



The complexities of democracy-building in conflict-affected states: the role of ECOWAS and the African Union in Côte d'Ivoire



THE COMPLEXITIES OF DEMOCRACY- BUILDING IN CONFLICT-AFFECTED STATES: THE ROLE OF ECOWAS AND THE AFRICAN UNION IN CÔTE D'IVOIRE

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ABBREVIATIONS

AMIB	African Union Mission in Burundi
AU	African Union
DRC	Democratic Republic of Congo
ECOWAS	Economic Community of West African States
ECOMOG	Economic Community Cease-Fire Monitoring Group
ECOMIL	ECOWAS Mission in Liberia
ECOMICI	ECOWAS Mission in Côte d'Ivoire
FNL	Forces Nationales de Liberation (National Forces of Liberation)
FN	Forces Nouvelles (New Forces)
IEC	Independent Electoral Commission
ICISS	International Commission on Intervention and State Sovereignty
LMA	Linus Marcoussis Accords
MINUCI	United Nations Mission in Côte d'Ivoire
MPCI	Mouvement Patriotique de La Côte d'Ivoire (Patriotic Movement of Côte d'Ivoire)
MPIGO	Ivorian Patriotic Movement of the Great West
MJP	Movement for Justice and Peace
OAU	Organisation of African Unity
ONUB	United Nations Operations in Burundi
PSC	Peace and Security Council
R2P	Responsibility to protect
UNAMIR	United Nations Assistance Mission in Rwanda
UNOMIL	United Nations Observer Mission in Liberia

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INTRODUCTION

The conflict that engulfed Côte d'Ivoire in 2002 divided the country for eight years, with the south controlled by the Government and the north by rebel forces. The violence and divisions in the country were responsible for the reversal of major economic gains that had been made since independence, and the political uncertainties threatened regional stability. While Côte d'Ivoire's economy blossomed after independence thanks in part to readily available labour from nationals who had migrated from neighbouring countries in West Africa, signs of political tensions became apparent in the 1990s and culminated with a coup d'état in 1999, a disputed election in 2000 and an attempted coup in 2002. Between 2002 and 2010, Côte d'Ivoire experienced ethnic-related tensions, with the rebels running a parallel government. Elections were postponed repeatedly despite diplomatic interventions by the Economic Community of West African States (ECOWAS), the African Union (AU) and France, and military intervention by the United Nations. Even after elections were finally held in 2010, disputes around the electoral results led to violence and human rights violations and brought the country to the brink of another brutal civil war. The difficulties faced by the belligerents in agreeing on a way forward at the different stages of the conflict meant regional actors and the international community had to step in on a regular basis to prevent further escalations of violence during periods of relative peace.

The role played by the AU and ECOWAS in the Ivorian crisis increasingly came under scrutiny. On the one hand, the peacemaking and peacekeeping efforts of these organizations were praised for preventing further atrocities. On the other hand, they were criticised in some quarters because their attempts to restore peace were not often respected by the different parties involved in the conflict. Côte d'Ivoire became a test case for rapid interventions by regional actors at a time when the Organisation for African Unity (OAU) and ECOWAS had gone through major transformations to meet the peace and security challenges of the 21st century. In the late 1990s, questions were raised about the specific mandates, composition, financial capacity and sustainability of regional efforts to resolve conflicts, especially in terms of peacekeeping and peacemaking. At the same time, the interventions of regional peacekeeping forces in different conflict hotspots elicited praise and admiration. Debates also focused on the comparative advantage of regional and UN-sanctioned interventions, the failure to respond to crimes against humanity and genocide in Rwanda, the sustainability of African-led peacekeeping operations and the urgency (or lack thereof) in the operationalization of some UN-led operations. The interventions by the AU in Burundi (2003) and Somalia (2007,) and by ECOWAS in Liberia (1990) and Sierra Leone (1997), increased expectations concerning the vital role of African-led peacekeeping missions.

The transition from the OAU to the AU in 2002 and the adoption of several mechanisms and protocols defining the AU's role in peacekeeping and peacemaking, as well as its

commitments to strengthen democracy and good governance, demonstrated a marked shift from the policies and practices of the OAU. This is principally because even though the OAU Charter highlighted commitments by members to maintain peace and security on the continent, the principle of the respect for the sovereignty and territorial integrity of member states and its non-interventionist stance during periods of conflict in several African countries elicited concerns over the relevance of the OAU in promoting peace and security. This was demonstrated by the failure of the OAU to intervene decisively in the Rwandan genocide and conflicts in Liberia, Sierra Leone, Somalia and the Democratic Republic of the Congo (DRC), which revealed its inability or unwillingness to take action to resolve conflicts even if gross violations of human rights and atrocities were committed.

The (2002) Constitutive Act of the AU rejects unconstitutional changes of government and the AU has developed mechanisms and protocols to promote democracy and good governance. The establishment of the AU Peace and Security Council (PSC) in 2004, with its provision for recommending that the Assembly of heads of state for the Union intervene in states experiencing crimes against humanity or war crimes, highlights a major change in way conflict resolution is viewed under the AU. The principle of rejecting unconstitutional changes of government has been significantly strengthened and given a legal backing by the AU, and in practice the AU has intervened in countries where changes in government have been unconstitutional and where peace and security have been threatened. In the case of ECOWAS, its intervention in the conflicts in Liberia and Sierra Leone and the need to strengthen its peace and security mechanisms necessitated the development of the Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace and Security (1999) and the Protocol on Democracy and Good Governance (2001). These protocols were aimed at enabling a better coordinated response to conflict and crises in the region.

This Discussion Paper focuses on the efforts of ECOWAS and the AU in resolving conflicts and strengthening democracy in Côte d'Ivoire, particularly in the periods 2002–10 and 2010–13. The work of these two organizations in the Ivorian case reflects discourses on, and the dynamics of, the operations of regional organizations and the international community in addressing conflicts. The Ivorian case is peculiar in that it represented a test case for diplomatic and military efforts by ECOWAS and the AU in intervening in a conflict, particularly because the efforts of both organizations to resolve the conflict were made after ECOWAS adopted two key mechanisms dealing with the issues of conflict prevention, peace and security and democracy and good governance. The AU's adoption of a mechanism creating the PSC in 2002 and the decision by African leaders to reject unconstitutional changes of government preceded the AU's intervention in Côte d'Ivoire in 2002. The implications of the AU's creation of the PSC were that, unlike in previous conflicts, both ECOWAS and the AU were better equipped and had a legal backing to intervene. The principal question the paper seeks to answer is: what has changed in the AU and ECOWAS approaches to resolving conflicts since the adoption of the above-mentioned protocols?

The paper presents lessons learned in collaborative efforts between ECOWAS, the AU and the international community in the resolution of conflicts and highlights the dynamics involved in the takeover of regional peacekeeping missions by UN operations. It argues that the Ivorian conflict and the efforts by third parties in building democratic institutions must be seen through the prism of domestic political, social and economic

dynamics—and, indeed, in relation to other conflicts that have taken place in other countries in West Africa. The approach used by ECOWAS and the AU in this case was to resolve the conflict using military and diplomatic means and ensure that peace returned and, in tandem, to build democratic institutions. The paper concludes with a set of recommendations on how regional organizations in Africa and ECOWAS in particular can improve their interventions in crisis situations to prevent violence and human rights abuses.

