Mali, Democracy and ECOWAS’s Sanctions Regime
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SUMMARY

This policy paper examines the unintended multidimensional impacts of ECOWAS sanctions against Mali’s 18 August coup d’état. The authors argue that ECOWAS’s sanctions can potentially increase the economic hardship for Malian civil population, especially women and vulnerable communities in the central and northern regions; escalate both state-sponsored repression and intercommunal tensions; harvest higher popular recruitment to non-State armed groups due to social despair; and, thus, aggravate an already fragile humanitarian crisis, spilling over towards G5 countries and the wider Sahel.

Mali’s long-standing military past

Massive protests against Malian President Ibrahim Boubacar Keita (IBK) and his responses to escalating violence, pervasive corruption, extreme poverty, and protracted conflict had been re-configuring Mali’s political turmoil from mid-2020. These demonstrations, encouraged by the opposition coalition June 5 Movement - Rally of Patriotic Forces (M5-RFP) and Mahmoud Dicko, former president of Mali’s High Islamic Council (HCI), were ignited by a large public resentment against Keita’s failure to stabilize the country and mitigate growing corruption. The M5-RFP leaders demanded Keita’s resignation and the dissolution of parliament, triggering severe political and security crises in the war-torn nation.

On August 18, 2020, gunshots at the Kati camp army barracks originally staged by Col Malick Diaw - deputy head of barracks outside Bamako led to mutinous soldiers arresting and forcing the resignation of IBK. The coup d’état leaders, calling themselves the National Committee for the Salvation of the People (CNSP), declared their goal as primarily to prevent Mali from slipping into chaos, denouncing Keita’s inability to tackle overlapping violence, a disputed parliamentary election, corruption, and economic grievance. They called for ‘a civil political transition leading to credible general elections’.

This policy paper examines the unintended multidimensional impacts of ECOWAS sanctions against Mali’s 18 August coup d’état. First, we discuss the extent to which the events in Mali since 2012 contributed to creating an enabling environment for the 2020 CNSP coup d’état. This will be then juxtaposed with the AU and ECOWAS mechanisms for democracy, elections and good governance in Africa. Finally, the paper analyzes potential challenges within the implementation of ECOWAS sanctions, in terms of security, political stability, and humanitarian impacts and safeguards.

Led by Colonel Assimi Goïta, the 2020 coup d’état again pulled Mali into the orbit of military rule, building on a long historical legacy of unconstitutional changes of government. In its post-colonial history, Mali has since had four coups d’état. The first was in 1968, where Lieutenant Moussa Traoré ousted President Modibo Keïta on Mali’s first military junta and highly repressive single-party regime. Second, following violent repression against student-led protests in 1991, Colonel Amadou Toumani Touré led a military coup removing Traoré and becoming the de facto leader of a democratic, yet unconstitutional, transition to multi-partyism.

Since this policy brief was written in September 2020, we recognize that on 6 October, 2020, ECOWAS has lifted the punitive measures imposed against Mali. Nevertheless, we remain concerned about Mali’s ongoing destabilization and political turmoil, and hence, our contention that of the empirical and operational utility in carefully measuring the impacts of any intervention in Mali towards, especially, the growing radicalization, poverty, social despair, and heightened vulnerability of women and children. See “West African leaders lift post-coup sanctions on Mali”. Available at: https://www.ajazeera.com/news/2020/10/6/west-african-leaders-lift-post-coup-sanctions-on-mali

See ‘What to know about the crisis in Mali’. Available at: https://www.cfr.org/in-brief/what-know-about-crisis-mali


See ‘Mali: A revolt that led to a coup d’état’. Available at: https://www.dw.com/en/mali-a-revolt-that-led-to-a-coup-detat/a-54623258

See ‘Mali’s deepening crisis: Key questions answered’. Available at: https://www.aljazeera.com/news/2020/6/25/malis-deepening-crisis-key-questions-answered

In May 2002, General Amadou Toumani Touré won civilian presidential elections as an independent candidate.\(^7\)

