

Understanding the Economic Community of West African States

*Political traction with Africa's oldest regional
organisation*

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This background paper is part of a series on the Political Economy Dynamics of Regional Organisations (PEDRO) and builds on an earlier paper conducted under the Political Economy of Regional Integration in Africa (PERIA) project. It was prepared in March 2017. In line with ECDPM's mission to inform and facilitate EU-Africa policy dialogue, and financed by the Federal Ministry for Economic Cooperation and Development, BMZ, the studies analyse key policy areas of seventeen regional organisations in Sub-Saharan Africa. In doing so they address three broad questions: What is the political traction of the organisations around different policy areas? What are the key member state interests in the regional agenda? What are the areas with most future traction for regional organisations to promote cooperation and integration around specific areas? The studies aim to advance thinking on how regional policies play out in practice, and ways to promote politically feasible and adaptive approaches to regional cooperation and integration. Further information can be found at www.ecdpm.org/pedro.

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1. Introduction

This background paper summarises the core findings from the political economy study¹ of Africa's oldest Regional Economic Community: the Economic Community of West African States (ECOWAS). Established in 1975 with the aim of promoting economic cooperation between fifteen member countries, the region is widely recognised as being ahead of the continental integration curve. Over the years, ECOWAS has sought to promote an ever-expanding regional integration agenda through a broad variety of strategies, action plans and programmes.

Unlike Southern Africa - where the regional *swing state* South Africa joined the regional integration efforts relatively recently (1994) - the integration process in West Africa has been driven from the start by the regional dominant power, Nigeria. The composition of ECOWAS is very diverse, with member states differing in historical trajectories (colonisation, language, administrative cultures, etc.) and economic endowments and size. The region ranks very low in all human development indicators. Thirteen ECOWAS countries are classified in the low Human Development category and 60% of the population is estimated to live on less than one dollar a day.

Moreover, “no region has more fragile states than West Africa” (Kaplan, 2012). During the 1980s, ECOWAS was confronted with a large number of political crises, ranging from civil war to various military or constitutional *coups d'état*. Especially Nigeria, as a regional powerhouse, was forceful in pursuing the security and stability agenda through ECOWAS, and later also through the African Union. Hence, ECOWAS has become a regional organisation with particular traction in areas of peace and security, and at times also in political governance.

Overall, progress in the actual implementation of an ever-expanding ECOWAS agenda in trade, economic and monetary cooperation, energy, agricultural and social development has been limited. There are still many obstacles to the free circulation of people and goods with numerous violent crises unresolved. Therefore, this report addresses the following three questions that are central to understanding the actors and factors that drive or block regional dynamics and implementation of agreed regional commitments: i) what is the political traction of ECOWAS in driving or steering the regional economic integration agenda ? ii) what are the interests of member states in using ECOWAS? and iii) which are the specific areas or sectors with most potential for such member states to engage ECOWAS, or vice versa?

2. On assessing the political traction of ECOWAS

This section assesses the political traction of ECOWAS, or the way its institutions and governance arrangements shape the regional agenda and contribute to implementation. The political economy lenses applied identify some of the main structural and institutional actors and factors. Particular attention is given to peace and security as one core foundational factor shaping some of the institutions and the incentive environment for key stakeholders and actors. Another important factor relates to the external variable, especially donors as they influence the ECOWAS agenda in multiple ways. Section three will assess how member states then contribute to agenda setting and implementation, in other words, how national level drivers create political traction within the regional context and in ECOWAS.

¹ This background paper draws on a larger study carried out for the ECDPM project on the *Political Economy of Regional Integration in Africa*, PERIA. For more information see <http://www.ecdpm.org/peria>

2.1. Structural drivers and obstacles to regional dynamics

Foundational factors that are embedded in history, geography, pre- and post-colonial state formation processes and culture need to be factored in for a better understanding path dependencies and the incentive environment in which ECOWAS institutions came about and evolve.

The colonial heritage such as the Francophone/Anglophone/Lusophone divide continues to affect many areas of integration. The ethnic, linguistic and religious divisions make it difficult for the post-colonial elites to mobilise people around a common national project, let alone around a regional perspective. This heritage also includes a variety of different administrative and bureaucratic traditions, which complicate dialogue, collaboration and institutional development processes. Porous national borders facilitate the uncontrolled movement of populations seeking better economic opportunities, trans-border flows of food products through informal channels as well as the spread of small arms.

Compared to Southern Africa, the region suffered less from Cold War dynamics, yet the interferences from ex-colonial powers to defend geopolitical (N'Diaye, 2011) and economic interests has been constant, and in the case of France continuous². The uneasy co-existence of ECOWAS and the West African Economic and Monetary Union (WAEMU) – with partly overlapping and/or competing mandates and member states - is an illustration of the differing historical trajectories. It also reflects the wider political processes, such as the power struggles between France and Nigeria and the use of WAEMU to counteract Nigerian dominance.

Agro-climatic conditions vary widely among West African countries. As a result, there are strong complementarities in agricultural production and sizeable agricultural trade flows between coastal countries and the countries from the Sahel and the Sahelo-Sudanian zone as well as between coastal areas and sahelian areas within countries. The drought-stricken nature of the countries in the region creates pressures and opportunities to undertake collective action in water management. This is reflected in the creation of specialised regional structures such as the Volta Basin Authority and the Organisation pour la Mise en Valeur du Fleuve Sénégal³.

Yet, there is also a strong factor similarity in economic structures in the majority of member states, based on the export of primary products and the import of manufactured goods. The resulting lack of trade complementarities and low levels of intra-ECOWAS trade create disincentives to trade liberalisation among weaker and more protected economies as they fear the economic power of the more solid economies of Nigeria, Côte d'Ivoire and Ghana. The characteristics of the productive sectors, notably the widespread informality of private operators, the small scale of producers and traders, and low value addition, combined with numerous obstacles to trade, helps to explain the prevalence of informal cross border trade, representing 20% of the Gross Domestic Product in Nigeria and 75% in Benin (Mo Ibrahim Foundation, 2014).

While some member states are rich in natural resources, the “zero-sum” approach used by political elites to control economic rents and natural resources does not allow for inclusive development approaches (Alao, 2011). This, in turn, contributes to the ongoing fragility of the social contract and related notions of statehood, citizenship, democracy or governance.

² See the important private sector interests of France, particularly in Senegal and Côte d'Ivoire.

³ See also other PEDRO reports.

Many ECOWAS countries face common security threats. Primarily created to promote economic cooperation, ECOWAS was forced to address the *negative externalities* of violent conflicts and political instability in the region by taking on a lead role in peace and security matters.

