

THE THREE MILITARY JUNTAS WITHDRAWAL FROM ECOWAS: IMPLICATIONS FOR AFCFTA AND REGIONAL INTEGRATION

The recent withdrawal of Niger, Mali, and Burkina Faso from the Economic Community of West African States (ECOWAS) has sent shockwaves through the region,¹ marking an unprecedented event in the nearly 50-year history of the organization.

The open condemnation of the successful coup attempts in these countries by ECOWAS leadership was perceived as unfair by some.² From its inception, ECOWAS established itself as an intervening authority in the region, safeguarding principles like non-aggression between member states, maintenance of regional peace, stability and security through the promotion and strengthening of good neighbourliness and the promotion and consolidation of a democratic system of governance in each member state, among others.³

This blog post delves into the intricacies of this withdrawal, exploring its potential impact on regional economic integration, with a particular focus on the African Continental Free Trade Area (AfCFTA).

1 Non-Compliance with the Established Withdrawal Protocols:

The decision by Niger, Mali, and Burkina Faso to withdraw from ECOWAS took the regional organization by surprise because of its nascent character. Contrary to the established procedure outlined within **Article 91 of the ECOWAS Revised Treaty**, the withdrawal was not preceded by the required one-year notice. This deviation from the Treaty has escalated diplomatic tensions, highlighting deeper issues within the organization beyond the economic sphere.⁴

The leaders of the three (3) countries opined that the sanctions imposed on them by ECOWAS were “illegitimate, inhumane, and irresponsible.”⁵ They asserted that the wider ECOWAS group was influenced by foreign powers, thus betraying its founding principles. The organization’s ability to maintain its unity and purpose was brought to question.⁶

¹ Wong BV, “Ecowas: Niger, Mali and Burkina Faso Quit West African Bloc” (BBC News, January 28, 2024) <https://www.bbc.com/news/world-africa-68122947>, accessed on 19 February 2024.

² Lawal M, “Niger, Mali, B’Faso Withdrawal Exposes ECOWAS Failure to Unite W’Africa” (Punch Newspapers, February 2, 2024) <https://punchng.com/niger-mali-bfaso-withdrawal-exposes-ecowas-failure-to-unite-wafrica/>, accessed on 19 February 2024.

³ Fundamental Principles <https://www.ecowas.int/fundamental-principles-2/> accessed 9:58 am on 21 February 2024.

⁴ “Leaving ECOWAS Will Have Catastrophic Consequences for the Sahel” <https://anl.geog.ufl.edu/ecowas/>, accessed on 19 February 2024.

⁵ “Sahel Alliance: Ministers Confirm ECOWAS Withdrawal at Meeting” (Africanews, February 16, 2024) <https://www.africanews.com/2024/02/16/sahel-alliance-ministers-confirm-ecowas-withdrawal-at-meeting/>, accessed on 19 February 2024.

⁶ “Putin Woos African Leaders at a Summit in Russia with Promises of Expanding Trade and Other Ties | AP News” (AP News, July 28, 2023) <https://apnews.com/article/russia-africa-summit-putin-food-grain-00408e40403c3e30f89371a474bb4f9d>, accessed on 19 February 2024.

2 ECOWAS' Response and Regional Tensions:

In response to the withdrawals, ECOWAS called for a return to civilian rule in the affected states, and this stance collided with the military leaders' preference for lengthy transitional timetables, most notably in Niger, where current leadership expressed a preference for a three-year transition period to civilian rule. In addition to this, the junta in Mali, rescinded its pledged elections in February, in favour of a further undetermined date, adding to the uncertainties.⁷

Diplomatic and economic tensions are escalating, with threats of retaliation and potential border closures. Burkina Faso's junta leader reportedly initiated discourse with Mali and Niger on whether to restrict business activities for Ghanaian traders and other West African nationals.⁸ The economic implications of such tensions are significant, with an estimated annual loss of over 45 billion West African CFA francs in membership contributions for ECOWAS.⁹

3 Implications for AfCFTA:

This withdrawal comes at a critical juncture for the African Continental Free Trade Area (AfCFTA), where efforts are underway to establish an integrated Africa Single market. The potential consequences for AfCFTA are substantial, with the loss of contributions impacting its operational capabilities. The withdrawal poses challenges to the AfCFTA Secretariat's mandate and raises questions about the feasibility of sustaining the ambitious goals of the continental free trade agreement.

