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# Regional Support to Address Democratic Backsliding in Africa

*The Role of Robust Dialogue and Special Envoys*

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Idayat Hassan

A Report of the CSIS Africa Program

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INTERNATIONAL STUDIES

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# Introduction

The concept of unconstitutional change of government (UCG) is delineated in three key African Union (AU) instruments: the Constitutive Act, the Lomé Declaration on the Framework for an Organization of African Unity (OAU) Response to Unconstitutional Changes of Government, and the African Charter on Democracy, Elections, and Governance (ACDEG). These instruments collectively identify five critical instances of UCG:

1. A coup d'état against a democratically elected government
2. Intervention by mercenaries to replace a democratically elected government
3. Replacement of a democratically elected government by rebel forces or armed dissidents
4. Refusal by an incumbent government to relinquish power to the winning party or candidate in a free, fair, and regular election
5. Amendment or revision of the constitution or legal instruments to infringe on the principles of democratic change of government

The Africa Union implements these instruments in collaboration with Regional Economic Communities (RECs). The Economic Community of West African States (ECOWAS) has its own mechanism, the ECOWAS Supplementary Protocol on Democracy and Good Governance, which elaborates on UCG. The protocol emphasizes zero tolerance for power obtained or maintained by unconstitutional means and supports popular participation in decisionmaking, adherence to democratic principles, and decentralization of power at all governance levels. Additionally, it stipulates that the armed forces must be apolitical and under the command of a legally constituted

political authority, with no serving member seeking elective political office. The Lomé Declaration also lists nine principles or values, including respect for the constitution, separation of powers, independence of the judiciary, and organization of free and regular elections.

However, beyond these recommendations for an ideal situation that minimizes UCG risks, the AU policy position condemns and prohibits military coups.<sup>1</sup> The Lomé Declaration deems such acts unacceptable and anachronistic, conflicting with the commitment to promote democratic principles. The preamble of the OAU Charter expresses African leaders' concerns about UCGs, identifying them as the primary causes of insecurity, instability, and violent conflict in Africa.

## The Return of the Coup

Two predominant patterns have emerged in UCG incidents in Africa: military coups against democratically elected governments and constitutional coups involving amendments or revisions to legal instruments to prolong stays in office. From 1950 to the present, there have been 486 military coup attempts or successes globally, with Africa accounting for 214 coups, of which 106 were successful.<sup>2</sup> Coups have been particularly prevalent in West Africa and since 2020 have succeeded in Burkina Faso, Gabon, Guinea, Mali, and Niger.<sup>3</sup> This surge in military takeovers has marked a significant sociopolitical transformation in the region amid the rise of nonstate armed groups affiliated with global Islamic extremist groups. These coups signal a shift in the region's political dynamics and are leading to political realignments fueled by geopolitical, economic, and security crises.

The coup epidemic began in Mali on August 18, 2020, leading to the removal of now late president Ibrahim Boubacar Keïta (IBK).<sup>4</sup> Nine months after a transitional government was established, the military arrested the president and prime minister on May 24, 2021, with Colonel Assimi Goïta assuming the role of transitional president in June 2021.<sup>5</sup> That same year, Guinea saw a military coup on September 5 replacing President Alpha Condé by Colonel Mamady Doumbouya, who officially assumed the presidency in October 2021.<sup>6</sup> In Burkina Faso, Lieutenant Colonel Paul-Henri Sandaogo Damiba ousted President Roch Marc Christian Kaboré in January 2022.<sup>7</sup> A second coup on September 30, 2022, led to Damiba's removal and the appointment of Captain Ibrahim Traoré as transitional president.<sup>8</sup> Despite condemnation, 2023 saw further coups in Niger and Gabon on July 26 and August 30.<sup>9</sup> Additionally, there were failed coup attempts, with Sierra Leone foiling two between August and November, Guinea Bissau facing two unsuccessful attempts in a two-year period, and further efforts to replace the military leadership in Burkina Faso.<sup>10</sup>

This paper identifies major factors driving the coup resurgence:

1. **Discontent with democracy.** Military coups in West Africa have become closely intertwined with growing dissatisfaction among citizens regarding the performance of democratically elected governments.<sup>11</sup> Expectations that democracy would bring economic prosperity have been frustrated by the erosion of political and civil rights, escalating insecurity, and worsening economic conditions. Citizen support for military intervention

in countries like Burkina Faso, Gabon, Mali, and Niger reflects disillusionment with the perceived failures of electoral democracy.