Accused of colluding with non-State armed forces and of weak leadership, on 21 March, 2012, President Amadou Toumani Touré was overthrown by a young officer in the Malian army, Captain Amadou Sanogo, when mutinying Malian soldiers, frustrated with Touré’s poor management of a Tuareg rebellion, attacked several government locations in Bamako.\(^8\)

In the aftermath of the Sanogo’s coup d’état, ECOWAS suspended Mali from its ranks, informed by its commitment to re-establish constitutional order and resulting in the continental decision to establish The African-led International Support Mission to Mali (AFISMA) and, subsequently, The United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA).\(^9\)

In that sense, a few distinct but correlated means of conflict have produced the 2012 crisis in Mali, as the underlying basis of instability, primarily in northern Mali, had been escalating for a long time. Following the fall of Libya's Muammar Gaddafi in 2012 within the context of the Arab Spring and the subsequent return of heavily armed and well trained and experienced Tuareg fighters from Libya, the inability of Touré’s government to mitigate the influence of new groups such as Ansar al-Din and Al-Qaeda in the Islamic Maghreb (AQIM), as well as the generalized corruption and extreme poverty, led to an expanding favorable territory for violent extremism.\(^10\) While the population became increasingly disenfranchised due to government elites’ involvement in land-grabs, narco-trafficking, and corruption, in the north, secessionist rebellion by Tuareg ethnic groups fought for a separate independent state.\(^11\) The coup d'état, however, only weakened government forces, worsening Mali’s domestic security vacuum. Subsequently, the National Movement for the Liberation of Azawad (MNLA), initially allied to jihadist Ansar ed-Din and AQIM, conquered Kidal, Gao, and Timbuktu. On 6 April, 2012, the rebels proclaimed the independence of the Republic of Azawad. By 2013, 412,000 persons had fled their homes and become internally displaced persons (IDPs) or moved to Mauritania, Niger, and Burkina Faso, laying the foundation for a regional insecurity complex.\(^12\)

Mali’s multi-layered security challenges since 2012 demand multiple political transformations in order to be properly addressed, including a strengthened legitimacy and state capacity, a higher presence of the state, and political stabilization. Embedded within deep social divisions between the nomadic Berber minority in the arid north and the sedentary Mandé ethnic groups, comprising around 50 percent of the population, the Tuareg-led insurgency continues to pose a major challenge as a result of the frequency of attacks having increased and shifted to the center of the country and much further afield.\(^13\)

Offensive operations have grown fivefold since 2016, as about 1.7 million people have been displaced by violence.\(^14\) The ineffectiveness of the military response demonstrates the weakness of the Malian state and its security sector, whose vulnerabilities have continued to be exploited by militant Islamist groups since 2012, especially associated with Jama’at Nusrat al Islam wal Muslimin (JNIM) and the Islamic State in the Greater Sahara (IS-GS).

As jihadist violence across Mali worsened and its groups exploit communal tensions in the Sahel, Mali’s conventional civil war transitioned into a multidimensional crisis with overlapping conflicts and security challenges. On top of that, AQIM, MUJAO and Ansar Dine conflict with MNLA continuously trapped civilians between exacerbating violence and repressive government counter-terrorism operations.\(^15\)

The first seven months of 2020 have been unprecedentedly more violent.\(^16\) Since then, the M5-RFP and imam Mahmoud Dicko ignited massive protests against President Keita and blaming him for Mali’s “chaos, anarchy and insecurity”.\(^17\) Under significant pressure to resign, in July 2020, President Keita announced the dissolution of Mali’s constitutional court, aiming at alleviating major civil unrest. However, growing tensions led to the 18 August ousting of IBK and installing a military junta. On 12 September, the junta produced an interim governing Transitional Charter, maintaining its role in Malian political affairs, obscuring the disastrous performance of Mali’s previous military regimes.

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\(^7\) See Africa Center for Strategic Studies. 2020. ‘The Legacy of Military Governance in Mali’.


\(^9\) See Africa Center for Strategic Studies. 2020. ‘The Legacy of Military Governance in Mali’.