1. CONCEPTUAL FRAMEWORK: THE ROLE OF THIRD-PARTY INTERVENTIONS IN FRAGILE STATES AND STATES IN CONFLICT IN AFRICA

The case for third-party interventions in conflict situations in Africa

Most African countries implemented democratic reforms and organized multiparty elections in the 1990s, which signalled a move away from one-party politics and the proliferation of military regimes that had characterized Africa's polity in the immediate post-independence period. There was an opening of the space for civil society and independent media to check on government excesses and hold public officials to account. Elections became a regular feature in African politics and some countries amended their constitutions by including provisions to respect the rule of law and promote good governance. This meant a new dawn for most African countries, especially when compared to the immediate post-independence period, when ruling parties captured power and imposed severe restrictions on the political opposition and civil society.

However, this period also witnessed gruesome and devastating conflicts in countries like Burundi, the DRC, Liberia, Rwanda, Sierra Leone, Somalia and Sudan. While every one of these conflicts was intra-state, all had serious implications for their respective regions, and some actually spread beyond national borders. While belligerents waged war and committed gross violations of human rights—killing, lynching and abducting civilians—there were calls for the international community to use all means necessary to intervene to halt these atrocities. In certain instances, questions were asked about the inability or unwillingness of African organizations and of the international community to stop atrocities and human rights abuses in some of these conflicts (Klingebiel 2005).

Since the end of the Cold War, in fact, there have been debates about the roles and responsibilities, the timing and the aspirations of third parties (particularly, the UN, former colonial powers and regional actors) to intervene in conflict-affected areas. In making the case for third-party interventions in conflict situations, Zartman (2005: 1) argues that foreign actors cannot 'hide behind the fear of their own casualties or of long term involvement as an excuse for inaction'. The challenge for third parties in intervening in conflicts lies in rapidly putting together viable forces to enforce peace and combining such military actions with diplomatic negotiations between warring factions. In cases where conflicts erupt and there are gross violations of human rights and atrocities committed by those involved in the conflict, there have been concerns about the length of time it takes to authorize and put together peacekeeping forces.

Despite the strong case for why third parties should intervene in certain conflicts, Mays (2002) reminds us that '[t]he sanctioning of peace keeping operations and interventions in conflicts or the expanding of ongoing operations depends on the approval of all UN Security Council members'. In addition, there are concerns that the permanent

members of the Security Council have made decisions about where and when to intervene depending, not on the need to protect civilians or enforce a peace agreement, but on the strategic relationships they have with countries affected by conflict (Adebajo 2011). It can also be argued that the lack of action by the Council in certain conflicts emanates from the lack of particular economic, political or strategic interests members of the Council have with countries in conflict or their pre-occupation with other crises.

The genocide in Rwanda, for example, and the withdrawal of the United Nations Assistance Mission in Rwanda (UNAMIR) demonstrates the relationship between nations and members of the Security Council and the aspirations of the latter in intervening in certain conflicts over others (May 2002). The fact that most members of the Council did not have major strategic interests in Rwanda at the time, particularly in the post-Cold War era, the confluence of conflicts that required the attention of the international community during that period and the experiences of the United States in Somalia dissuaded members of the Council from fully committing to the Rwandan conflict. In addition, it has been noted on occasion that the Council has seldom responded adequately and on time to crises in Africa, even though most of its discussions on peace and security matters concern African countries (Adebajo 2011).

The question is, if the international community failed to intervene in certain conflicts, what could regional organizations do to prevent mass atrocities when conflicts erupted in Africa? In the aftermath of the Rwandan genocide and other conflicts, the OAU was often criticized for failing to take this responsibility to intervene to enforce peace and stop human rights violations. While the OAU did have a mechanism to redress conflict and violence, in the form of the Commission on Mediation, Conciliation and Arbitration, its attempts to resolve African conflicts took a diplomatic approach, emphasizing the use of non-violence and respect for the sovereignty and territorial integrity of its member states (Foltz 1991; Ajulu 2004; Yound 1991). The Commission also established ad hoc committees to address violence and conflict, but as Deng (2012) argues, most African leaders had formed friendly alliances with each other, and this meant that, in times of conflict, members of these committees were more interested in guaranteeing the safety and protection of their peers than resolving these conflicts. Despite the establishment of the Commission on Mediation, Conciliation and Arbitration, the OAU during its existence favoured non-interference in the internal affairs of states during periods of conflict and was 'a silent observer to atrocities committed in a number of member states' (Gomes 2008: 113–30).

On 9 September 1999, African leaders met in Sirte, Libya, to review the OAU Charter and increase the efficiency and effectiveness of the continental bloc to meet the challenges faced by the continent. One of these challenges was the scourge of conflict and the effects on the people of Africa. The Sirte Declaration therefore called for the elimination of conflict and, in order to achieve this and other objectives, African leaders decided to form the AU. This was followed by the establishment of the AU in 2002, the aim of which was to promote peace, security and stability, democratic principles and institutions, popular participation and good governance. Conscious of the lessons from the OAU in the area of peace and security, conflict prevention and resolution, the AU adopted a more interventionist approach through its mechanisms, frameworks and institutions (Besada, Goetz and Werner 2010; Khadiagala 2012). In 2004, the AU established its PSC through the Protocol relating to the Peace and Security Council (2002). Composed of 15 members, the PSC was created to manage and resolve conflict

and has a mandate to conduct peacemaking and peacekeeping on the continent. Article 7 (e) on the Protocol relating to the establishment of the PSC empowers the PSC to recommend to the Assembly intervention on behalf of the AU in countries suffering from war crimes, genocide and crimes against humanity (AU 2002).

The fact that the OAU's mechanism for conflict prevention, management and resolution (1993) was replaced by the AU's PSC highlights the change in attitude and policies from non-interference to non-indifference. Mwanasali (2008: 41) argues that this transition from non-interference to non-indifference 'signals a major shift in African political thinking and augurs the dawn of an interventionist phase in the continental management of peace and security'. This shift in attitude was evident in the intervention of African-led peace keeping forces with a mandate from the AU in Burundi (2003–04), Sudan (2004–06), (Somalia 2007–present) and Central African Republic (2013–present). The interventions in these countries have produced mixed results but show a major shift in the approach of the AU, even though the AU states clearly that it respects the right to sovereignty and territorial integrity of its members.

In the cases of the Central African Republic and Sudan, the AU realized the material and financial costs of peacekeeping missions and this demonstrated the need for support from the international community. Despite its change in attitude to efforts aimed at intervening in conflict situations to bring peace, and the mixed successes following its interventions in Burundi, Côte d'Ivoire and Sudan, the AU has found itself in a situation not unlike that of its predecessor. This is particularly true in the case of Burundi, which was plunged into conflict in April 2015 following a decision by President Pierre Nkurunziza to stand for a third term in office, which resulted in opposition from political parties, civil society and ordinary citizens. The AU voted not to send troops to Burundi despite the fact that close to 1,000 Burundians had been killed following months of violent protests, an attempted coup d'état in May 2015, an increasingly dire humanitarian situation and concerns that Burundi could completely implode at the time the AU made its decision.

In West Africa, the intensity and complexities of conflicts in the 1990s—particularly in Liberia (1989–97 and 1999–2003), Sierra Leone (1991–2002) and Guinea-Bissau (1998–99)—called for urgent interventions to stop mass atrocities, killings, destruction of property and state institutions, and the total collapse of society. The nature of the violence had regional implications with massive flows of refugees across borders which threatened the stability of the region. The intervention of ECOWAS in Liberia and Sierra Leone helped stop the killings and the wanton destruction of property. Military intervention, particularly in Liberia, Sierra Leone and later in Côte d'Ivoire, was preceded by, accompanied or followed diplomatic efforts that led to the signing of peace agreements like the Cotonou, Abuja and Accra Peace Agreements in the case of Liberia and the Lomé Agreement in the case of Sierra Leone.