2. **Rise of global jihad and insecurity in Africa.** Over the past decade, the region has transformed into a focus for global jihad, further exacerbating the security situation. Burkina Faso, Mali, and Niger were already grappling with instability due to violent extremist organizations, and porous borders have allowed extremist groups linked to global jihad to exploit the unpreparedness of ill-equipped armed forces, making it challenging to identify and combat the enemy effectively.
3. **Leadership deficiencies.** Security concerns play a pivotal role in shaping the political trajectory of nations in the region. In Burkina Faso, for instance, Lieutenant Colonel Damiba justified the coup by citing the loss of 60 percent of the national territory to al Qaeda-affiliated terrorist groups. Mali's initial coup stemmed from frustration with President Keïta's perceived ineffective governance in addressing the persistent security crisis. The military's perceived need for more robust leadership in tackling security challenges has been a recurring theme.
4. **Problematic elections.** Flawed polls have contributed to the uptick in coups in Africa. For instance, the coups and attempted coups in Gabon, Guinea, Mali, and Sierra Leone were all connected to problematic elections. When Condé became Guinea's first democratically elected leader in 2010, his victory was widely heralded as the start of a new political era. However, by 2020 he had become increasingly unpopular, and his decision to push through a constitutional referendum that allowed him to extend his rule to an unconstitutional third term did not reflect the will of the people. Condé's decision, along with economic missteps, set the stage for the military putsch. In Gabon, elections played a role in the coup dynamics, with President Ali Bongo's controversial third-term victory amid allegations of unfairness and lack of transparency creating the justification for military interference.
5. **Erosion of legitimacy.** Elected leaders who do not respect constitutional term limits—such as in Gabon and Guinea—have fueled public discontent, providing an opportunity for the military to intervene.

## A New Generation of Putschists?

The resurgence of military coups in Africa has been marked by a paradigm shift in leadership dynamics, with a new cadre of young, politically inclined, Western-trained military rulers emerging. These leaders, often products of elite institutions, demonstrate sophistication and strategic outlooks in their approach to governance. The new generation of coup leaders seeks to establish legitimacy by winning the hearts and minds of the people, often using pro-poor initiatives as a smokescreen for wider acceptability. Guinean General Mamady Doumbouya exemplifies this strategy. His early actions, including the long-awaited trial for the 2009 stadium massacre and the significant step of putting former coup leader Dadis Camara on trial, were widely viewed as attempts to gain public favor. He also appointed political, business, and religious leaders to key government positions in



the name of inclusivity. However, these actions have been viewed by some as a calculated effort to solidify his power while projecting an image of progress and unity.

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The military-led transitional governments are also instigating a transformative shift in their diplomatic and strategic relationships with former colonial powers, particularly France.<sup>12</sup> This shift involves diversifying international partners and challenging France's historical hegemony. Burkina Faso, Mali, and Niger have exemplified this geopolitical transformation by renewing their partnerships with Russia and rejecting France's military influence.<sup>13</sup> In these nations, the incumbent authorities terminated military collaboration with France and called for the removal of western military bases from their territories. These governments are now forging closer alliances with nontraditional partners, including Algeria, Iran, Russia, and Turkey, while simultaneously reducing their reliance on Western military support. In particular, they have severed military cooperation with the United States, as well as Germany and other European nations. As the final Western forces depart Niger, this shift marks a broader strategy of asserting sovereignty, reshaping regional power dynamics, and recalibrating the influence of external powers in West Africa.

These new leaders are not acting in isolation. Three of the four military governments in West Africa—Burkina Faso, Mali, and Niger—have established a troika, known as the **L'Alliance des États du Sahel (AES)**, which they have described as a confederation. The AES countries have requested an exit from ECOWAS, further distancing these nations from traditional regional frameworks.<sup>14</sup> In addition to reshaping regional alliances, these governments have effectively weaponized disinformation to fuel anti-Western sentiment, portraying military regimes as a viable alternative to democracy and framing Westernization as a threat to sovereignty. The long-term impact of this narrative on regional stability and governance remains uncertain, but the rise of a new generation of military leaders—armed with strategic approaches and diversified international partnerships—is unmistakably altering Africa's political landscape. These leaders are positioning themselves to redefine governance on the continent, challenging both democratic norms and established global alliances.