\(^12\) See Dowd, C. and Raleigh, C. 2013. ‘The Myth of Global Islamic Terrorism and Local Conflict in Mali and the Sahel’. *African Affairs*

\(^13\) See Africa Center for Strategic Studies. 2018. *Presidential Elections in Mali: A Step toward Stabilizing a Weak State*


\(^15\) See International Institute for Strategic Studies, 2019. *Jihadist violence and communal divisions fuel worsening conflict in Mali and wider Sahel*.


\(^17\) See ‘Mali Coup Highlights Unresolved Regional Issues’. Available at: https://www.voanews.com/africa/mali-coup-highlights-unresolved-regional-issues.
In the aftermath of this coup d'état, ECOWAS and AU demanded a restitution of a civilian government. However, on 22 September, the junta named Bah N’Daw as interim president and Goïta as interim vice-president in contradistinction to the demands by ECOWAS and the AU.

The conflict in Mali has inevitably drawn neighbouring and proximate states into the emerging zone of instability, through its regionalization. Whereas growing tensions and transnational crime spread across Mali, Burkina Faso, and Niger, Mali’s conflict has directly expanded along its porous borders facilitating the smuggling of migrants, drug trafficking, and terrorism. Similarly, as Mali gradually became the epicenter of regional instability, accounting for 64 percent of all jihadist violent episodes in the Sahel, in 2019, large influx of refugees fleeing armed conflict has episodically been threatening the national security and stability of its neighbours.

ECOWAS and AU positions on democracy, elections and good governance

Amid emerging continental norms and principles against unconstitutional changes in government and military authoritarianism, African Renaissance, at the turn of the century sought to embed constitutional democracy. Just as OAU established its foundational and normative frameworks to firmly respond to unconstitutional changes of government (UCG), with the Lomé Declaration, in 2000, this period also witnessed a continental renewal of its commitment to good governance and constitutional democracy.

To support its framework of democratic processes, it backed its Constitutive Act of 2000 with punitive measures in instances of violation. The Lomé Declaration, inter alia, defines UCG as: (i) military coup d’état against a democratically elected government; (ii) intervention by mercenaries to replace a democratically elected government; (iii) replacement of democratically elected governments by armed dissident groups and rebel governments; and (iv) the refusal by an incumbent government to relinquish power to the winning party after. Likewise, the Protocol Relating to the Establishment of the Peace and Security Council (PSC), adopted on 9 July, 2002, also outlaws UCG, adopting punitive measures such as the: (i) non-participation of the perpetrators of the UCG in elections held for the return to constitutional order; (ii) trial by the competent bodies of the AU; and (iii) the possibility for the AU to apply other forms of sanctions, including economic sanctions.

Since the early 1990s, ECOWAS has responded to escalating intra-state and political conflicts, leading to increased focus on the maintenance of peace and security issues. Hence, it has expanded its involvement in stabilization activities of post-conflict zones, responding to coups d’états, setting up mediatory processes, and military intervention as in AFISMA. This path towards (a) eliciting compliance from member states; and (b) furthering democratic norms was both a response to the pressures for democracy within and outside the continent, and consolidating the quest for democratic sustainability and legitimacy in a post-Cold War world neoliberal hegemonic agenda.

Nevertheless, a recurrence of coups in the post-Arab Spring West African states, recording 45.2 percent of overall coups d’états in Africa, put to test the political will and capacity of both ECOWAS and AU to counter UCG. Hence, the ECOWAS Protocol on Democracy and Good Governance of 2001, particularly Article 1b, which states that ‘Every accession to power must be made through free, fair and transparent elections’, and Article 1c demonstrates the body’s intolerance with political power obtained through unconstitutional means and non-compliance with these norms.

Despite its long-term effectiveness in sustaining peace and stability in post-coup countries, the African Union’s promotion of democratic values through its Constitutive Act and underpinning instruments, such as the African Governance Architecture (AGA), established in 2010, have significantly redefined the project of Pan-African unity towards a non-indifference mindset. As a framework for coordinating and monitoring the implementation of AU’s governance and democracy mechanisms, both the AGA and the African Peace and Security Architecture (APSA) thoroughly encapsulate the multidimensionality of the governance-peace nexus in the continent.