Through the size of its population and economic power, Nigeria has always enjoyed a hegemonic position in the region. The country has developed a strategic culture of interventionism in its foreign and military affairs (see also section 3.1).

2.2. Governance and institutions

ECOWAS disposes of a comprehensive body of protocols, strategies and institutional arrangements. The formal rules describe the respective powers of the *Commission*, the *Council of Ministers* and the *Assembly of Heads and States and Government*. They give the Commission an explicit role in carrying out the integration agenda in a proactive manner. A growing web of interfaces seeks to link ECOWAS officials to national actors (e.g. at the level of resident Ambassadors, the ministers involved in the Council meetings, as well as national agencies). Protocols determine the authority and scope of action of the ECOWAS Parliament and the ECOWAS *Community Court of Justice*. ECOWAS also has a focal point posted with the headquarters of the African Union (AU) in Addis Ababa. There are formal consultations mechanisms with civil society and the private sector, providing institutionalised opportunities to influence policy-making or participate in regional interventions, e.g. the monitoring of elections by Civil Society Organisations (CSOs).

Like other regional economic communities in Africa, ECOWAS is an *intergovernmental* organisation, based on the primacy of principles such as national sovereignty and non-interference. It resulted in a system whereby decision-making power lies exclusively with the Authority of Heads of State and Government and the ECOWAS Secretariat was merely charged with the task of executing the decisions taken by it. Already in the early 1990s a *Committee of Eminent Persons* concluded that effective integration could not be taken forward under these conditions and pleaded for the adoption of a supra-national approach to governance in order to speed up decision-making and enforce compliance (Lokule and Osuntogun, 2013).

In 1999, ECOWAS established the basis for a West African peace and security architecture to address some of the spillovers of war and conflict in the region based on a Protocol relating to the *Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security*. A *Mediation and Security Council* composed of nine member states received the mandate to take decisions with majority rule on required measures and possible sanctions, including military interventions in member states. An element of supra-nationality has been introduced by Article 10 that authorises all forms of intervention and Article 25 that permits the council to be active “when and where a democratically elected government is overthrown or will be overthrown” (Protocol 1999). Within the ECOWAS Commission, the *Office of the Commissioner for Political Affairs, Peace and Security* (PAPS) is responsible for peace and security issues and also oversees the Directorate for Early Warning and Monitoring Centre (ECOWARN). The operational arm consists of the *ECOWAS Standby Force* (ESF).

A second Protocol on Democracy and Good Governance (2001) formulates democratic requirements or constitutional convergence principles for member states, for example “zero tolerance for power obtained by unconstitutional means” (Protocol 2001). The *ECOWAS Conflict Prevention Framework* was ratified in 2010 and identifies two approaches to conflict prevention that are linked to one another: one relates to

operational prevention of violent and another one relates to structural prevention activities such as socio-economic development and the promotion of political and institutional governance.

It took until 2006 before the ECOWAS Summit formally decided to carry out institutional reforms to give more teeth to the regional organisation. The move took place in 2009 when the Executive Secretariat was turned into a *Commission* with a President, a Vice-President and a group of Commissioners, which would steadily expand. The new structure de-emphasised the adoption of conventions and protocols as preferred law making tools because of the lengthy delays in ratification and implementation. It opened the possibility to issue acts and decisions directly applicable in member states.

Despite these reforms, the effective and coherent use of this formal architecture continues to encounter hurdles. Decision-making power remains firmly anchored in the Authority and the Council. The Commission can propose initiatives and action plans, yet there is no shortage of examples where policy developments have been postponed despite their apparent urgency from a regional perspective. In other cases, ratification by member states of protocols and acts incurs major delays. Agreed policies are not translated at national level or implemented in a consistent way at regional level. Decisions of the ECOWAS *Community Court of Justice* are neglected by member states, and so on. This suggests the ECOWAS Commission has only limited space and power to effectively contribute to the production of regional public goods.

The ECOWAS *Community Court of Justice* has been established in 1991 to interpret the ECOWAS Treaty and to hear contentious cases brought by member states and institutions on Community law. The Court's mandate has since been strengthened. It now considers cases brought by individuals or CSOs (e.g. on human rights violations). This has inspired several national and regional CSO movements to file lawsuits against individual member states. The Court has heard cases involving the right to education, due process, the rights of women and children, slavery and the application of penal law⁴. However, the effectiveness of the *Community Court of Justice* has been weakened by problems of accessibility and costs (upstream) as well as non-compliance of its judgments by member states (downstream).

There is also an ECOWAS Parliament, with purely advisory and consultative roles. It does not perform traditional parliamentary functions such as legislative work, approval of the budget or oversight. Over time ECOWAS has developed some tradition of involving relevant stakeholders as well as experts in policy-making processes. ECOWAS became the first REC to grant observer status to civil society organisations (CSOs), including business associations, at its meetings.

2.3. The budget, ownership and implementation challenges

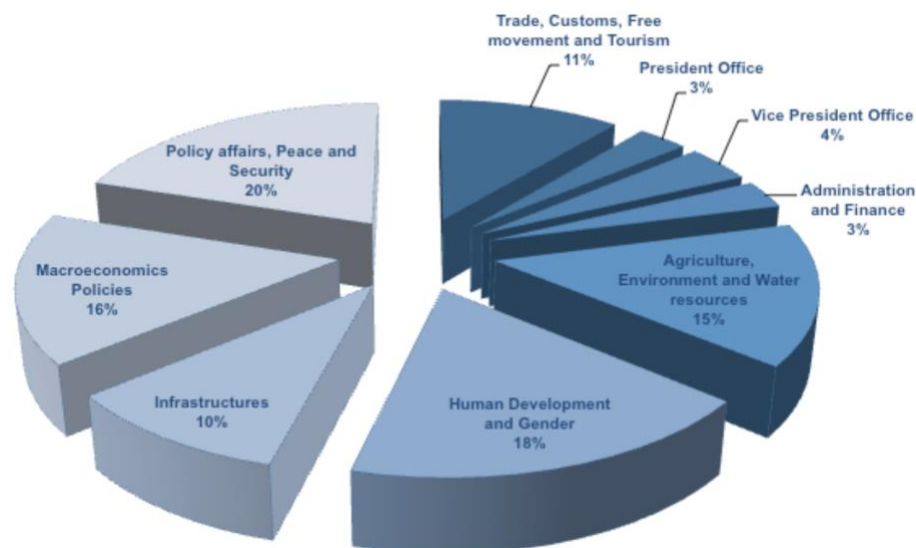
ECOWAS is not a wealthy region. Nevertheless, it is the only REC that has been able to put in place a self-financing mechanism in 2000 of a 0.5% levy on the value of all goods imported into the region, to be collected by member states and paid into a dedicated ECOWAS account. The existence of such a system of own resources largely covers the operational costs, creates policy space for ECOWAS and provides some legitimacy of its institutions. ECOWAS also receives substantial amounts of donor funding but these resources are dedicated to programmes, and *not* primarily to funding the structures and operational costs of the Commission itself. Donor funding does not flow through the ECOWAS systems as ECOWAS failed to pass the public finance management test of the EU's *seven pillar assessment*⁵. The process of

⁴ Related for example to the trial of Hisenne Habré by Senegal.

