

The African Union’s Emerging Policy on Unconstitutional Changes of Government –Mediation in Guinea and Madagascar

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Despite numerous successes in the transformation of authoritarian regimes in Africa since the beginning of the 1990s, the continent has been confronted with considerable setbacks in the consolidation of democracies in recent years. The last years have seen a resurgence of military coups d’etat and other cases of what the African Union defines as ‘unconstitutional changes of government’ (UCG). This comes at a time when the African Union (AU) incrementally shifts its focus from ‘regime security’ towards the broader conception of ‘human security’ and the AU and Regional Economic Communities (RECs) adjust their mechanisms and policy instruments to address extra-legal power alterations.

This paper focuses on the AU’s normative framework and the evolving policies on UCG. It specifically looks at the AU’s responses to cases of UCG and her emerging mediation practice with reference to Madagascar and Guinea.

A set of policy norms to respond to the regression in the consolidation of democracy, inscribed into the new peace and security architecture of the AU, has been consolidated. With a view to the elaboration of a routine practice, the responses to what the AU regarded as UCG, in general, adhered to the procedure laid out in the relevant policy documents. However, so far the operationalisation of the policy on UCG is not linked to the mediation pillar of the new architecture, the Panel of the Wise.

In both cases under review the AU has applied its standard repertoire in reaction to UCG and mediation was coordinated with respective RECs. Although high-level mediations have in both cases led to the signing of agreements on the return to constitutional order, they have not yet resulted in peaceful and reliable political transitions. While presidential elections have been held in Guinea, outbreaks of violence preceding the second round and following the election of Alpha Condé support the thesis that mediation has not been able to tackle the root causes of conflict. Mediation in Madagascar has reached an impasse with parties boycotting consultations and Andry Rajoelina starting an unilateral initiative for a constitutional referendum. The latter case shows the limits of external intervention and collective responses to redress UCG and the hitherto mediation approach when potentates forthrightly refuse to cooperate.