As the AfCFTA aims to foster economic cooperation and integration, the disruptions caused by the withdrawal introduce complexities that need careful consideration. The region faces the challenge of balancing the pursuit of economic collaboration with the diplomatic intricacies arising from the ECOWAS departure.



4 Security and Diplomatic Shifts:

The successful coup attempts have broader implications for regional stability and cooperation. The fractured diplomatic relationships of Niger, Mali, and Burkina Faso with France (their former colonial power), reflects a desire to assert independence in subsequent diplomatic relations.¹⁰

Instances of Russian intervention and increased diplomatic engagement with the Juntas are indicative of a significant disruption to long-standing diplomatic ties with France. For instance, Burkina Faso hosted the arrival of Russian soldiers, reinforcing military and strategic cooperation between the two nations. These developments introduce a layer of complexity to regional security and diplomatic efforts.¹¹

⁷ Centre TTL, "A Messy Withdrawal from ECOWAS - Tralac Trade Law Centre" (TRALAC TRADE LAW CENTRE, February 12, 2024) https://www.tralac.org/blog/article/16298-a-messy-withdrawal-from-ecowas.html#_ftnref1, accessed on 19 February 2024.

⁸ Ibrahim A, "Burkina Faso, Niger, Mali to Decide Fate of Ghanaian Traders Following ECOWAS Exit" (MyJoyOnline, February 5, 2024) <https://www.myjoyonline.com/burkina-faso-niger-mali-to-decide-fate-of-ghanaian-traders-following-ecowas-exit/>, accessed on 19 February 2024.

Ibid

¹⁰ Rfi, "France Ends Decade of Missions in Sahel as Last Troops Leave Niger" (RFI, December 22, 2023) <https://www.rfi.fr/en/france/20231222-france-closes-embassy-in-niger-as-final-contingent-of-french-troops-leave>, accessed on 20 February 2024.

¹¹ "Bloomberg - Are You a Robot?" (January 30, 2024) <https://www.bloomberg.com/news/articles/2024-01-30/russia-recruiting-africa-army-to-replace-wagner-group>, accessed on 20 February 2024.

5 AfCFTA's Withdrawal Clause:

Article 27 of the Agreement establishing the AfCFTA stipulates a five-year period from the date of entry into force for a State Party, during which a member state can notify its intention to withdraw. The effectiveness of the withdrawal occurs two years after the notification is received by the Depositary.

Since, the previous civilian governments of Niger, Mali, and Burkina Faso, ratified the AfCFTA Agreement, questions have arisen as to the fulfilment of their obligations under this agreement. On this premise, trade liberalization and economic collaboration with other AfCFTA State Parties, including ECOWAS member states remains precarious.

6 Regional Integration and Security Complications:

The withdrawal of Burkina Faso, Mali, and Niger from ECOWAS poses a severe setback to regional integration efforts. The gains achieved in fostering economic collaboration and political stability within the region are at risk of being undermined further.

Additionally, the potential closure of borders and the strained diplomatic relationships with former colonial powers may have catastrophic consequences for millions of citizens within the region.

The Free Movement of Persons, Residences and Establishment Protocol, a cornerstone of ECOWAS integration, permits citizens the right to enter and reside in any member state's territory. The withdrawal jeopardizes this protocol and disrupts intraregional migration patterns.

Ultimately, the exit from ECOWAS presents unprecedented challenges that extend beyond diplomatic disputes. The intricate web of economic, security, and diplomatic considerations requires careful navigation. This situation gives the region a chance to rethink economic integration strategies and adapt to changing geopolitical dynamics. The impact of these withdrawals will not only be felt in the region but will also affect the broader African continent