⁵ Originally, this was an external audit of five key pillars of public sector management of the major regional organisations in Africa (primarily related to public finance management systems), undertaken on behalf of the EU.

designing, approving, executing and accounting for the budget is highly informal. According to Spierling (2011), the “ECOWAS budget [...] remains largely a matter of secrecy and the whole is impenetrable...”.

Figure 1: Distribution of the 2010 budget for the Programs of the ECOWAS Commission per departments



In 2011 WAEMU and ECOWAS were the most financially autonomous intergovernmental institutions in Africa. The ECOWAS budget amounted up to US\$265.5m, 80% of which comes from the community's own resources.

Despite this seemingly more positive budget outlook on the income side compared to other regional organisations, there remain numerous problems in properly accessing the Community levy. In addition to the levy system, there is also an *assessed contribution* system for the member countries, in order to finance the operational ECOWAS budget. Several members have accumulated chronic arrears. As Nigeria and Côte d'Ivoire pay a major chunk of these contributions, this further skews internal power relations, and increases the dependency on donors (see next section). Finally, it has proven difficult to attract additional contributions from member states for emergencies such as the Ebola crisis.

The lack of budgetary discipline, transparent budget processes, clear accountability mechanisms with functioning feedback loops contributes to the poor sense of ownership among the heads of state and government. As there are no mechanisms for compliance - and in the absence of any costs to non-compliance - it is easy for these government leaders to not be bothered about inflating agendas at summit level. In no ways are they compelled or prompted by national or regional level institutions to engage in the hard work of implementation of those regional agendas or decisions. ECOWAS interviewees agreed that ensuring ownership was a major challenge and that domestication of regional policies at national level remained problematic. National level commitment to implementation is poor, except in the areas of peace, security and governance (see also section 4).

This assessment helped the EU in its deliberations on whether to contribute through the financial systems of the regional organisation or provide earmarked project funding. A couple of years ago, the audit was extended to cover two more pillars, hence a seven pillar assessment.

2.4. External influences and variables

During colonial times, France, UK and Portugal artificially shaped the borders of West African nation states, and profoundly shaped the political, administrative and economic institutions and cultures of these states. Path dependencies are still embedded in the regional institutional dynamics as embodied by the tensions between ECOWAS and WAEMU. After independence, France sought to defend its major foreign policy and its military and economic interests in its “pré-carré” (or former colonial countries) by maintaining deep relations with the so-called *Francafrrique*, a highly unbalanced and opaque partnership between francophone elites. France played an important role in establishing WAEMU and guaranteeing the existence and survival of a common monetary union around a common *franc CFA*.

The region was also tied to Europe through successive aid and cooperation frameworks signed with the European Community and later European Union (Yaoundé Agreement, Lomé Conventions and Cotonou Agreement). Considerable aid has been granted through the European Development Fund to regional organisations, and the EU concluded an *Economic Partnership Agreement* (EPA) with the region. Many EU member states have also been providing substantial aid in response to rampant poverty, development, governance and security challenges faced by the region, in pursuit of economic and/or geostrategic interests or in response to humanitarian crises. The security dimension has equally been a powerful driver of European involvement, as reflected in many political crises that countries underwent (see next section 4.1). In recent years, Europe has been and is confronted with the implosion of the Sahel region and with a host of other major problems linked to the proximity of the region.

Over the last decade, the field of actors has been widening with the expanded role of China and to a lesser extent with BRICS (Brazil, Russia, India, China, South Africa). A less well-known yet increasingly important influence is the role played by Arab states through generous funding to befriended Muslim countries in the region, accompanied with strategies to strengthen the position of Islam in this part of the world.

3. On the political interests of member states and their engagement with ECOWAS

So what are the political and other interests of member states to engage in continental politics and institution building? And what are the institutional capabilities to translate their resolve into effective engagement with ECOWAS? This section deals with some of the general trends or characteristics of national level engagement with ECOWAS. It looks in more detail at Nigeria for its role in the establishment of ECOWAS and its multiple roles as a *swing state*⁶ in the region, but also on the continent.

Peace and security is an essential sector for understanding the political traction behind the evolution of ECOWAS. But this has to be set against an analyses of the political traction by member states in other sectors, as this helps to understand the potential and limits to continental institutions and dynamics (section 4).

⁶ The literature on international relations refers to states that derive influence in a region from powerful institutions, economies, diplomatic and military power etc. as *hegemon*s, but also as *swing states*.

3.1. Nigeria as a swing state

The impact of foundational factors – linked to historical trajectories, colonisation by different European powers, geography and natural endowments – is still strongly felt in regional dynamics in West Africa (section 2.1). The region has the highest concentration of fragile states on the continent (Kaplan, 2013), with growing inequalities and climate change affecting migration patterns of pastoralists, increasing the chance of conflicts around access to resources and land. Against this background, one dominant state in West Africa and on the continent, Nigeria, has set the pace and direction for the evolution of ECOWAS, including the move to a stronger peace and security architecture.

The relative economic and diplomatic weight, as well as the level of international integration, can make certain countries particularly influential and even turn them into “engines of regional growth and stability” (McNamee, 2016, p. 6). But such swing states can also act as regional bullies and blockers to regional development. Nigeria has become the largest economy in Africa with a GDP that exceeds all the countries of the ECOWAS region combined. With 180 million citizens Nigeria is Africa’s most populous country, a figure that could rise to 320 million by 2040. But there have been inherent economic and political weaknesses. More than half of its period as an independent country (1960) Nigeria has been ruled by the military. There have been frequent eruptions of violence related to ethnic, religious and social fault lines. The Boko Haram insurgency in northeastern Nigeria is in many ways particular, yet, “its origins and potency are profoundly symptomatic of wider failures of the state” (McNamee, 2016, p. 10).