## Beyond Coups: Retaining Power Nondemocratically

### FAILING TO RELINQUISH POWER

The phenomenon of democratically elected leaders refusing to hand over power after losing elections has been a recurrent challenge in African politics. Cases include President Yahya Jammeh in Gambia (2016) and President Laurent Gbagbo in Côte d'Ivoire (2010). Despite initially conceding defeat, Jammeh later contested the results, citing irregularities. His actions led to a political standoff, stoking fears of broad-scale violence and instability, which only de-escalated following a threat of military intervention by ECOWAS. In 2010, Gbagbo's actions plunged the country into a postelection crisis that saw violent clashes, ethnic violence, and economic downturn, underscoring the destabilizing impact of leaders clinging to power.<sup>15</sup> He left only after military assistance from the French and United Nations defeated those loyal to him.

Addressing the challenge of leaders refusing to hand over power requires a holistic approach involving domestic reforms, regional collaboration, and international support. The experiences of Jammeh, Gbagbo, and others underscore the urgency of fostering a democratic culture, strengthening institutions, and ensuring a swift and decisive response from regional bodies to protect the democratic gains achieved in Africa.

### Constitutional Amendments

The frequent amendment or revision of constitutions and legal instruments in African countries has become a notable trend, raising concerns about the impact on the principles of democratic change of government. The constitutional revisions manifest in three different ways:

- **Tenure elongation.** Attempts to extend leaders' time in office beyond constitutional limits undermine the democratic principle of regular and free elections.
- **Power consolidation.** Some leaders seek to consolidate power by centralizing authority through constitutional changes, often diminishing checks and balances. Eight African countries have consolidated power by removing all forms of term limits in their constitution, while eight others have suspended their constitution.<sup>16</sup>
- **Immunity and protections.** Amendments are sometimes tailored to grant leaders immunity or protection from legal accountability after leaving office, contributing to a culture of impunity.

The period between 2001 and 2010 witnessed 14 documented attempts across Africa to prolong presidential tenure, with a significant concentration in West Africa.<sup>17</sup> Six of these attempts were successful, many involving constitutional amendments. West Africa, in particular, has experienced a high incidence of successful tenure elongation attempts, emphasizing the need for regional awareness and proactive measures to address this challenge. In fact, tenure elongation has emerged as one of the strongest threats to democratic stability in Africa, as evidenced by the relatively frequent incidents in recent years (Table 1).

**Table 1: Constitutional Amendments and Legal Revisions That Infringe on the Principles of Democratic Change of Government**

<b>No constitutional two-term limit</b>	<b>Extraconstitutional succession or suspension of constitution</b>	<b>Presidential term limit modified or eliminated</b>
<b>Eritrea</b>	Zimbabwe (Constantino Chiwenga and Emmerson Mnangagwa, 2017)	Togo (Gnassingbé Eyadéma, 2002, 2019)
<b>Eswatini</b>	Mali (Assimi Goïta, 2020, 2021)	Uganda (Yoweri Museveni, 2005, 2017)
<b>Ethiopia</b>	Chad (Mahamat Déby, 2021)	Cameroon (Paul Biya, 2008)
<b>Gambia</b>	Guinea (Mamady Doumbouya, 2021)	Algeria (Abdelaziz Bouteflika, 2008, 2016)
<b>Lesotho</b>	Sudan (Abdel Fattah al-Burhan, 2021)	Djibouti (Ismail Omar Guelleh, 2010)
<b>Libya</b>	Burkina Faso (Paul-Henri Sandaogo Damiba, 2022; Ibrahim Traoré, 2022)	Equatorial Guinea (Teodoro Obiang Nguema Mbasogo, 2011)
<b>Morocco</b>	Niger (Abdourahamane Tchiani, 2023)	Burundi (Pierre Nkurunziza, 2015, 2018)
<b>Somalia</b>	Gabon (Oligui Nguema, 2023)	Rwanda (Paul Kagame, 2015)
		Republic of the Congo (Denis Sassou-Nguesso, 2015)
		South Sudan (Salva Kiir Mayardit, 2015, 2018, 2020, 2022)
		Comoros (Azali Assoumani, 2018)
		Egypt (Abdel Fattah al-Sisi, 2019)
		Côte d'Ivoire (Alassane Ouattara, 2020)
		Central African Republic (Faustin-Archange Touadéra, 2023)

Source: "Constitutional Term Limits for African Leaders," Africa Center for Strategic Studies, updated October 2023, <https://africacenter.org/wp-content/uploads/2023/10/African-Term-Limits-chart-as-of-2023-10-1.pdf>.