The gains made following interventions in Liberia (1990) and Sierra Leone (1997) compelled West African leaders to look at more structured and effective ways to drive regional peacekeeping and peacemaking efforts. In this regard, the leaders of the regional body agreed to establish structures and mechanisms to facilitate a more effective and efficient means to intervene in future conflicts. ECOWAS established a mechanism for conflict prevention, management and resolution, and peacekeeping and security, in 1999 to guide the organization in preventing, managing, resolving interstate and

intrastate conflict and maintain peace and stability. The mechanism had structures including the Council of Elders (Council of the Wise), the Mediation and Security Council and the Defence and Security Commission to address security issues. This mechanism was further developed into the Supplementary Protocol on Democracy and Good Governance in 2001. The Protocol was designed to strengthen democracy in the region with the notion that the absence of true democracies and vibrant institutions were at the centre of conflicts in the region. The formalization of a standby force called for under the 1999 Protocol would have implications for the continent and for the AU's peacekeeping efforts. The decision by the AU's Peace and Security Council to establish an African Standby Force means ECOWAS is the most advanced in the creation of its regional force.

2. THE ROLE OF ECOWAS AND THE AU IN MEDIATING THE CONFLICT IN CÔTE D'IVOIRE: 2002–10

In 1993 the ECOWAS Treaty was revised, conferring supranational status on the organization and prioritizing human security in an attempt to reposition it to meet the challenges faced by West African states following the end of the Cold War. With the benefit of hindsight and with experiences garnered from its interventions in the conflicts in Liberia and Sierra Leone, ECOWAS member states realised the significance of (a) avoiding delays in waiting for the mobilization of troops from other parts of the world and having a good understanding of the geopolitics of the region: and, therefore, (b) adopting a regional approach to resolving conflicts. Building on the Protocol on Non-aggression (1978), and the Protocol on Mutual Assistance on Defence and Other Norms (1981), the regional bloc adopted the Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security in 1999 (otherwise known as the Mechanism) (Ekiyor 2008). The Protocol on Non-aggression was adopted to address threats related to interstate conflict and called on ECOWAS members to desist from threatening to use force and refrain from condoning hostilities against each other. The Protocol on Mutual Assistance on Defence was clear about the collective response of all members on security issues, as it noted that threats to one member affected security in the entire region. These protocols were also adopted because, in the immediate post-independence period, conflict and unconstitutional changes in government were being aided by neighbouring countries.

The Mechanism provided for the creation of an early-warning system, the Council of the Wise and special mediators to pre-empt crises and respond appropriately in countries affected by conflict.¹ It represents the most inclusive framework for addressing threats to peace and security in the region, as it supports efforts to pre-emptively address potential conflict situations before they escalate and gives ECOWAS responsibility to contribute to post-conflict development and reconstruction (Zounmenou and Loua 2011). It also created special representatives in conflict zones to liaise with local actors and the AU. In 2001 ECOWAS adopted the Democracy and Good Governance Protocol to address some of the political skirmishes and governance failures that triggered conflict in the region. That protocol establishes guidelines for the organization of credible elections, calls on members to respect democratic principles and their constitutions and rejects unconstitutional changes of government.

The intervention of ECOWAS in conflicts in the region is thus backed by the Mechanism and Protocol on Good Governance in line with provisions on peace, security, the

¹ The ECOWAS Council of the Wise (formerly known as the Council of Elders) was established under the Protocol relating to the Mechanism for conflict prevention, management, resolution, peace keeping and security. This Council is put together by the Executive Secretary of ECOWAS to use their experiences to facilitate peace processes. Members of the Council are chosen from different sectors in society and are called upon to mediate in conflicts when the need arises.

promotion of human rights and the protection of citizens found in the frameworks of the UN, the AU and the New Partnership for Africa's Development. ECOWAS recognizes the significance of collaborating with the AU and UN in strengthening peace and security in the region and in intervening in conflict situations. This collaboration is seen as imperative by ECOWAS leaders and is premised on legal and moral obligations. In terms of legal obligations, it recognizes the role of the UN in maintaining peace and security. It is one of eight officially recognized regional organizations in Africa and it collaborates with the UN and AU in line with Chapter VIII of the UN Charter. The frameworks that guide ECOWAS's interventions in conflicts and its contributions in post-conflict reconstruction reflect key principles in the Constitutive Act of the AU and the UN Charter and their guidelines on peace and security. The moral obligations are driven by the responsibility to protect (R2P), particularly in recognition of the repercussions of conflict internally, violence and abuses perpetrated against civilians and the tendency for internal conflicts to transcend national boundaries.

Background to the Ivorian conflict

From independence in 1960 until the early 1990s, Côte d'Ivoire was regarded as an island of peace in the otherwise troubled West African region. President Félix Houphouët-Boigny ruled Côte d'Ivoire from independence until his death in 1993. During his reign he developed a very stable economy and encouraged migration of Africans from the region to work on cocoa farms that formed the bedrock of the economy. Following his death in 1993, Houphouët-Boigny was succeeded by President Henri Konan Bédié who entrenched his authority by playing to ethnic sympathies and introduced the policy of *Ivoirité* or (Ivorian-ness) which separated 'true Ivorians' from those who had one or both parents born outside of Côte d'Ivoire (Ogwang 2011).

In 1999 soldiers led by Ivorian General Robert Gueï organised a mutiny and overthrew Henri Konan Bédié. General Gueï continued with the policy of *Ivoirite*. For example, in the lead-up to the 2000 elections he activated a policy developed before the 1995 elections which stated that candidates for election must be descendants of parents born in Côte d'Ivoire and must have been resident in Côte d'Ivoire for five years preceding the dates for the elections. This effectively disqualified the leader of the Rally of the Republicans (RDR) party, Alassane Ouattara, a Muslim from the north of the country who had put himself forward as a candidate, and who had been working for the International Monetary Fund (IMF). It was widely believed that one of his parents was born in Burkina Faso.

The elections were contested by Laurent Gbagbo, leader of the Ivorian Popular Front (FPI) party and General Robert Gueï, following the exclusion of some politicians and a decision taken by others not to contest as they questioned the credibility of the elections. When Robert Gueï saw that Gbagbo had taken the lead he suspended the results and declared that he himself had won the elections (HRW 2011). This action elicited protests from Gbagbo supporters, forcing Gueï to flee. The Supreme Court declared Gbagbo the winner as he had received most of the votes. On 19 September 2002, there were reports of a mutiny by soldiers who had resisted plans to be demobilized as part of efforts to reform of the security sector. It later emerged that it was actually a coup supported by foreign governments and this prompted reprisals against those perceived to be immigrants living in parts of the capital, Abidjan. The

coup was thwarted by government forces but a rebel group, the Patriotic Movement for Côte d'Ivoire (Mouvement Patriotique de La Côte d'Ivoire, MCPi), emerged and took control of the north of the country. It called for Gbagbo to resign and for new elections to be organized (HRW 2002). Two other major groups, the Ivorian Patriotic Movement of the Great West (Mouvement populaire ivoirien du Grand Ouest, MPIGO) and the Movement for Justice and Peace (MJP) challenged the government. The country was effectively divided into two, with the rebels controlling the north and the government of President Laurent Gbagbo controlling the south and other parts of the country. This phase in the Ivorian conflict saw several failed attempts by the government and rebel forces to implement successive peace deals.