Nigeria’s internal political economy is characterised by endemic corruption, misallocation of resources, high dependency on oil (with more than 90% of its export revenue from oil) and insecurity, and inform its regional security and integration policies. It also has been effective in establishing regional and continental institutions. In the seventies, the country drove the establishment of ECOWAS. 1999 marked a historic shift towards democratisation with the election of the charismatic Obasanjo as president. Together with the South African president Mbeki, president Obasanjo was very instrumental in transforming the OAU to the AU, as well as in establishing *New Economic Partnership with Africa*⁷.

Bach (2007) argues that Nigeria’s “manifest destiny” as hegemon is more about influence than actual power. The country’s power as a regional hegemon is eroded by the “deep regional imprint left by trans-frontier networks that focus on Nigeria but operate independently of territorial affiliation” and equally by the fluidity and fragility of region-building as much as problems of statehood and governance within Nigeria”. On the economic front, its oil dependency has suppressed other sectors such as manufacturing and agriculture, and low oil prices since 2015 have crippled the nation’s currency and caused many investors to pull out. The economy does grow, but without economic transformation. On the trade front, the country has often adopted inward looking and protectionist stances, which have, until recently, slowed down the market integration and custom union processes of ECOWAS.

Still, Nigeria has a dynamic economy with an ever growing number of entrepreneurs, innovators and professional services. McNamee (2016) points to the emerging corporate pan-Africanism, as exemplified by investments across borders by Nigerian cement multinational Dangote or African investors in Nigeria, such as South Africa’s SABMiller. This has the potential to create new identities and a new connectedness outside the traditional spheres. But both swing states adopt protectionist policies and curb greater freedom of movement for business and labour⁸.

⁷ See also NEPAD background paper for PEDRO

⁸ McNamee also refers to difficulties of South African companies investing in Nigeria. South Africa maintains a number of protectionist policies and its policies and regulations to promote endogenous black entrepreneurs deter

Peace and security in West Africa is the one regional concern that overrides all others. With the powerful backing from Nigeria, ECOWAS developed an elaborate institutional architecture to address peace and security challenges. Nigeria tends to see armed conflicts in the region as a ‘fire next door’. As a result, Nigeria has long been the motor behind regional integration in ECOWAS, particularly in the field of peace and security. Financial and military dependency on Nigeria reduces the scope for other ECOWAS members to raise their security or governance concerns about Nigeria, as was the case with election monitoring in 2007 and with the war on terror in the North of the country. Nigeria’s failure to contain the Islamist insurgency is hampering Nigeria’s contribution to ECOWAS operations. A telling example is the Nigerian reduction of its troop contributions to the UN mission in Mali because of the need to combat Boko Haram in the north of the country.

A key component of Nigeria’s foreign policy was to assume political leadership in terms of activating the Protocol of 1999, and footing the bill of peace operations. By the end of the 1990s, however, the country under the democratically elected President Obasanjo sought to offload part of the burden of these peace operations to the continental peace and security architecture in the making⁹. Meanwhile, peace and security has become the core business of ECOWAS, as other member states also share strong incentives to organise themselves to prevent the regionalisation of wars and violent conflicts. Unlike infrastructure development or trade policies, for example, the costs of war and their regional spillovers are immediately visible, and instantly affect public opinion and voting behaviour. Political inaction at national and regional level can result in heavy electoral or other costs.

3.2. What about the other 14 members of ECOWAS?

Before moving to a more granular analysis of how and why country level political actors interact with ECOWAS in a specific sector or a concrete case (section 4), it matters to point to the general lack at national level to engage more forcefully on regional cooperation, despite the impressive range of regional institutions and policies. Beyond peace and security, there does not seem to be a ‘*champion*’ or coalition of actors within ECOWAS with sufficient power and aligned interests to impose discipline and encourage implementation of the regional agenda through existing or new institutions. A recent study comparing compliance mechanisms in EAC, ECOWAS and SADC analyses some of the conditioning factors for compliance. These include (i) legal and institutional coherence, (ii) demand for regional integration and (iii) leadership. ECOWAS scored relatively low on each criterion because of weak compliance institutions, incomplete contracts, culturally and politically constrained dispute settlement arrangements and weak leadership (GIZ, 2014).

The lack of effective compliance mechanisms also serves the interests of many actors and creates plenty of opportunities for patronage, profitable deals and corruption. All countries in the region can be characterised as neo-patrimonial political settlements, with relatively high degrees of clientelism and patronage as a major component in the political armory to gain or hold on to political power (Kahn, 2010) political elites operating in such a political incentive environment tend to display a short-term approach to policy-making. Such approach is anchored in the pursuit of narrowly defined group interests related to political survival. Such flaws are not primarily linked to capacity constraints. They reflect the existence of powers that have a vested interest in allowing many ‘grey zones’ and space for *ad hoc* approaches to decision-making, resource allocation and accountability provision. In such environments, *short termism*

Nigerian and other African companies from entering its market. South Africa’s strict visa requirements further limit the flows of businesses and tourists.

⁹ See also PEDRO background paper on the African Union.

tends to dominate as the political benefits of longer-term investments in public goods may not be consumed within the electoral lifecycle of the ruling elite. So there is little incentive or limited traction for ruling groups to invest in medium-term and long term policies, including those policies and investments that are required for developing regional programmes or for strengthening regional institutions, such as ECOWAS.

The continuing prevalence of an intergovernmental mode of operation in the ECOWAS institutions ought not to surprise, given the strong attachment to national sovereignty and the mistrust among member states. This drastically reduces the space for supranational action by ECOWAS. It obliges the ECOWAS Commission to follow a more *ad hoc* path, by looking for concrete windows of opportunities to promote regional agendas in close alliance with 'willing' or 'reformist' states that have a set of particular interests in specific sectors to defend at a given moment in time.

Examples can be found in the area of peace and security, where the regional body managed to optimally exploit the formal possibilities offered by the Treaties and Protocols. It forged alliances with member states that had core interests to defend in regional peace and security matters, as presented in the next section. With regard to the national level drivers of action, the literature and interviews conducted for this study suggest that depending on the nature of the conflict whether or not governments activated the regional Mediation and Security Council.

4. On the areas with most traction for regional cooperation

Regional organisations and their member states or other stakeholders develop different types of political traction depending on the nature of the sector or issue that is at stake. All agendas of Africa's Regional Economic Communities are all-encompassing. This background paper summarises the findings of the PERIA study, as this study analysed in more detail the actors and factors behind the regional dynamics in two or three sectors. The PERIA ECOWAS study contrasted the political traction in the area of violent conflict and agricultural transformation or food security. In the area of peace and security, the Mali case deals with a violent insurrection in one country, whereas the conflict in neighbouring Burkina Faso deals with political upheaval related to the unconstitutional transfer of power.

