveners are justified on the basis that they lead to greater security, stability and development of the targets of intervention and/or of the global community. Such rhetoric usually emerges from a western philosophical tradition that clothes raw economic and political interest. Notions of success are thus deeply embedded in cultural values and politico-economic interests; they are always ambiguous, meaning one thing for those loyal to the values of a global 'outsider' community, and another for those who identify themselves as 'insiders'. Notably, the values and understandings of those for whom the impact of intervention is experienced as largely excluded from interveners' definitions and measures of success.

This behaviour can be explained by the fact that it is politically expedient for interveners to claim that their initiative has been successful, regardless of its real effects. Many broad-based international interventions arise from the assumptions of the 'liberal peace' model that democratization, human rights, liberal market economics and the integration of societies into the

global community bring peace and stability. Success then tends to be measured according to how closely these objectives have been achieved, rather than according to how intervention has impacted upon the everyday worlds of the targets of intervention particularly the less visible. By paying attention to actors that are usually invisible in the formulation of success and failure, we seek to problematize prevailing conceptualizations and discourses of success and the frameworks of analysis, design and evaluation that sustain them.

A second and somewhat related feature of many ECOWAS (R2P), is that they often lead to negative side-effects of the intervention and that there is a need to question for whom and for what purpose the intervention is actually carried out. Interveners' criteria for success have been criticized for being narrow and short-sighted, ignoring past experience and broad-reaching (particularly negative) effects. In widely different settings, such as Sierra Leone, Guinea-Bissau, Liberia, Ghana, Cote D'Ivoire and Togo, empirical research has shown that ECOWAS (R2P) can exacerbate or accommodate the inequalities in the target society that give rise to conflict

Impact assessment is a difficult task. This paper has shown that in terms of actually measuring the results and impact of peace building some of the most important (methodological) weaknesses include: the general lack of planning (i.e. a conflict analysis was often missing as a foundation to develop and implement the ECOWAS (R2P); often there is a weak connection between the conflict analysis and intervention itself (and in some cases the conflict analysis is completely missing); the goals of intervention are often so general and vague ('contribution to peace') that they are not measurable, and it is very difficult to evaluate their impact.

Hence, a proper impact assessment requires planning and conflict analysis (including the extent of regionalization of conflict). The ECOWAS (R2P) thus needs to be planned and designed before it is implemented (it is at least very difficult to get solid answers about impact when such assessments are carried out in retrospect). Furthermore, impact assessment requires understanding of causality, or at least 'a convincing estimate of causal relationship' and this requires 'a theory of change', which is able to describe/explain how and why a particular intervention will contribute to broader peace and security.

More perniciously, researchers have noted that global elites may benefit from this state of affairs, turning a blind eye to the brutal exclusion of the poor by national power-holders (Hughes, 2003 and Springer 2009). If so, interventions that are successful for 'outsiders' may be failing 'insiders' in devastating ways. Hence, we find it necessary to include these dimensions in the analysis in order to empirically determine the output/outcome/impact that ECOWAS interventions have on regional conflicts

Finally, impact assessment then needs to be related to the effect of R2P on the ECOWAS's identity and projection as a peace and security actor. As an example, the ECOWAS's engagement in security sector reform of the Nigeria controlled Liberia Authority police and security police, done partly in cooperation with the ECOWAS, has not included those two security branches that work with cracking down on the opposition Samuel Dor. These activities have impact on how the ECOWAS (R2P) is perceived by the external world, and more important by the conflict parties

themselves (e.g. as an ally to the USA, and this differs sharply from the ECOWAS's self-image as the proponent of human rights and democracy, a human security oriented power, or as an 'civilian power'. Operation Atlanta in Guinea-Bissau is another example of the impact of the conflict on the ECOWAS. The official aim of this operation is to secure ships navigating close to the Liberia coastline, but this tend to create a negative image of the ECOWAS due to emphasis on securing Land involved in ECOWAS trade. This is perceived as a lack of ECOWAS involvement in the resolution of the conflict. One way or the other, the perception Guinea-Bissau (but also in the rest of the horn) is very much that the ECOWAS is not undertaking this operation out of humanitarian concerns or security concerns for the region but for much narrower interests. Thereby, we are able to identify both sides of the coin: one that identifies the actual output, outcome and impact in terms of increased peace and security in the regional conflict itself, and the other that identifies the impact on the ECOWAS itself.

CONCLUSION AND RECOMMENDATIONS

The purpose of this paper is to theorize ECOWAS (R2P) and conceptualize externally induced peace and security operations (especially those of the ECOWAS (R2P) during various phases of a regional conflict management. The theoretical argument is that, we have found out the roles of ECOWAS in R2P as an actor, such as the ECOWAS (R2P), is 'de-escalation' of conflict, how this leads to the security governance practices it proposes and builds, and what impacts these practices have on the regional conflict, as well as on the ECOWAS itself. With regard to the first component in the framework, we emphasized the way the conflict was escalated in view of the conflict cycle. The escalation is closely related to the way ECOWAS would define its role in multilateral R2P strategy. Any mode of security governance contains a particular relationship between the external intervening party and the parties that are subject to the intervention. Our framework was based on the assumption that this relationship needs to be analyzed in detail. Given the limited empirical evidence available in the field (and hence the problems to formulate well founded hypotheses), we outlined an analytical scheme, which help us to consolidate the empirical base for how this relationship looks and the way it influences security governance in particular cases.

To sum up, the ECOWAS de-escalation of conflict management, and it roles of R2P it is ascribing itself to conflict management and prevention, will also influence the governance strategy that will be outlined. These governance strategies will impact on the type of R2P (which level, and in which form) the ECOWAS will propose as well as the impact of such practices.

Finally, this paper calls for a new research agenda in R2P that conceptualizes regional space and shifts the focus from the factors of de-escalation to the actors who 'make' the R2P in ECOWAS. The call for a more constructivist research agenda has clearly not been enough. Indeed, while it remains important to take ideas, norms and identities seriously, this can be as deterministic as the previous focus on Humanitarian interventions, interests or institutional designs. Looking at regions as 'imagined communities' shows that identities are used and instrumentalised by actors as much as material factors – identities, values and culture are constantly (re)constructed through this endeavor and cannot be considered static explanatory categories. Regional identities are thus sites of struggles and contestations.

An alternative to avoid this pitfall is the conceptualization of ECOWAS (R2P) space offered by the Region-Building Approach (RBA). Regionalism is analyzed as the product of the discourses and practices of actors ('region-builders') located 'inside' and 'outside' the regions. These actors struggle to impose their political project on the region and perform its identity according to their own representation of what is the R2P and what purpose it should serve. They 'make' the region what it is, including its seemingly objective features. This conceptualisation of ECOWAS R2P space also goes against the dichotomy between formal and informal regionalism as formal regionalism (regional organizations) becomes an element of the regionalisation process through which actors seek to institutionalize and imprint their representation of the region in order to make their regional project hegemonic. Hence, the politics of regionalisation takes place at all levels (state and micro) and between levels with different configurations of actors and power relations. This analysis of ECOWAS's agency aimed to show the usefulness of a research agenda drawing on the R2P and engaging with the questions raised by regionalism studies.

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