With the onset of violence in Côte d'Ivoire in 2002 following the attempted coup d'état, ECOWAS was better prepared to intervene than it had been in previous conflicts in the region. Its immediate reaction to the crisis was premised on the fact that the coup attempt violated the ECOWAS Protocol on Democracy and Good Governance, and the AU principles against unconstitutional changes of government. Wary of the fact that the conflict could spread to other countries in the region, ECOWAS Executive Secretary General Mohammed Ibn Chambas publicly condemned the rebels. Furthermore, a group of West African leaders from Ghana, Guinea-Bissau, Mali, Niger, Nigeria and Togo formed a contact group to find a solution to the crisis. The group was formed during an emergency meeting of ECOWAS leaders held in Accra, Ghana, on 29 September 2002, leading to the signing of what became known as the Accra I Agreement (Gberie and Addo 2004). The group called on the rebels to renounce violence and end the conflict, and was responsible for initiating contact between the rebels and the Ivorian Government as well as the development of a framework for resolving the crisis.

The Lomé Ceasefire Agreement that followed was initiated on 24 October 2002 under the auspices of the ECOWAS contact group, which gave the Togolese President, Gnassingbé Eyadéma, a mandate to lead negotiations aimed at resolving the political differences between the government and the MCPi. The warring parties declared that they were committed to the ceasefire agreement and promised to end human rights abuses and respect Ivorian institutions. The implementation of the Lomé Agreement stalled, however, when the MCPi insisted that the Constitution be amended and called on President Gbagbo to resign, while Gbagbo insisted that the rebels disarm to preserve the country's territorial integrity. ECOWAS leaders organized other meetings in Kara, Togo, as well as in Abidjan and in Dakar, Senegal, to convince the warring parties to recommit to the Lomé Ceasefire Agreement, but the MCPi and the Ivorian Government remained adamant (ICG 2003). The signing of the Lomé Agreement coincided with the submission of proposals by the ECOWAS Defence and Security Commission to the Mediation and Security Council to deploy forces in Côte d'Ivoire. Approximately 1,400 troops under the auspices of the ECOWAS Mission in Côte d'Ivoire (ECOMICI) were deployed and given a mandate to monitor the cessation of hostilities, assist in processes that would lead to the return of administrative services, guarantee the safety of humanitarian workers and observers and support the implementation of the Lomé Agreement (Musah 2011). However, the Lomé Agreement was not successfully implemented because of marked differences in the demands from and expectations of President Gbagbo's camp and the MCPi. Like the Accra I Agreement, the agreement only succeeded in halting the conflict in the very short term and the crisis later resumed.

Failure to successfully implement the Lomé Agreement led to another round of peace talks and the signing of the French-brokered Linas-Marcoussis Accords (LMA) in 2003. Downs and Stedman (2002) argue that the degree of success or the lack thereof in third-party interventions hinges to a large extent on the context or environment in which conflicts take place. The environment in which the Ivorian conflict took place and the political and ethnic dimension of the conflict did indeed play a major role in the difficulties in resolving the crisis and the failure to successfully implement peace agreements. At the heart of the war was the ethnic question of who was ‘a true’ Ivorian and who was not. These ethnic divisions had been strengthened by the policy of *Ivoirite*, which was initiated by former President Henri Konan Bédié and maintained by his successors, General Robert Gueï and Laurent Gbagbo. The country was divided into two along seemingly ethnic lines, with the rebel-controlled south dominated by descendants of immigrants from other West African countries. These dynamics were further complicated by the fact that Gbagbo was unsure if he would emerge victorious in a free and fair election and his strategy was to postpone the elections for as long as he possibly could.

The Linas-Marcoussis peace talks, which brought together major political formations from Côte d’Ivoire, were chaired by the head of the French Constitutional Commission and facilitated by representatives of ECOWAS. The LMA sought to address the root causes of the Ivorian conflict—the issue of *Ivoirité*—and provided guidelines for naturalizing those who had arrived in the country prior to 1972. The accords also called for a review of the conditions guiding the eligibility of candidates for presidential elections. The LMA created a transition government with a new prime minister, Seydou Diarra, who was responsible for facilitating the disarmament process and guiding the country towards elections (ICG 2003). The LMA were in effect premised on three central issues: (a) preserving the territorial integrity of the country, (b) setting up a new government of reconciliation and (c) holding free and fair elections without excluding anyone eligible to vote on the basis of the interpretation of provisions in the Constitution, which created a distinction between Ivorians thought to be of foreign heritage and those considered ‘true’ Ivorians.

The main challenge that impeded the full implementation of the LMA was that the Gbagbo camp was reluctant to transfer authority to the prime minister, which would have reduced Gbagbo’s influence over political affairs in the country until elections planned for October 2005 (Cornwell 2005). For their part, the rebels were reluctant to disarm and instead sought to maintain control over the northern part of the country for as long as they possibly could while pushing for a review of laws on nationality and policies governing the eligibility of presidential candidates with the hope of eventually pushing Gbagbo out of office.

ECOWAS leaders then called on the AU and the UN to increase their efforts to help resolve the crisis, and they appealed to France and African members of the UN Security Council to raise the Ivorian crisis before the Council. On 4 February 2003, the Security Council adopted Resolution 1464, which authorized ECOMICI forces already in Côte d’Ivoire and the French forces that had the responsibility of monitoring the ceasefire between the warring parties, and affirmed the LMA. This was followed by the adoption of Resolution 1479 on 13 May 2003, which created the UN Mission in Côte d’Ivoire (MINUCI) (Bovcon 2009).

On 27 February 2004, with the intransigence of the different political actors and the continuous threat the crisis posed to regional stability, the UN Security Council, acting under Chapter VII of the UN Charter, adopted Resolution 1528, which established the UN Operations in Côte d'Ivoire (UNOCI), which took over responsibilities from MINUCI. UNOCI was given a mandate to re-establish a government of national reconciliation in collaboration with ECOWAS and other international partners involved in seeking a lasting solution to the Ivorian crisis and, with support from ECOWAS, to work to secure peace, and guide the government in the process leading to the organization of elections in line with the LMA. ECOMICI was later integrated into UNOCI.

The failure of the Lomé peace talks led to the signing of the Accra II and III Peace Accords under the auspices of ECOWAS and the AU. The Accra II negotiations were chaired by President John Kufour of Ghana in the presence of representatives from ECOWAS and the AU. The Accra accords aimed at compelling the warring parties to engage in peace negotiations and to implement the LMA. Accra III followed and brought together the then-chair of the AU, former Nigerian President Olusegun Obasanjo, UN Secretary-General Kofi Annan and 17 African heads of state and government (HRW: 2004). One notable achievement of Accra III was that the New Forces (Forces Nouvelles, FN) that emerged as a coalition of rebel groups and some opposition parties including the MPCJ and MJP returned to the government of national reconciliation, but their refusal to disarm made implementation difficult. Most of these agreements failed because the government argued that accepting all of the provisions would legitimize the rebels; while the rebels, for their part, repeatedly called for Gbagbo to resign and for elections to be held.

Following the failure of the different parties to respect the terms of Lomé and other previous agreements, the AU appointed President Thabo Mbeki of South Africa to serve as mediator in late 2004. The AU had participated in different peacekeeping negotiations aimed at resolving the conflict, but the appointment of Mbeki, affirmed by the AU Peace and Security Council, was the first time the AU took a leadership role in mediating directly in the Ivorian conflict (Lecoutre 2009). Mbeki's mediation efforts led to the signing of the Pretoria I Agreement on 6 April 2005. The negotiations were attended by President Laurent Gbagbo, Prime Minister Seydou Diarra, former President Henri Konan Bedie, leader of the RDR party Alassane Ouattara and leader of the FN, Guillaume Soro.