4.1. Violent conflict and unconstitutional transfer of power

ECOWAS is the only REC in Africa that regularly undertakes military and other actions against member states in cases of violations of the main protocols relating to peace, security and democracy. One recent analysis (Hartmann and Striebinger, 2015) argued that member states accepted the supranational logic of both protocols of 1999 and 2001 because of a combination of factors. First, there is the will to curb negative externalities from wars. Secondly, Nigeria and democratising states seem to somewhat 'lock in' the ongoing democratisation process at a regional level. Thirdly, the enlightened treaty also offers opportunities of grandstanding by autocratic leaders to obtain some legitimacy to their regimes by signing up to the principles while *"at the same time expecting that it would not be enforced"* (idem, p. 77). In the implementation of both protocols each conflict - with its peculiar characteristics and involvement of state and non-state actors at national and regional levels - turns out to generate different outputs and outcomes as the nature of the conflicts and the inter-country dynamics differ substantially.

Two such violent conflicts help clarify these dynamics and the potential for regional cooperation around two different regional policy tools of peace operations and of regional sanctions.

ECOWAS and the conflict in Mali - the use of military peace operations

With the outbreak of violence in the north of Mali in 2012, the ECOWAS peace and security architecture was activated quickly. As the crisis deepened and further unfolded more continental and global actors became involved, highlighting the roles and added value of the regional peace architecture in relation to multiple continental and global actors.

The north of Mali is sparsely populated, with an ecosystem that relies on a largely informal economy with weak state structures, lack of security provision, collusion of administration with criminal networks, support and use of Islamist groups as well as porous borders. Especially the Tuareg had built up grievances around the lack of cultural rights, lack of political autonomy and a sense of discrimination by the dominant political elite. Since independence, political power has been in the hands of southern ethnic groups. Violent conflicts in the past had been resolved with peace deals and unkept promises to northern groups. Under President Touré (2002-2012), tensions further accumulated as he relied on a patronage network of non-state actors to control the northern parts of the country including opportunist local elites, armed factions and militias (Boukhars, 2012). In this context three main armed Islamist groups thrived in northern Mali and started to engage in armed conflicts as of January 2012 in order to obtain an independent homeland for the Tuareg.

As as a direct consequence of the violence in the north and the President's handling of the crisis, the Mali army staged a coup in March 2012, and ousted President Touré. ECOWAS initially engaged in a mediation process by appointing the President of Burkina Faso, Compaoré¹⁰, in an attempt to reestablish the constitutional order in its neighbour. Simultaneously, it started planning for the deployment of a standby force and the imposition of sanctions. These efforts contributed to the establishment of an interim civilian authority and the signing of a peace agreement.

However, the ECOWAS peace operation never materialised and the principle of *subsidiarity* was never applied. The Mali military junta resisted the ECOWAS scenario, with further opposition from the interim government in Mali. Algeria, the former negotiator and powerful northern neighbour of Mali, was also opposed. Nigeria was entangled in fighting the terror of Boko Haram. Differences of opinion as to what approach to take and the related differing risk assessments may also have played a role in this messy and sticky conflict. In addition, ECOWAS was not able to generate the financial and logistical support to prepare a peace operation.

In terms of financial preparations for peace operations, already in 1999 the ECOWAS Protocol created the Peace Fund as part of its peace architecture. 5% of the ECOWAS Community Levy was supposed to be set aside for this peace fund. This, however, did not materialise. Donors, especially the European Union, pay for the bulk of the peace fund. As the peace operations are usually underfunded, ECOWAS relies on ad-hoc, special donor pledging conferences. In the case of Mali, the EU stepped in, but faced problems in finding the appropriate channel to fund the peace operations. Under pressure from France, the EU channeled US\$34 million directly to ECOWAS. This choice upset the African Union and further fed tensions between ECOWAS and the AU.

¹⁰ Some considered this to be a case of poor casting as President Compaore too came to power through a military coup. Compaore had a long standing track record in mediation in conflict prone francophone countries. Moreover, during the Mali crisis, francophone countries were occupying important positions within ECOWAS and in the ECOWAS Commission.

As of June 2012 the AU started to play a more important role and intended to launch an AU led mission, hoping that this would help overcome the Algerian opposition. The AU Peace and Security Council endorsed a harmonised AU peace mission that was developed with the Mali interim government, with ECOWAS, and with core countries of the region including Algeria and other international actors such as the EU and the US. In December 2012 the UN Security Council authorised this plan.

But a few weeks later, Islamist fighters advanced towards the south and defeated the Mali army. As the African peace mission was not ready for deployment, the Mali government requested French assistance. After legitimisation by the UN Security Council, France intervened militarily through its *Operation Serval*. After lots of turf conflicts, the AU would assume responsibility for a donor trust fund that was established somewhat later. Subsequently, administrative hurdles arose when the African peace operation was reformatted (*re-hatted*) into a UN coordinated peace mission, with lots of nervousness and uncertainty about the refunding of the troop contributing countries to these missions. These are some of the politico-administrative problems to consider in such evolving, poorly institutionalised environments.

While ECOWAS managed to respond quickly to violent conflict in one of its member states, its peace architecture was insufficiently institutionalised given the regional complexities of the deep rooted conflict in the fragile and fluid context of Mali and the Sahel region. Variables that hamper the ECOWAS efforts to strengthen its peace architecture include rivalries and mistrust between countries, ties that bind or divide among government leaders in the region, the search of numerous regional and continental players for international and regional recognition and visibility, the highly unpredictable and volatile nature of security interests, and the strong drive to obtain access to or control over the donor funding.

ECOWAS projected itself strongly in this conflict, but due to a range of institutional hurdles it had to seek ways of working together and dividing labour with a wider playing field, including the AU, the UN and former colonial power, France. Although ECOWAS had to settle for a less ambitious role, it managed to adapt to the circumstances and to the ever increasing field of players. In this particular conflict, national level interests and incentives from Nigeria and other ECOWAS members worked cross purpose.