# Finding Redress

## *The Need for Credible and Democratic Brokers*

### **Democratic Credentials**

To address the different manifestations of UCG, the AU and its RECs have used special envoys, or individuals akin to special representatives appointed to temporarily represent an international organization or a state. In the AU, the chair of the African Union Commission (AUC) appoints high representatives, special envoys, and special representatives to support significant AU initiatives. RECs throughout Africa also employ special envoys and representatives. The process for appointing these representatives varies among organizations but generally involves consensus-based methods that include member states or governing bodies of the respective REC. The appointed special representative receives a well-defined mandate and a set of responsibilities aligned with the REC's objectives and is expected to provide regular reports to the appointing authorities within specified timelines.

The process of appointing special envoys, particularly in the context of addressing UCGs in Africa, presents a complex landscape fraught with challenges. At the heart of this issue lies the selection methodology, which traditionally focuses on identifying individuals with specific skills, perceived expertise, and commendable histories of service. Regional blocs and international organizations often gravitate toward prominent figures, such as former presidents or seasoned diplomats, entrusting them with the delicate task of mediation in volatile political scenarios. While this strategy is grounded in the rationale of leveraging experience and authority, it is not without its pitfalls. The primary concern is the potential mismatch between envoys' profiles and the democratic credentials required to navigate such crises effectively. A notable example is the repeated selection of former

Burkina Faso president Blaise Compaoré as a mediator in West Africa and the Sahel. Despite his long tenure in office, Compaoré's efforts to extend his rule by amending the constitution cast a shadow over his democratic legitimacy. But this did not prevent ECOWAS from appointing him to mediate the 2012 coup d'état in Mali, a decision that sparked debate over the appropriateness of his role given his democratic shortcomings.

Similar debates emerged following the appointment of Chadian leader Mahamat Idriss Déby Itno as the first mediator following the July 2023 Niger coup. ECOWAS's decision to appoint Déby, who came to power through unconstitutional means, to negotiate with coup leaders in Niger was met with widespread astonishment and criticism. Furthermore, the choice of a head of state from Central Africa and not ECOWAS deviated from traditional regional affiliations and norms, adding another layer of controversy to his involvement in the Niger coup mediation efforts.

These instances underscore the significant challenges in the envoy appointment process, where the emphasis on individual skills and track records can sometimes overshadow the crucial need for democratic legitimacy. The practice of selecting high-profile figures, often former presidents or diplomats, to address UCGs, while seemingly advantageous, may be problematic if those individuals lack the necessary legitimacy and democratic credentials to be effective in their roles. The recent assignment of President Faustin-Archange Touadéra of the Central African Republic to mediate the coup d'état in Gabon starkly illustrates the necessity of valuing democratic integrity in appointing envoys. Touadéra's mediation efforts met with broad resistance, not just from the coup leaders but also from the wider Gabonese public and international observers. His previous entanglements in his country's disputes, along with accusations mirroring those against deposed Gabonese leader Ali Bongo—specifically, electoral manipulation to maintain power—severely undermined his credibility as a mediator.

## Inclusion

Another criticism of the envoys deployed to date is that they are predominantly elderly males. To address this issue, there is a pressing need to diversify the special envoys, acknowledging the evolving patterns of coup leaders on the continent. A leading expert on African diplomacy noted, “The composition of envoy teams often lacks inclusivity, failing to reflect current realities. Young individuals, women, and other marginalized groups, who have played crucial roles in supporting or opposing juntas, are systematically left out.”<sup>18</sup> Additionally, there is a noticeable absence of consideration for influential business leaders who wield substantial economic control within countries. Their participation in mediation efforts is crucial due to their extensive influence and followership.