The Pretoria I Agreement addressed the outstanding factors that had impeded the implementation of the LMA and the three previous Accra agreements. The warring parties initially agreed to halt the conflict and to disarm, while Gbagbo conceded to allowing Ouattara to contest the next presidential elections. Like most of the peace agreements before it, Pretoria I faced difficulties due to Gbagbo's reluctance to implement political reforms and the refusal of the rebels to disarm. The rebels went back on their word and did not disarm as agreed, since they claimed that President Gbagbo had not respected his side of the agreement. To get the agreements back on track, Mbeki continued to lead the mediation efforts, which resulted in the signing of what became known as the Pretoria II Agreement on 29 June 2005. Pretoria II reviewed attempts made by the warring factions to disarm the rebels and amendments made to nationality and identity laws (Boutellis 2011). In 2006, the leader of the FN rebel

group, Guillaume Soro, accused some of the mediators, including Mbeki, of favouring the government, saying that he preferred mediation efforts led by France and the UN.

The scepticism of Guillaume Soro over the neutrality of President Thabo Mbeki meant it was difficult for the FN and for Gbagbo's government, to implement the Pretoria Agreements. The failure to successfully implement the LMA and the Pretoria agreements meant a further postponement of elections and ongoing divisions in the country. It was also becoming clear that the international community was increasingly becoming frustrated by the repeated failures in implementing key provisions of peace agreements, organizing elections and restoring peace. On 19 December 2006 President Gbagbo announced another peace plan and called on the Chair of ECOWAS, Burkina Faso President Blaise Compaoré, to directly mediate peace talks between Gbagbo and the belligerents. The parties met in Ouagadougou from March to February 2007 and made commitments to successfully resolve the conflict, restore peace and security and the free movement of people throughout the national territory and signed what became known as the Ouagadougou Peace Agreement.

The signing of Ouagadougou Peace Agreement (March 2007) was a major breakthrough in the stalemate between the different parties to the Ivorian conflict as they took a collective decision to prepare for transparent elections in line with the Linas-Marcoussis, Accra and Pretoria agreements (Boutellis 2011). They agreed to resolve the nationality question and facilitate the process of obtaining identification documents to enable Ivorians to vote. This meant that the issue at the heart of the conflict—namely, article 35 of the Ivorian Constitution, which prevented candidates suspected of being of foreign descent from standing for president—was partially resolved. The Ouagadougou Peace Agreement authorized ECOWAS to facilitate peace negotiations through its Permanent Consultative Committee, which was responsible for mediating between the government and the rebel groups to resolve the stalemate that prevented the full implementation of the peace plan (Boutellis 2011). The Committee supported consultations between the belligerents in an effort to dismiss doubts and outstanding questions about the peace negotiations. The Committee also endorsed a roadmap for the organization of elections that had been proposed by the UN Secretary General's special representative for Côte d'Ivoire. This road map called for peace to be restored and for an inclusive political process, unrestricted access to state media, the creation of an electoral list and free and fair elections.

3. THE ROLE OF ECOWAS AND THE AU IN RESOLVING THE IVORIAN POST-ELECTORAL CRISIS: 2010–13

On 31 October 2010, for the first time in about 10 years and after several postponements, Ivorians went to the polls. The elections were observed by representatives from the AU and ECOWAS in addition to others from international organizations and the European Union (EU). On 4 November 2010 the Independent Electoral Commission (IEC) announced that Gbagbo had received 38.04 per cent of the votes, against 32.07 per cent for Ouattara and 25.24 per cent for Henri Konan Bédié (HRW 2011). This required a run-off by the first two candidates, in line with constitutional provisions. The period after the first round was marred by tensions between supporters of Gbagbo and those of Ouattara. President Gbagbo's supporters threatened to destroy assets owned by supporters of Ouattara in certain areas in the country.

The run-off was held on 28 November 2010 and the Chair of the IEC, Youssouf Bakayoko, announced that Alasane Ouattara had won 54 per cent of the vote to Gbagbo's 46 per cent. Nevertheless, Gbagbo's supporters rejected the results (ICRtoP 2011). Paul Yao N'Dré of Côte d'Ivoire's Constitutional Council criticized the manner in which the IEC announced the results and indicated that the results were not released within the stipulated time frame. The Constitutional Council then went ahead and annulled the results, discarding more than 660,000 votes in seven departments (mostly in Ouattara strongholds) even though Gbagbo had complained of irregularities in only three departments (HRW 2011). This action was quickly condemned by ECOWAS and the AU, which urged the Ivorian authorities to accept the results released by the IEC. The AU set up a panel composed of the presidents of Burkina Faso, Chad, Mauritania, South Africa and Tanzania to seek a diplomatic solution to the stalemate and later urged the Constitutional Council to install Ouattara as president.

Meanwhile, hostilities that followed the second round of elections and the brutal fighting between supporters of Gbagbo and pro-Ouattara forces brought the country to the brink of an all-out war. The fighting between the two factions also took on ethnic dimensions as pro-Gbagbo forces carried out killings, targeting groups with origins from countries in West Africa. Pro-Ouattara forces, now fighting under the name of the Republican Forces of Côte d'Ivoire (Forces Republicaine de Côte d'Ivoire, FRCI), also carried out atrocities against perceived Gbagbo supporters, targeting particular ethnic groups.

On 7 December 2010 the ECOWAS Authority of Heads of State and Government convened an extraordinary session and endorsed Ouattara as the winner of the elections and as the legitimate president of Côte d'Ivoire (Yabi 2012). On 9 December the PSC supported ECOWAS's position and suspended Côte d'Ivoire from all AU activities pending the return of normalcy and the inauguration of a legitimately elected president. On 6 December 2010 former South African President Thabo Mbeki, acting under the

auspices of the AU, travelled to Côte d'Ivoire to consult with Gbagbo and Ouattara, as well as with representative of the UN mission, the head of the Constitutional Council and the chair of the IEC. Mbeki would later submit a report to the AU in which he made recommendations on ways to resolve the political impasse (Apuuli 2012). He argued for a peaceful and negotiated solution to the conflict, advising against taking sides and creating further divisions between the political rivals. Following this, AU Commission Chair Jean Ping appointed Kenyan Prime Minister Raila Odinga to monitor the crisis and assist in finding a lasting solution to the conflict. On 17 January 2011 Odinga travelled to Abidjan for consultations with the warring factions, and this was followed by a visit by former Malawian President Bingu Wa Mutharika under the auspices of the AU.

The AU and ECOWAS continued to affirm Ouattara as the rightful president, urging Gbagbo to accept the IEC's result, and both organizations proceeded to suspend Côte d'Ivoire's membership. On 24 March 2011 ECOWAS then requested that the UN bolster UNOCI and take appropriate action to secure the lives of citizens and coordinate efforts to transfer power to Ouattara. UN Security Council Resolution 1975 adopted on 30 March 2011 authorized UNOCI to protect the civilian population. Having been sidelined by ECOWAS, the AU and much of the international community, Gbagbo, on 18 December 2010, asked UNOCI and French forces to leave Côte d'Ivoire, maintaining that the UN was no longer an objective player in efforts to resolve the quagmire (Boutellis 2011). While the Ivorian military continued to back Gbagbo, the Central Bank for West African States (La Banque Centrale des Etats de l'Afrique de l'Ouest, BEAC) transferred rights of access to Ivorian funds to Ouattara, a clear sign of the recognition of Ouattara as president. The recognition of Alassane Ouattara as the elected President of Côte d'Ivoire by the AU and ECOWAS was echoed by the UN, France and the USA, leaving Gbagbo isolated.