The political crises in Côte d'Ivoire and Burkina Faso - sanctions as a tool

Contested electoral results and manipulation of constitutional *rules of the game* on transfer of power are among the most recurrent sources of political fragility and conflict in the region. ECOWAS has a strong normative framework, which it has interpreted and applied in various political crises. Recently, the conflicts in Côte d'Ivoire and in Burkina Faso¹¹ stood out. These cases represent two scenarios of ECOWAS involvement: in the political crisis in Burkina Faso, ECOWAS was the main external actor; in the case of threat of renewed outbreak of civil war in Cote d'Ivoire, ECOWAS had to engage with other regional and global players because of the nature of the conflict and threats of harmful spillovers.

After a protracted conflict in **Côte d'Ivoire**, the ruling elite had accepted to organise free and fair elections. These elections were won by the opposition. The sitting president refused to accept his electoral defeat in November 2010, which brought the country back on the brink of civil war. All this happened against the background of divisions along regional, religious and geographical fault lines. The response from ECOWAS was immediate and firm.

Since 2002, Côte d'Ivoire had been the scene of international peacekeeping operations, first in the form of a unilateral French intervention, followed by an ECOWAS military force, later to be integrated into a UN

¹¹ Recently, ECOWAS effectively engaged in the political crisis in the Gambia.

peacekeeping operation. The presidential refusal to step down after an electoral defeat in 2010 confronted ECOWAS for the first time with the challenge to intervene in a post-electoral crisis held after a long-running violent conflict. Multiple ECOWAS members were strongly motivated to find a peaceful solution to the conflict. There were concerns about regional stability given the level of economic integration with the Ivorian economy and the large groups of migrants of neighbouring countries working in Cote d'Ivoire. The gateway port of Abidjan is also important for landlocked neighbours such as Mali and Burkina Faso.

Although two key Ivorian institutions, the Independent Electoral Commission and the Constitutional Court, disagreed over the electoral results, ECOWAS quickly supported the opposition candidate Ouattara, based on significant empirical evidence. Once it became clear that the incumbent President Gbagbo refused to step down, ECOWAS called for regional and global sanctions. However, its decision to back this up with a military intervention was opposed by member states. Mali, Burkina Faso and Benin feared for reprisals from the Ivorian militias who were loyal to the president Gbagbo. Moreover, ECOWAS was unable to implement this threat due to lack of finance and force capabilities. The combined resolve of pro-Ouattara forces and the weakening of loyal troops to Gbagbo through sanctions further resolved the crisis.

Throughout this crisis, there were major divisions at the continental level, reflecting ideological and political predispositions towards the nature of deep rooted conflicts and the types of solutions. Within the African Union, President Mbeki took a strong position in support of a negotiated settlement, one that was somewhat similar to the criticised deal he had brokered in Zimbabwe. With this position, he hoped to be able to broker a power sharing agreement between the losers and the winners of the elections. As AU mediator, Mbeki's position carried a lot of weight, but it went against other powerful players such as the Kenyan President Odinga (who later would replace Mbeki as AU mediator) and the Nigerian President Goodluck. Only in March 2011, the AU position would be aligned with those of ECOWAS and the UN.

Nigeria was keen to take the lead in resolving the Ivorian crisis and profiling itself internationally as a pro-democracy force to reckon with (Darracq, 2011). The pro-intervention position of the Nigerian president and its costly implications were opposed in Nigeria, as the country was preparing for elections. President Mbeki took a strong anti-imperialist position against foreign intervention, opposing yet another external military intervention, a position that was shared by the BRICS, a coalition of five emerging economies including South Africa. This position had knock-on effects in the UN Security Council, which ultimately resulted in mixed messages to the protagonists in the violent political conflict, with Gbagbo's resolve to hang on to power strengthened.

The position of France was also key in this unfolding crisis. This position reflected the importance of Côte d'Ivoire as a hub of France's continued presence in the region and as a key part in the web of clientelist Franco-African relations. Ultimately, the French military involvement in the final attack against the Gbagbo headquarters in the capital was widely approved, contrary to the foreign military involvement in Libya.

Finally, the position of the *West African Central Bank* (a WAEMU institution, with Côte d'Ivoire as one of the members) merits attention as - together with the EU - it decided to block the transfer of funds to the resilient President Gbagbo. These financial resources could be used by the Gbagbo regime to pay the salaries of loyal military forces. This financial sanction proved to be an effective tool to break the resolve of the former President and his troops.

In **Burkina Faso**, the potential fallout of the political conflict that erupted in October 2014 was less contagious, and involved fewer stakeholders. Its major regional interlocutors were ECOWAS and Burkina Faso's immediate neighbours.

The political crisis in Burkina Faso was gestating before it erupted, with street protests against the announcement of constitutional changes to allow for a new presidential mandate for the long-standing president. There were no diplomatic missions from ECOWAS or the AU to encourage the sitting President Compaoré to respect the principles enshrined in the regional and continental protocols. There are a number of reasons for this non-action:

- President Compaoré had built up a formidable reputation in all the conflicts in the region as a mediator, with an extended informal network of befriended government leaders - a kind of *syndicat de chefs d'Etat* - in the region and abroad. The fellow presidents from Senegal and Côte d'Ivoire had expressed support for him, while other ECOWAS member states were too busy tackling other problems (Ebola in Guinea, Liberia and Sierra Leone) or had just emerged from conflicts (Mali and Guinea Bissau). Others were confronted with similar constitutional crises (Togo, Benin) and adopted a low profile. Finally, the ECOWAS Commission was presided by a Burkinabe national, which further complicated the decision making process.
- After the departure of President Compaoré and a military takeover, the ECOWAS took a more coherent and proactive stance. It took a clear position against the new military leaders when they attempted to stay in power and orchestrate a flawed democratic transition. ECOWAS also wanted to avoid copycat behaviour with other members in similar situations. The regional organisation used various mediation instruments including a first joint evaluation mission of the troika of ECOWAS, AU and UN, followed by a high-level mission of three Heads of State of the region (Senegal, Ghana and Nigeria). Encouraged by a unified popular mobilisation in Burkina Faso, ECOWAS defended positions in the broader international arena that reflected the voice of the internal opposition. It spoke out, for example, against the AU threat of sanctions. Again, the AU appeared in this conflict as a complacent organisation towards sitting and contested presidents, with divergences of opinions hampering effective decisions.
- Some external actors, especially France, had long standing relations with the former President Compaoré, but saw little space to weigh in in his support as the popular tide had turned against him. France's positions were also carefully scrutinised by internal and external players.