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The African Union and RECs should take immediate steps to rectify this oversight and incorporate business leaders into conflict resolution initiatives. One political analyst remarked,

The recent appointment of the sultan of Sokoto and former president of Nigeria Abdulsalam Abubakar as the ECOWAS envoy for the Niger coup has both merits and criticisms. While their knowledge, prestige, and cultural affinity are recognized, there is significant criticism for the appointment being perceived as overly Nigerian and not sufficiently representative of the broader ECOWAS perspective.<sup>19</sup>

Striking a balance between regional representation and inclusivity is also essential for the effectiveness of such envoy appointments, ensuring a wider range of perspectives and expertise is harnessed to address the complex challenges of UCGs in Africa.

## **TENURE**

The duration of envoy appointments is another crucial consideration. While some special envoy mandates have specific time frames, others remain open-ended until mediation is achieved. Striking a balance between setting realistic time frames and allowing flexibility is essential to enhance the efficacy of envoy missions. An expert in African conflict resolution noted, “The challenge lies in determining an appropriate time frame that provides enough time for effective mediation while preventing missions from becoming indefinitely prolonged.”

A recent example of handling a UCG in Africa with open-ended appointments involved the political crisis in Sudan following the ousting of President Omar al-Bashir in April 2019. In the aftermath of the coup that removed him, Sudan faced a complex transition period with various political and social forces vying for power and influence. In response to this crisis, the AU and the Intergovernmental Authority on Development (IGAD) appointed Thabo Mbeki, the former president of South Africa, as the AU’s High-Level Implementation Panel (AUHIP) mediator for Sudan. Mbeki’s appointment was open ended, without a specific time frame, to provide flexibility in addressing the multifaceted challenges facing Sudan’s transition. This approach aimed to facilitate a peaceful resolution by allowing the mediation process to adapt to evolving circumstances. However, the open-ended nature of the appointment also faced criticism and challenges.

The Sudanese political landscape has remained volatile, and negotiations between the Transitional Military Council (TMC) and the Forces for Freedom and Change (FFC) have frequently stalled. The absence of a defined time frame raised concerns about the sustainability of the mediation efforts and the urgency of achieving a stable transition. Ultimately, after more than a year of mediation efforts, Sudan reached a significant milestone with the signing of the Juba Peace Agreement in October 2020, which outlined a road map for the transitional period and power-sharing arrangements. While this marked progress, a subsequent coup led to the resignation of Prime Minister Abdalla Hamdok and the eventual breakout of war in 2023. Indeed, the Sudan example highlights the complexities and uncertainties associated with open-ended appointments in handling UCG in Africa. By contrast, South African president Nelson Mandela’s appointment as a special envoy to mediate in Burundi’s conflict in the early 2000s had a specific duration. This

approach provided a sense of urgency, but it also created pressure to achieve results within a limited time frame.

A more recent example of fixed-term appointments of special envoys in handling UCGs in Africa involves the political crisis in Zimbabwe in 2017. In November 2017, following the military intervention that led to the resignation of President Robert Mugabe, the AU appointed former president of Liberia Ellen Johnson Sirleaf and former president of South Africa Kgalema Motlanthe as special envoys to Zimbabwe. Their mandate was to engage with various political stakeholders and facilitate a peaceful democratic transition in a set period. However, the use of fixed-term appointments also posed challenges. The complexity of the situation, the need for trust building among political factions, and the requirement to address long-standing issues in Zimbabwe's political landscape all contributed to the difficulty of achieving substantial progress within the specified time frame. The situation highlighted the delicate balance between the advantages of setting a clear time frame for action and the challenges of achieving substantial results within that limited period.

A third way has emerged in more recent appointments. In Mali, appointees had set terms, but extensions were possible if deemed necessary. For instance, the first ECOWAS special envoy, former Nigerian president Goodluck Jonathan, initially had a fixed term. However, as the mediation process faced challenges and delays, his term was extended to allow for the continuation of negotiations. This balanced approach of having fixed-term appointments with the possibility of extensions showcased adaptability while maintaining a structured framework. It allowed ECOWAS to effectively address the Mali crisis by combining the advantages of defined time frames with the flexibility to respond to the evolving dynamics of the situation.