On 31 January 2011 the PSC set up a high-level panel composed of heads of state from Burkina Faso, Chad, Mauritania, South Africa and Tanzania to seek a lasting solution to the Ivorian crisis. In undertaking its responsibilities, the panel met with the two main political rivals, Gbagbo and Ouattara, as well as with the key representatives of the Constitutional Council, the IEC and the UN Secretary General's special representative in Côte d'Ivoire. The PSC adopted the panel's recommendations on 10 March 2011, which included a guarantee of safe passage for Gbagbo, confirmation of Ouattara as president and the creation of a government of national unity made up of former Ivorian presidents and representatives of Gbagbo's party and his supporters. According to Afolabi (2012), the panel and its mediation efforts were overshadowed in a way by the 'differing interests and desired political outcomes [of the members] in line with their various interests, [the] existence (or the lack of) a relationship with President Gbagbo, ideological orientation and the influence of France, Côte d'Ivoire's former colonial master'. After exhausting all political and peaceful attempts to resolve the crisis, French and UN forces assisted the FN, which had pledged allegiance to Ouattara and were renamed the Republican Forces. On 11 April 2011, they invaded the Presidential Palace and captured Gbagbo. On 1 June 2011 President Ouattara announced an inclusive government, composed of representatives from his RDR party (in the majority), members of the PDCI, FN, other political parties and civil society. He also named Guillaume Soro as Prime Minister. Former President Gbagbo's FPI party rejected the offer to join the government, insisting that their leader be released.

Several lessons can be drawn from the intervention by the AU and ECOWAS in the Ivorian conflict. The position taken by several leaders of the AU and ECOWAS to step down and hand over power following the publication of the results of the run-off elections 2010 demonstrated that African leaders can now denounce the undemocratic tendencies of their peers, especially when these peers lose elections and decide to hang on to power. It was a positive message that the Democracy and Good Governance Protocol adopted by ECOWAS was being actively applied in Côte d'Ivoire. Just like in 2002, after the attempted coup, there was a quick response from regional actors.

However, the interventions did not demonstrate satisfactory leadership in ECOWAS and the AU, and the diplomatic engagements with the parties to the conflict did not create the right measures to guarantee that actions taken during negotiations would be enforced. Even though several ECOWAS leaders had insisted that military action was to be taken in case diplomacy failed, in the end the leaders were not united as far as this stance is concerned. Gbagbo had insisted during the conflict that the challenges faced by Côte d'Ivoire were caused by 'imperialist forces' trying to destabilize the country. This view resonated with his supporters, particularly the Young Patriots, who identified with his policies and beliefs, often supported his actions, and had carried out attacks against French business interests. This view also endeared Mbeki to Gbagbo and he opted rather for a negotiated solution between the warring factions. In addition, there was a feeling among ECOWAS leaders that Mbeki was pushing for a negotiated solution between President Gbagbo and Alassane Ouattara instead of adopting the position held by several ECOWAS leaders that Gbagbo must relinquish power.

Even diplomatic efforts were not very successful. Peace envoys including Mbeki and Odinga did not succeed in persuading Gbagbo to relinquish power as the violence persisted. This also shows weaknesses in identifying the right persons to lead diplomatic engagements. Jean Ping had appointed Mbeki as mediator but Mbeki left Abidjan merely calling for a return to peace. The Pretoria Peace Agreement had not been successfully implemented because the FN accused Mbeki of bias towards Gbagbo. It was therefore difficult for the FN, which had joined forces with Ouattara, to heed to the demands of Mbeki. For his part, Odinga had publicly stated at the start of the crisis that Gbagbo should be forced to leave power even if it meant using military force. Gbagbo therefore saw him as a partial negotiator and he did not achieve any major progress in his mission to Abidjan.

The AU panel composed of Tanzania, Mauritania, Burkina Faso and Chad was asked to find a lasting solution to the crisis. The panel, after several visits to Côte d'Ivoire, proposed to the PSC that Gbagbo should be offered a safe exit and that a unity government led by Ouattara be formed. Gbagbo's camp rejected this proposal insisting it contained 'nothing new'. The interventions by ECOWAS and the AU also highlighted divisions on policy positions at both regional and continental levels. Such divisions also assisted Gbagbo in buying time and hanging on to power for much longer, hence prolonging the violence and the atrocities committed. At the regional level, Nigeria, Burkina Faso, Senegal and Sierra Leone were in favour of firm actions aimed at forcing Gbagbo to leave power and, if all diplomatic efforts failed, also military action. Others including Guinea, Liberia and to a certain extent Ghana, Togo and Benin did not take obvious positions on the issue. The failure of the AU and ECOWAS to adequately resolve the crisis meant that responsibility was handed over to the UN and France.

CONCLUSIONS AND RECOMMENDATIONS

The first phase of the Ivorian conflict lasted from 2002–10 and the second phase was the period immediately after elections from 2010–11. The first phase of the conflict was preceded by political uncertainties in the 1990s and marked by the incitement of ethnic differences particularly by then-President Henri Konan Bédié. The issue of *Ivoirité* that was used to make a distinction between ‘true’ Ivorians and those whose parent or parents were born in other countries was at the centre of the conflict. The 2002 conflict eventually divided the country into the north and south along ethnic and religious lines, with the Christian-dominated south controlled by the government and the Muslim-dominated north controlled by rebel groups. Even during the second phase of the conflict, violence went beyond just political loyalties and affected those perceived to be of the same ethnic group as the two main protagonists, Laurent Gbagbo and Alassane Ouattara.

Challenges in implementing at least eight peace agreements signed by the warring factions in Côte d’Ivoire between 2002 and 2010 were due in part to the failure of these agreements to address the issues at the centre of the conflict—the question of citizenship and the identification of ways to effectively address it. Most of the peace agreements had clear frameworks for disarming, demobilizing and reintegrating rebels and government militias and established timelines for the holding of elections. Without adequately addressing the question of citizenship, it became increasingly difficult for identification processes to be sorted out, which was the reason why the elections were postponed at least six times. In addition, Gbagbo regularly incited anti-colonial sentiments among his supporters and questioned the objectivity of the efforts of the French and later the UN in resolving the conflict. From the outset, he was reluctant to accept the FN as a legitimate political partner and often requested that they disarm before he would implement political reforms. The rebels, for their part, regularly called on Gbagbo to resign and for the Constitution to be reviewed to allow all Ivorians to vote and amend the eligibility criteria for presidential candidates.

This paper has argued that the transition from the OAU to the AU, the recognition in the Constitutive Act to denounce unconstitutional changes of government and the creation of the PSC demonstrated a shift away from the non-interventionist stance adopted by the OAU. The non-interventionist stance had rendered the OAU powerless while conflicts raged in several African countries, including Rwanda. In contrast, the PSC is empowered to recommend to the Assembly intervention on behalf of the AU in countries suffering from war crimes, genocide and crimes against humanity. For ECOWAS, the adoption of the Mechanism and the Protocol on Democracy and Good Governance meant that its members were conscious of the need to be better prepared to meet challenges related to peace and security in the region. It also demonstrated that ECOWAS members believed that peace and security were necessary for democracy to thrive.

When ECOMOG intervened to stop the atrocities committed during the conflicts in Liberia and Sierra Leone, it did not have the legal backing to do so. The legal basis for ECOWAS's first military intervention to resolve a conflict, the Liberian intervention, had been questioned and was seen as a violation of the Protocol on Mutual Assistance on Defence and Other Norms and the OAU Charter, which prioritized respect for the territorial integrity and sovereignty of members states. The legality of this intervention was questioned particularly by francophone ECOWAS states, which felt that any military intervention had to be preceded by a UN Security Council-sanctioned resolution (in line with the UN Charter). The ECOMOG intervention was, however, subsequently supported by the UN as it concluded that the situation was a major crisis with potential implications in the entire region.