4.2. Regional cooperation in food security and agriculture - CAADP

Since 2002, Africa has had a continental programme in support of food security and agricultural regeneration, the *Comprehensive Africa Agriculture Development Programme (CAADP)*. CAADP and its regional version ECOWAP (ECOWAS Agricultural Policy) did not get political traction in the member states until food riots broke out in four of the fifteen West African countries due to the sharp rises in food prices in 2008 (Côte d'Ivoire, Senegal, Guinea, Burkina Faso). On the one hand, this stimulated ruling elites to agree on relevant regional policies under the AU continental umbrella agricultural programme. On the other hand, ECOWAS promoted the implementation of these continental and regional frameworks at national level. ECOWAS became the first regional organisation to sign a such regional compact in 2009 and to finalise a regional agricultural investment plan in 2010. Numerous regional task forces and institutions were created to help implement the policy frameworks and plans. Before the end of 2009, nine countries had signed up to the CAADP Compacts, the highest number of all RECs.

To understand how member countries and regional organisations interact on the issues of food security and agriculture one has to further distinguish between the actors and factors shaping regional dynamics in

specific sub-sectors. This subsection deals with how ECOWAS 'translates' the continental CAADP framework for the region and how one member state interacts with ECOWAS on the specific issue of rice. The second case compares two value chains - rice and livestock - so as to clarify the roles of a few key non-state actors that influence the roles of ECOWAS in shaping the agricultural agenda and its implementation.

Food security in Burkina Faso - the rice case

The food crisis of 2008 provided the strongest incentive for national and regional leaders to act with various policy levers to quell the food price hikes and the potential unrest in rapidly urbanising areas in the region. Burkina Faso was one of the four countries in West Africa to be hit by food riots. Structural factors such as landlockedness and the relative weight of agriculture in the overall economy partly shaped the political incentive environment within which the ruling elite operates. The country relies on regional and overseas imports of food to satisfy part of the food consumption of its rapidly urbanising population. In other words, agriculture is "a source of livelihoods for the majority of the population, of foreign exchange and of rents for the elite. There is thus some alignment of elite interests and those of the majority of the population" (Loada, 2012).

The regional agricultural policy as reflected in ECOWAP became more prominent after the food crisis of 2008, and the number of signatories to the CAADP Compact increased drastically. Now, all fifteen ECOWAS members have signed and most have progressed in developing national development plans, mobilising financial resources, with some members having made a beginning with implementing the investment plans. In fact, it was the first REC in Africa that had started to implement a Regional Agricultural Investment Plan. Still, the degree of implementation of regional agricultural policies continued to reflect national level interests, often related to dominant concerns about national "food sovereignty" and the dominant relations between political elites and well-connected influential private sector players. In other words, national interests as shaped by domestic political and economic elites continue to prevail over regional policies.

Rice in Burkina Faso illustrates these dynamics clearly. It is an important food crop in Burkina Faso, especially in urban areas where rice consumption is still increasing. The country has a proper potential for rice production. Low productivity of rice, creates a dependency on imported rice. Numerous factors have influenced the ways in which Burkina Faso engaged with ECOWAS in response to the regional agricultural policy of ECOWAP. With the food crisis, Burkina Faso banned rice exports and encouraged rice imports from Asia by eliminating rice duties. In practice, a substantial quantity of rice was exported through informal channels, reflecting vested interests in these trade avenues. Such trade policy framework does not stimulate rice production as the ban on exports discourages farmers to increase production levels as this wouldn't raise their level of income. So local rice farmers are reluctant to shift from growing rice as food crop to increase rice production as a cash crop. The national level trade policies - and the complex domestic trade-offs between factions of the ruling elite, large rice importers and big traders - "fragment the regional market and the ability of ECOWAS to ensure coherence between national and regional policy frameworks" (Bossuyt, 2016, p. 42).

This country level example partially explains why ECOWAS has not made progress with operational strategies that address politically sensitive issues of comparative advantages across member countries and policy coherence between related sectors such as transnational infrastructure development, industrialisation, transport, harmonisation of regulatory frameworks and approaches to facilitate trade, etc. Because of these binding constraints and the lack of support by the region's ruling elites, insufficient

institutions have been created or strengthened to arbitrate in certain conflict areas that facilitate cross-country problem solving or that monitor and enforce implementation of regional agreements.

So the ECOWAS Commission may have some *bureaucratic* capacity¹², yet it has little influence over member states to stimulate, enable, enforce or otherwise support implementation of the regional agricultural policies and plans, or other regional policies related to trade, infrastructure development and industrial policies that all affect the productivity of the agricultural sector and food security outcomes. In other words, many food security related regional policies remain unimplemented for lack of traction at national level.

Regional versus national level dynamics in rice and livestock sectors

Some of the decision logics of key stakeholders can be better understood if one drills down to the characteristics of specific value chains or subsectors. Comparing the livestock value chain with that of rice in Nigeria and Burkina Faso provides insights into how and why actors in these sub-sectors engage with national and regional level governance systems.

ECOWAS bolstered the involvement of private sector actors in agriculture related policy processes at the regional and national level. Yet, the private sector - including processors, traders and retailers - remains poorly organised to engage with the institutions around food security or agricultural policies, especially at a regional level. One has to also distinguish between various groups of private sector actors, with widely differing interests, incentives, power and access to factions of the ruling elites. The importers, for example, of staple food commodities such as rice constitute powerful oligopolies with access to certain key government departments and political power holders. They share an interest in constrained production capacities and segmented regional markets as this enhances rent extraction. Local small-scale producers, on the other hand, are often fragmented and don't generate sufficient counterweight to shape the political incentives in support of reforms backing enhanced productivity.

Depending on the characteristics of each sub-sector, the engagement strategies of these private sector stakeholders with national and regional institutions differ substantially. The rice sub-sector is hardly *regionalised*, with strong pressures to achieve national self-sufficiency rather than searching for regional complementarities. Therefore, the potential for regional development in the rice subsector - of irrigated areas, storage facilities, infrastructures and markets - remains unexploited. The stakes by powerful and well connected cartels in national level rice imports remain substantial.

In livestock a different picture emerges. Contrary to the rice sector, the future of this value chain is less threatened by imports. This sub-sector is based on integrated regional production systems. Ruminant livestock in West Africa relies on extensive production systems that derive their viability from cross-border mobility of cattle from the north to the south. This mobility is firmly rooted in history and tradition, and is based on natural complementarities between agro-ecological zones and on informal rules that regulate the exchanges between pastoralists and farmers. Climate stresses and the increasing incidence of extreme weather puts a heavy strain on these relations.