24 See Protocol Relating to the Establishment of the Peace and Security Council of the African Union, 2002. As of 2015, the AU through the PSC had reacted to nine coups d’état, respectively in Togo, Mauritania, Guinea, Madagascar, Niger, Mali, Guinea Bissau, and Burkina Faso. Similarly, in accordance with coups in Burkina Faso, Mali, and Guinea Bissau, ECOWAS, on the basis of its Protocol for Good Governance and Democracy, greeted these unconstitutional changes of government with strong condemnation, suspension, and consistent pleas to return to constitutional order. See also ECOWAS Protocol on Democracy and Good Governance.

25 See Yaya, B. H. 2014. ECOWAS and the Promotion of Democratic Governance in West Africa. Journal of International Relations and Foreign Policy.

26 ibid.

Having previously established a Mechanism for Conflict Prevention, Management and Resolution in 1993 and an African Charter on Democracy, Elections and Governance (ACDEG) in 2006. These mechanisms sought to ensure prevention of political instability and conflict in the African continent. Alike the Lomé Declaration, the ACDEG disallows any auto-legitimation by the coup leaders, and envisions the imposition of sanctions on any member state proven to have instigated an UCG in another state.

Despite AU and ECOWAS efforts towards advancing democracy as the primary legitimate means of changing governance in Africa, weak coordination between AU and its regional economic communities (RECs), ineffective implementation, and lack of political will have challenged the implementation of its flowery rhetoric.

### ECOWAS’ intervention measures and impacts

In the aftermath of the 18 August Malian coup d’etat, ECOWAS has condemned the action and noted with concern the overthrow of a democratically-elected government, demanding the immediate release of the President and all officials arrested. ECOWAS categorically denied any kind of legitimacy to the coup-makers, demanded the reinstatement of the constitutional order, and suspended Mali from all ECOWAS decision-making bodies. ECOWAS closed all land and air borders and blocked all economic, trade, and financial flows between its member states and Mali. Similarly, the AU’s PSC called the appointment of civilian personnel to organize an 18-month transition period towards constitutional election, suspending the nation from the African Union until restoration of constitutional order.

As a result of ECOWAS sanctions, the West African Economic and Monetary Union (WAEMU) closed its territorial borders and implemented financial sanctions as of 19 August, thus, freezing the Banque Centrale des États de l’Afrique de l’Ouest (BCEAO) accounts of the Malian government, closing the compensation chamber for local banks, and blocking all transfers from Mali.

Due to ECOWAS’s severe sanctions, negotiations occurred between the regional body and the CNSP junta. Subsequently, on 24 August, BCEAO branches reopened in Mali as well as the compensation chamber for local banks to operate. Nevertheless, transfers, commercial trade and financial flows are still blocked, pending the return to civilian rule. On the contrary, the junta demanded a three-year military-led transition period, posing a major challenge to the restoration of constitutional order, as negotiations continue and, until an agreement is reached, sanctions will remain in place.

### Unintended consequences of ECOWAS and AU Sanctions

However, there are possible unintended consequences for Mali and the wider sub-region if these ECOWAS sanctions are poorly-targeted. First, there is a real possibility of causing further damage to Mali’s social fabric, economic stability, and further complicating the already prevailing insecurity complexes, as well as for the Sahelian humanitarian and security dynamics. In accordance with the Statement from the People’s Coalition for the Sahel, released in July 2020, who have argued that, those intervening in Mali must ‘shape their interventions towards the Sahel around the following “people’s pillars”, which encompass a four-point action plan dealing with: (a) placing the protection of civilians and human security at the heart of responses in the Sahel; (b) creating a comprehensive political strategy to address the root causes of insecurity; (c) responding to humanitarian emergencies and ensuring that aid is responsive to development; and (d) combating impunity and ensure access to justice for all.’