Major lessons can therefore be learned from the intervention of ECOWAS and the AU in the first phase of the civil war. The fact that several leading African states including Nigeria and Ghana denounced the coup attempt against Gbagbo in 2002 demonstrated that leaders of these states sought to adhere to key principles backed by protocols which rejected unconstitutional changes of government. This perhaps set a precedent as similar coups in Togo (2005), Mali (2012) and Guinea Bissau (2012) were denounced by ECOWAS and the AU, with ECOWAS in particular imposing sanctions on these countries and suspending their membership. In the case of Côte d'Ivoire, the Ouagadougou Peace Talks carried out under the auspices of Burkinabe President Blaise Compaoré can be credited with addressing the key issues at the centre of the Ivorian conflict and paving the way for elections that had been postponed several times, despite being in line with key provisions of previous peace talks held at Linas-Marcoussis, Accra and Pretoria.

At the same time, while ECOWAS encountered many challenges and was unable to ensure that the peace agreements were fully implemented, it successfully prevented a full escalation of the conflict on several occasions and made progress in the implementation of certain sensitive aspects of the peace agreements.

However, the legalization of intervention in conflict zones through the different protocols has not been enough for ECOWAS and the AU to successfully resolve conflicts, even in the case of Côte d'Ivoire. Despite the fact that the different parties to the conflict in Côte d'Ivoire signed several peace agreements under the supervision of ECOWAS and the AU, most of these agreements were not successfully implemented and there were no enforcement mechanisms to make the belligerents respect the provisions. This is one of the reasons why it took eight years for elections to be finally held in Côte d'Ivoire and why violence erupted at regular intervals during this period.

During the second phase of the conflict, the swift affirmation by the AU of ECOWAS's position following the 2010 elections, acknowledging that Ouattara was the rightful winner, was a bold statement that demonstrated leadership on the part of the two organizations but showed especially that they were acting in line with the Protocol on Democracy and Good Governance and the African Charter on Democracy, Elections and Governance. The timely interventions of ECOWAS and AU leaders and the role they played in consultations with Gbagbo and the president-elect, Alassane Ouattara, prevented an outright civil war which would have had ethnic connotations. The AU's position in resolving the conflict was closely aligned with that of ECOWAS and the

UN, particularly in their public endorsement of Ouattara as president in the aftermath of the run-off and amid the violence that engulfed the country after the 2010 polls.

However, many AU proposals, including those made by lead negotiators including Thabo Mbeki and Raila Odinga were not sufficient to resolve the crisis, as Gbagbo held firm. Attempts by the continental bloc to resolve the conflict also once again revealed divisions among its ranks. While the AU sided with ECOWAS in urging Gbagbo to give up power, including through military force, some of its members had divergent views. Liberia and Mali voiced concerns over the consequences of using military force, and Gambia opposed military intervention. Uganda was vocal about its rejection of the use of force to oust Gbagbo, and South Africa, one of the lead nations involved in the mediation efforts, maintained that the option of creating a power-sharing government should be pursued. In the face of Gbagbo's regional and global isolation, the divergent views of individual ECOWAS and AU member states showed that he had support on the continent, which was one of the factors that enabled him to hang on to power for a long time. In applying the different mechanisms in place to prevent, manage and resolve conflict, members of both ECOWAS and the AU need to ensure that they take common positions in relation to leaders who cling to power through unconstitutional means.

Recommendations

- The adoption of the Mechanism and the Protocol on Democracy and Good Governance by ECOWAS and willingness of the AU to take into consideration decisions and recommendations from the PSC are commendable and highlight the significance these organizations place on peace and security issues. However, merely having these protocols is not enough to effectively intervene in conflicts and resolve them, as the Ivorian case demonstrates. The AU and ECOWAS should, on a case-by-case basis, create appropriate structures and processes to support the implementation of decisions made on ways to resolve conflict and the effective implementation of protocols adopted to guarantee peace and security and the respect for democratic norms.
- The decision by ECOWAS' Defence and Security Commission and Mediation and Security Council to deploy forces in Côte d'Ivoire under ECOMICI to monitor the cessation of hostilities, assist in processes that would lead to the return of administrative services, guarantee the safety of humanitarian workers and observers, and support the implementation of the Lomé Agreement, was a positive step and perhaps prevented a recurrence of violence at several stages during the eight-year period when the parties to the conflict could not agree to implement the different peace agreements. There is therefore a need for ECOWAS to allocate resources to further strengthen peacekeeping forces that can be mobilised quickly but in the region and the continent in line with the formation of the African Standby Force to intervene militarily in conflicts to complement the diplomatic efforts of member states.
- There is a need for regional organizations involved in resolving conflicts and in peacekeeping missions to fully understand the dynamics involved in merging diplomatic and political approaches with military interventions and for member countries in these regions to accept the supranational authority of organizations like ECOWAS and the AU.

- In the future, both ECOWAS and the AU need to ensure that the diplomatic and military positions and decisions taken and adopted by regional and continental organizations have the backing, consent and political will of members to be effectively executed.
- In dealing with the post-election crisis in Côte d'Ivoire, the position taken by the AU and ECOWAS, on the one hand, and the different stance adopted independently by Angola, Liberia, Mali, South Africa and Uganda, on the other, strengthened the resolve of President Gbagbo to hang on to power, as he believed that he still had support on the continent despite the fact that he had been isolated both regionally and internationally. Future decisions taken by the AU and ECOWAS aimed at resolving conflicts should be done with the support of members and a united approach should be adopted by those involved in peacemaking efforts when adopting sanctions against those who violate democratic norms.
- The response to the crisis in Côte d'Ivoire tested the unity of AU members and its collaborative efforts with ECOWAS and the UN. The AU, ECOWAS and the UN need to review ways in which they collaborate and work together in consensus-building in preventing, managing and resolving conflicts and post-elections crises in Africa. Such reviews will enable the three organizations to create and respect appropriate structures and processes that guide joint interventions and clearly state the division of responsibilities to guarantee the effectiveness of each intervention.
- All ECOWAS and AU representatives involved in peacemaking efforts should be adequately trained to enhance their mediation and negotiation skills, to ensure that personal interests do not dominate diplomatic efforts and that negotiators have the capacity to deliver in highly pressured instances in which belligerents aim to obtain what is most beneficial to them and their supporters. In addition, peace efforts should address the major causes of violence.