ECOWAS disposes of a number of formal institutional mechanisms and policies to promote regional cooperation in both agricultural subsectors. Yet in Nigeria and in Burkina Faso, these regional policies fail to find traction. As mentioned, landlocked Burkina Faso is heavily dependent on imported rice. On the other hand, the livestock sub-sector in Burkina Faso is strongly embedded in a regional informal value

¹² The capacity and political leadership to lead regional agricultural policy development, convene public and private sector actors for multi-stakeholder dialogue, develop regulatory frameworks etc.

chain. This culturally ingrained *informality* is an all-pervasive feature in livestock, a subsector that resists formal regionalisation and modernisation efforts that ignore these socio-cultural and ethnic realities. An adapted regional policy has not yet emerged given the deep divergences in policy perspectives between coastal countries and Sahelian countries such as Burkina Faso. This then explains why the focus remains on national rather than regional food security policies.

Neighbouring Nigeria disposes of a larger internal market, stronger mix of powerful interest groups and a broader range of economic and agricultural options to promote food security. Theoretically Nigeria could *go it alone* in organising its rice market at national level. The country's trade policies have been highly protectionist and characterised by import restrictions and high custom duties, especially in the area of agriculture and food products. Such policies induced traders in neighbouring Benin, Cameroon and Niger to specialise in importing these products from the world market re-export in order to re-export to Nigeria and to make use of the gaps between tariffs of the CFA zone (West African Economic Monetary Union and the Central African Economic and Monetary Community) and official tariffs applied in Nigeria¹³. So also in Nigeria, powerful informal cartels with influential allies at the centre of the state were and are active and the government had to soften its trade policies and align with those of neighbouring countries.

The sub-sectors of rice and livestock demonstrate the complex range of interests and incentives, as well as the lack of a cohesive group of private sector actors pushing for regional cooperation or integration. The national interests and the articulation of food security policies in those two neighbours also differ markedly, with a dim chance that there is sufficient political traction to enable ECOWAS to contribute to the creation of regional public goods in support of these subsectors or value chains.

5. Conclusions

This background paper summarised the political economy findings of the PERIA study to answer a number of questions related to the political traction of ECOWAS at three levels: the traction in the regional organisation, the political traction in member states and the sector characteristics that induce traction for regional support.

In its 40 years of existence, Africa's oldest regional organisation has built up a wide range of formal institutions, organs, systems and policies to foster regional integration. In peace and security, ECOWAS even developed an institutional architecture that inspired the African Union's *African Peace and Security Architecture*. As a multi-purpose regional organisation the ECOWAS agenda has continued to expand, and institutional reforms were introduced to close the gap between the expanding agenda and the actual implementation. There have been treaty revisions and the creation of the *ECOWAS Commission*. These did not alter the prevailing mode of intergovernmental governance. ECOWAS did manage, as one of the only RECs in Africa, to agree on the imposition of a Community levy, a measure which provides more scope for autonomous action. Nevertheless, this regional organisation remains dependent on donors for the financing of its programmes.

This report looked at the political traction of ECOWAS, as well as the drive of member states to engage with the regional organisations. Peace and security in the region is the area with the strongest traction. Nigeria has played major roles in shaping the institutions and in activating some of the ECOWAS policies,

¹³ As Bossuyt (2016) argues, the military hierarchy in Nigeria has long been suspected of maintaining these protectionist policies with a view to stimulate clandestine trade that could be informally taxed by the army officials on the ground.

especially in the area of peace, violent conflict and political instability. It is, however, not the only player that engages in regional peace and security dynamics through the regional peace and security architecture. Other member states also contribute, as the three examples illustrated.

In the three violent conflicts presented in this report¹⁴, ECOWAS managed to demonstrate its political resolve and institutional capabilities to respond with differing degrees of effectiveness and adaptability. Adaptability is required, as most violent conflicts are highly contingent and attract the involvement of multiple continental and global players. There are also the unresolved, often deep-rooted security challenges to consider, as well as the institutional frailties in the region and in Africa. Some of these frailties relate to the competition between various African peace institutions around funding, as the bulk of the resources for peace operations are still funded by donors, which tend to prioritise those crises that affect their interests.

In the ever mutating violent conflict in Mali, ECOWAS faced strong incentives to take the lead, but also was confronted with capability and financial constraints. The tensions between ECOWAS and AU over *who ought to do what* persisted, and were also present in the two cases of political crises in Côte d'Ivoire and Burkina Faso. In both conflicts, ECOWAS responded in line with its fundamental principles on democracy, good governance and constitutional transfer of power. Yet the way in which it applied these principles differed given the variations of interests of key leaders in the region, differences of country incentives and the roles, mandates and capabilities of other continental and global players. While slow to respond to the politico-military crisis in Burkina Faso, this was the one political conflict where ECOWAS managed to play a distinctive and central role in mediating and brokering a political solution. Given the broader set of interests in the political crisis in Côte d'Ivoire, ECOWAS had to adapt its approach to the multiple players. It also managed to play its comparative advantage in that it was less prone to the geopolitical games that were unfolding in the UN Security Council and the African Union.

In other sectors, such as regional agricultural policy and food security, the traction and implementation effectiveness differ substantially from peace and security. In peace and security, coalitions of 'willing' member states and the Commission activated and applied the regional arsenal of norms, tools and institutions, even if these implied interference into sovereign affairs. The food riots in West Africa signalled political elites how vulnerable they were, and created powerful incentives for national level and regional agricultural reforms. Yet, signing the regional investment compacts and subscribing to the regional policies do not imply commitment to implementation.

In agriculture, the triggers and incentives for moving from agreed regional policies to action at national level proved to be much less powerful than in peace and security. The cases of Burkina Faso and Nigeria and the comparison between the rice and livestock value chains in Nigeria and Burkina Faso further unpacked some of the key private and state actors with high stakes in rent-seeking rather than transformation of agricultural value chains or sectors. Poorly organised and fragmented private sector actors fail to create the incentives or pressures for ruling elites to shift from short termism to collective action behind coherent national and regional agendas in support of agricultural transformation.

West Africa's major swing state, Nigeria, primarily plays a decisive role in the area of peace and security, especially when its interests are threatened. But this influence is less manifest in other policy areas such as food security. Donors continue to be influential as they remain financial contributors to the ECOWAS

¹⁴ The three conflicts include: Mali (secessionist war, military putsch and unconstitutional transfer of power), Côte d'Ivoire (contested election results with threat of resumption of major violence), and Burkina Faso (unconstitutional transfer of power, military putsch and return to the constitutional order)

programmes and to peace operations, with the obvious flip sides of concerns about diminishing *ownership* with member states, fragmentation and the risks of overloading regional agendas with donor priorities.

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