Deepening sanctions risk penalising the entire population, especially those whose well-being have already deteriorated due to the COVID-19 pandemic. ECOWAS sanctions can aggravate even more, Mali’s massive famine and economic despair, further land locking a country fundamentally dependent on foreign trade, as 35.6% of all Malian imports come from West African Monetary Union (WAMU) countries, especially Côte d’Ivoire and Senegal.

Therefore, despite the urgency to elicit compliance for ECOWAS and AU’s norms, while multilaterally addressing Mali’s political turmoil and condemn CNSP unconstitutional change of government, we argue that, the extent to which ECOWAS and AU’s sanctions could possibly exacerbate the regional and domestic humanitarian crises, the freedom of movement for the endangered Malian population, and the growing destabilization of also Burkina Faso, Niger, and the wider Sahel must be taken into consideration.

Although economic sanctions may not involve the same deterioration of human capital and infrastructure of military interventions, its consequences on widespread economic welfare, state repression, humanitarian challenges, violence, and political stability are similar. Sanctions have also been demonstrated to escalate income inequalities in target states. Such economic coercion significantly leads to the deterioration of the socioeconomic conditions of the most vulnerable groups amongst the civil population, especially women. Most sanctions severely disrupt export-oriented industries, of which women comprise a large portion of the labor force.

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31 https://www.global2p.org/publications/the-peoples-coalition-for-the-sahel/
Hence, the forceful shut down of export-oriented agents can potentially lead to fewer women in the workforce, widening gender-based unemployment and economic vulnerability.34

Human development, social disenfranchisement, unemployment, and extreme poverty are key factors driving violent conflict and extremism in West African and Sahel nations. Nonetheless, in order to avoid an overly deterministic understanding of the relationship between economic grievances and violence, poverty can thus best be described as one amongst several factors escalating individual recruitments by non-State armed actors (NSAAs). NSAAs exploit perceptions of disproportionate economic hardship in environments where insecurity is linked with state failure to guarantee decent livelihoods, whereas employment is still the single most frequently cited immediate need for joining - 13 percent see it as a priority, as of 2017.35

Accordingly, central Mali accounts for one of the poorest areas of the region. In the rural Ségou and Mopti regions, child mortality rates have hovered around 0.12 percent compared to the 0.083 percent in urban areas.36 Non-State violent actors inevitably have been offering an alternative to severe poverty, as in central Mali, the worrying frequency of non-State violence threatens the foundations of State security.37 The multidimensional grievances associated with an environment of deprivation and hardship provide a fertile ground for recruitment into violent extremism. For example, since the slaughter of over 140 Fulani people in Mopti region in March 2019, due to the Dogon-Fulani conflict, they have increasingly been recruited to jihadist violent groups, often offering a better and more secure life.38

Militant jihadist groups in the Sahel consistently interpenetrate and exploit intercommunal tensions stirring up social discord, weakening Sahelian societies, and spreading throughout its spillover-oriented regional conflict systems.39 Furthermore, state heavy handedness has already pushed some people into the hands of jihadists In that sense, the imposition of economic sanctions can intensify a widespread hopelessness throughout the poorest segments of the civil population, provoking a violence-trigger structure.40

Concluding Thoughts

Despite the fact that, the intended consequences of sanctions, in post-coup societies generally include the stabilization and humanitarian protection of the targeted social fabric, Wood (2008) provides empirical evidence that the imposition of sanctions can aggravate both state-sponsored repression and worsening humanitarian conditions for civilian populations.41 Thus, the impacts of ECOWAS sanctions on Mali could inevitably spillover in neighbouring states that make up the Group of Five Sahelian (G5Sahel) countries, Burkina Faso, Chad, Mauritania, and Niger.42

We argue that, ECOWAS’s sanctions can potentially increase the economic hardship for Malian civil population, especially women and vulnerable communities in central and northern regions; heighten income inequality; escalate both state-sponsored repression and intercommunal tensions; harvest higher popular recruitment to non-State armed groups due to social despair; and, thus, aggravate an already fragile humanitarian crisis, spilling over towards G5 countries and the wider Sahel in the form of either violent extremism or massive influx of refugees and internally displaced people.
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