REFERENCES

- Afolabi, B. T., 'ECOWAS and Conflict Mediation in West Africa', in U. Engel (ed.), *New Mediation Practices in African Conflicts* (Leipzig: Leipziger Universitätsverlag GmbH, 2012), pp. 169–93
- Adebajo, A., *UN Peacekeeping in Africa: From the Suez Crisis to the Sudan Conflicts* (Boulder, CO: Lynne Rienner, 2011)
- Ajulu, R., 'African Security: Can Regional Organisations Play a Role?', in S. Field (ed.), *Peace in Africa: Towards a Collaborative Security Regime* (Johannesburg: Institute for Global Dialogue, 2004)
- Apuuli, K. P., 'The African Union's notion of "African solutions to African problems" and the crisis in Côte d'Ivoire (2010–11) and Libya (2011)', *African Journal on Conflict Resolution*, 12/2 (2012), pp. 135–60, <<http://www.ajol.info/index.php/ajcr/article/viewFile/83274/73331>>, accessed 29 December 2014
- Basset, T. J., 'Dangerous pursuits: hunter associations (*Donzo Ton*) and national politics in Côte d'Ivoire', *Africa*, 73/1 (2003), pp. 1–30
- Besada, H., Goetz, A. and Werner, K., 'African Solutions to African Problems and Shared R2P', in H. Besada (ed.), *Crafting an African Security Architecture: Addressing Regional Peace and Conflict in the 21st Century* (Surrey: Ashgate 2010), pp. 1–14
- Boshoff, H., 'Burundi: The African Union's First Mission', Institute for Security Studies, African Security Analysis Programme Situation Report, 10 June 2003, <<http://www.issafrica.org/uploads/BURUNDIJUN03.PDF>>, accessed 18 December 2014
- Boutellis, A., 'The Security Sector in Côte d'Ivoire: A Source of Conflict and a Key to Peace', International Peace Institute, May 2011, <http://www.operationspaix.net/DATA/DOCUMENT/4133~v-The_Security_Sector_in_Cote_dIvoire__A_Source_of_Conflict_and_a_Key_to_Peace.pdf>, accessed 29 December 2014
- Bovcon, M., 'France's conflict resolution strategy in Côte d'Ivoire and its ethical implications', *African Studies Quarterly*, 11/1 (Fall 2009), pp. 1–24, <<http://asq.africa.ufl.edu/files/Bovcon-V11Is1.pdf>>, accessed 30 December 2014
- Cornwell, R., 'Côte d'Ivoire: a region at stake', *African Security Review*, 14/2 (2005), pp. 47–49
- Charter of the United Nations, <<http://www.un.org/en/documents/charter/chapter8.shtml>>, accessed 22 December 2014
- Chiro, D., 'The debacle in Côte d'Ivoire', *Journal of Democracy*, 17/2 (2006), pp. 63–77
- Ekiyor, T., 'ECOWAS Conflict Prevention Framework (ECPF): a new approach to an old challenge', West Africa Civil Society Institute Op-Ed, 1 June 2008, <<http://responsibilitytoprotect.org/ECOWAS%20ECPF%20Ekiyor.pdf>>, accessed 25 January 2016

- Economic Community of West African States (ECOWAS), 'The ECOWAS Conflict Prevention Framework', Regulation MSC/REG.1/01/08, 16 January 2008, <<http://www.lawschool.cornell.edu/womenandjustice/upload/ECOWAS-Conflict-Prevention-Framework.pdf>>, accessed 4 March 2016
- Foltz, W. J., 'The Organisation of African Unity and the Resolution of Africa's Conflicts', in F. M. Deng and I. W. Zartman (eds), *Conflict Resolution in Africa* (Washington, DC: The Brookings Institute, 1991)
- Gberie, L. and Addo, P., 'Challenges of Peace Implementation in Côte d'Ivoire', Presentation at the expert workshop by the Kofi Annan International Peacekeeping Training Centre and the Centre for International Peace Operations, Accra, Ghana, 31 May–2 June 2004
- Gomes, S., 'The Peacemaking Role of the OAU and AU: A Comparative Analysis', in J. Akokpari, A. Ndinga-Muvumba and T. Murithi (eds), *The African Union and its Institutions* (Auckland Park: Fanele, 2008)
- Human Rights Watch, "'They Killed Them Like It Was Nothing": the need for justice for Côte d'Ivoire's post-election crimes', 6 October 2011, <<https://www.hrw.org/report/2011/10/05/they-killed-them-it-was-nothing/need-justice-cote-divoires-post-election-crimes>>, accessed 4 March 2016
- , 'Government Abuses in Response to Army Revolt', 28 November 2002, <<https://www.hrw.org/report/2002/11/28/government-abuses-response-army-revolt>>, accessed 4 March 2016
- , 'Côte d'Ivoire: accountability for serious human rights crimes key to resolving crisis', Human Rights Watch Briefing Paper 2004, <<https://www.hrw.org/legacy/backgroundunder/africa/cote1004/accountability.pdf>>, accessed 18 January 2016
- International Coalition for the Responsibility to Protect, 'The Crisis in Côte d'Ivoire', [n.d.], <<http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-ivory-coast>>, accessed 22 December 2014.
- International Commission on Intervention and State Sovereignty, *The Responsibility to Protect* (Ottawa: International Development Research Centre, 2001)
- International Crisis Group (ICG), 'Côte d'Ivoire: the war is not over yet', ICG Africa Report no. 72, 28 November 2003, <<http://www.crisisgroup.org/en/regions/africa/west-africa/cote-divoire/072-cote-divoire-the-war-is-not-yet-over.aspx>>, accessed 4 March 2016
- Khadiagala, G., 'The Role of the African Union, New Partnership for Africa's Development, and African Development Bank in Postconflict Reconstruction and Peacebuilding', in D. Curtis and G. A. Dzinesa (eds), *Peacebuilding, Power and Politics in Africa* (Athens, OH: Ohio University Press, 2012)
- Klingebiel, S., 'Africa's new peace and security architecture: converging the roles of external actors and African interests', *African Security Review*, 14/2 (2005) pp. 35–44
- Musah, A., 'ECOWAS and Regional Responses to Conflict', in T. Jaye, D. Garuba and S. Amadi (eds), *ECOWAS and the Dynamics of Conflict and Peacebuilding* (Dakar: CODESRIA, 2011)
- Jeng, A., *Peacebuilding in the African Union: Law Philosophy and Practice* (Cambridge: Cambridge University Press, 2012)

- Lecoutre, D., 'South Africa's Mediation Efforts in Francophone Africa: Assessment of the Case of Côte d'Ivoire in the Context of a Stylistic Divide between Anglophone and Francophone Africa', in K. Shillinger (ed.), *Africa's Peacemaker? Lessons from South African Conflict Mediation* (Auckland Park: Fanele, 2009)
- Mays, T. M., *Africa's First Peacekeeping Operation: The OAU in Chad 1981–1982* (West Port: Praeger, 2002)
- Mwanasali, M., 'From Non-interference to Non-indifference: The Emerging Doctrine of Conflict Prevention in Africa', in J. Akokpari, A. Ndinga-Muvumba and R. Murithi (eds), *The African Union and its Institutions* (Auckland Park: Fanele, 2008)
- Ogwang, T., 'The Root Causes of the Conflict in Ivory Coast', Africa Portal Backgrounder no. 5, April 2011, <<http://dspace.africaportal.org/jspui/bitstream/123456789/31160/1/Backgrounder%20No%20%205-The%20Root%20Causes%20of%20the%20Conflict%20in%20Ivory%20Coast.pdf>>, accessed 20 January 2015
- J. S. Stedman, D. Rothchild and E. M. Cousens (eds), *Ending Civil Wars: The Implementation of Peace Agreements* (Boulder, CO: Lynne Rienner, 2002)
- Yabi, G., 'Keeping the Peace in Electoral Conflicts: The Role of ECOWAS, UNOCI and the International Community in Côte d'Ivoire', Centre for International Peace Operations Policy Briefing, 2012, <http://www.zifberlin.org/fileadmin/uploads/analyse/dokumente/veroeffentlichungen/ZIF_Policy_Briefing_Gilles_Yabi_Oct_2012.pdf>, accessed 19 December 2014
- Yound, C., 'Self-determination, Territorial Integrity and the African State', in F. M. Deng and I. W. Zartman (eds), *Conflict Resolution in Africa* (Washington, DC: The Brookings Institute, 1991)
- Zartman, W., *Cowardly Lions: Missed Opportunities to Prevent Deadly Conflict and State Collapse* (Boulder, CO: Lynne Rienner, 2005)
- Zounmenou, D. D. and Loua, R. S., 'Confronting Complex Political Crises in West Africa: An Analysis of ECOWAS Responses to Niger and Côte d'Ivoire', Institute for Security Studies Paper no. 230, December 2011, <<https://www.issafrika.org/uploads/Paper230.pdf>>, accessed 4 March 2016

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1. providing comparative knowledge derived from practical experience on democracy building processes from diverse contexts around the world;
2. assisting political actors in reforming democratic institutions and processes, and engaging in political processes when invited to do so; and
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