This approach reflects a growing ability to learn from past experiences. The AU and RECs are beginning to recognize the importance of balancing realistic time frames with flexibility in envoy appointments, thus ensuring that special envoys can mediate effectively while avoiding unproductive and prolonged missions. A former envoy argued that there is no need for the finality of fixed appointments, and experience has shown that open-ended and long appointments have been more effective against the new normal, where envoys visit capitals for two or three days and depart. In the past, envoys spent up to three months in situ trying to find a lasting solution. This adaptive case-by-case approach reflects a commitment to drawing on historical lessons to achieve peaceful resolutions in current crises.

## **Gaining Access and Influence**

Access to power and proximity to centers of influence critically enhance the credibility and effectiveness of envoys involved in mediating conflicts in Africa. This dynamic partly explains why entities like the AU and ECOWAS frequently appoint former heads of state as mediators. Such envoys, due to their direct access to key decisionmakers, can facilitate expedited decisionmaking and smoother negotiations. A diplomat interviewed for this report observed, "During negotiations, the junta consistently seeks to understand the envoy's level of influence, such as whether the envoy can directly engage the chairman of the ECOWAS Authority of Heads of States to influence a shift in

position.”<sup>20</sup> This proximity to power not only elevates the envoys’ legitimacy but also is crucial in their ability to quickly forge consensus.

Moreover, establishing robust ties with the AU and RECs is essential for the success of any envoy. A strong relationship with these bodies, given their concentration of human and financial resources, is vital for ensuring a collaborative and cohesive mediation process. One interlocutor noted, “Any appointed envoy must work closely with these institutions, aligning with their mandate to ensure shared ownership of the process.”<sup>21</sup> There have been instances where envoys appeared to act independently of these institutions, possibly due to a misunderstanding of policy implications and the potential consequences of their actions.

In essence, the effectiveness of envoys mediating UCGs in Africa is significantly influenced by their access to power and ability to navigate within influential networks. The success stories of envoys like Mbeki, General Abubakar, and former Nigerian president Olusegun Obasanjo underscore the importance of appointing individuals with direct access to decisionmakers and established ties to regional bodies, ultimately leading to more successful conflict resolution efforts.

## **Knowledge and Language Matter**

Knowledge of the context and the issues at hand may be acquired through briefings, but it aids the envoys’ position significantly to have a prior understanding of the context and the key actors. One respondent argued, “Appointing individuals without an understanding of the relevant history, culture, or languages leads to ineffective mediation.”<sup>22</sup> But the job of an envoy is very expansive and technical and therefore requires a large, strong staff, including renowned regional experts. But staffing is often not robust enough, with very few technical experts who can support the envoy’s work. In some instances, the envoys bring their own staff, who do not necessarily have sufficient knowledge of relevant issues. One envoy cited an example of being asked to negotiate an impasse but having only two support personnel, both of whom lacked relevant skills and language abilities and largely took photographs during the visit to the junta.<sup>23</sup> RECs must be willing and able to hire short-term consultants to support the work of envoys where required. Insufficiency in staffing often hampers effective negotiations. Language skills are vital but often neglected in the choice of an envoy. Although mediators often lack knowledge of or fluency in the language of the country involved, it is important that envoys possess knowledge of the language of the country they are posted to or at least have working knowledge instead of solely relying on interpreters.

## **Coordination Is Key**

Effective coordination between special envoys and the mediation support units (MSUs) or departments of the RECs is crucial for successful conflict resolution efforts in Africa. These mechanisms encourage a unified approach to mediation, addressing challenges such as the frequent lack of mediation expertise. One respondent noted, “The absence of essential mediation skills poses significant challenges,”<sup>24</sup> highlighting deficiencies in using shuttle diplomacy, identifying common grounds, and managing mediation language while maintaining transparency and impartiality. Tactics often rely on persuasion, influence, and a carrot-and-stick approach to swiftly achieve



consensus. The deployment of Islamic clerics for negotiations in Niger exemplifies the pitfalls of inadequate mediation experience. Another respondent observed, “Their perceived bias, due to public statements and assurances to the junta, undermined their neutrality,” stressing the importance of impartiality in mediation roles.<sup>25</sup>

# The Role of Regional Support

**R**ECs have established several protocols to support special envoys. These structured support mechanisms enhance the effectiveness of special envoys, enabling them to navigate complex conflicts with informed strategies and adequate resources:

- **Establishment of MSUs.** Dedicated units provide logistical, administrative, and analytical support, coordinating the envoy's activities and managing communications. ECOWAS, for example, has established a mediation unit.
- **Clear reporting structures.** Ensuring that special envoys have defined reporting lines to REC leadership facilitates effective communication.
- **Regular consultations.** These discussions between special envoys and MSUs align strategies and objectives with the REC's goals.
- **Resource allocation.** Adequate funding and personnel are essential for effective mediation efforts.
- **Information sharing.** Timely and accurate information exchange is vital for informed decisionmaking.
- **Conflict analysis and research.** MSUs conduct research to offer valuable insights into conflicts, local dynamics, and potential resolutions.
- **Logistical support.** Necessary support such as transportation and secure communication channels facilitates the envoys' work in conflict zones.

- **Advisory role.** MSUs may offer recommendations and expertise based on their analysis of the conflict and regional context.
- **Coordination with external partners.** Effective collaboration with entities like the AU, the United Nations, and other organizations is crucial for a comprehensive mediation approach.

Effective coordination between special envoys and the MSUs or departments of RECs in Africa is crucial for addressing the continent’s conflicts efficiently. However, challenges such as insufficient expertise in mediation have significantly hindered the mediation process. The scarcity of mediation skills and technical expertise stands out as a major obstacle. Identifying common ground, managing the language of mediation, and maintaining impartiality have also been areas of difficulty. Other challenges envoys have identified include the following:

- **Lack of clear rules of engagement.** Ambiguity in mediators’ roles and responsibilities complicates mediation efforts.
- **Absence of timelines.** Lack of a timeline can extend conflicts unnecessarily.
- **Undefined start or end to mediation.** Not defining when and how mediators should enter or exit the mediation process can lead to prolonged engagements.
- **Understaffed REC institutional machinery.** Understaffing strains RECs’ operational capacity.
- **Poor predeployment briefings.** Insufficient briefings leave envoys underprepared for the complexities of the conflicts they are meant to mediate.

Inadequate evaluation of mediation initiatives also hinders the ability to accumulate and leverage knowledge from past efforts. The lack of a central repository for mediation practices and outcomes means “each new mediation initiative heavily relies on the individual experience, without a systematic method to learn from past mistakes,” as observed by one seasoned mediator.<sup>26</sup> The gap in institutional memory and learning mechanisms within these organizations undermines the development of effective mediation strategies. It prevents the accumulation of a cohesive body of knowledge that could inform future efforts, making new initiatives potentially less effective. A peacebuilding expert noted, “The absence of a structured learning approach signifies a missed opportunity to enhance peacebuilding and conflict resolution capacities.”<sup>27</sup> Addressing these shortcomings and enhancing the operational support for special envoys through better coordination with REC MSUs can significantly improve the effectiveness of conflict mediation efforts in Africa.

To improve the response of RECs, special envoys, and high representatives to constitutional transitions and UCGs, several recommendations emerge, informed by real-life mediation experiences across Africa. These recommendations aim to address the current gaps in mediation efforts and enhance the capacity for peaceful resolution:

- **Strengthen institutional capacities.** Enhance the technical and human resources of MSUs to better support comprehensive mediation efforts.

- **Develop clear engagement strategies.** Establish clear rules of engagement, timelines, and entry-exit criteria to guide mediation processes.
- **Build institutional memory.** Create mechanisms for accumulating and accessing knowledge on past mediation efforts to inform future initiatives.
- **Promote inclusivity.** Ensure mediation frameworks and strategies prioritize including all national stakeholders to foster broader acceptance and sustainability of outcomes.
- **Enhance coordination.** Improve collaboration among RECs, international partners, and civil society organizations to ensure a unified and effective mediation effort.

## The Negotiation Process: Methods, Tools, and Processes Used

In their efforts to find a resolution to a particular issue, special envoys use various approaches, sometimes concurrently:

- **Dialogue and negotiation.** Direct engagement with conflicting parties can help find common ground and reach a peaceful resolution. For instance, during Sudan's 2009 political turmoil, the efforts of Special Envoys Mbeki and Abubakar led to the signing of the Constitutional Declaration.
- **Mediation frameworks.** Establishing structured frameworks that outline the process, principles, and roles of various stakeholders involved in mediation provides a clear road map for negotiations, as seen in Mali's political crisis resolution efforts by ECOWAS-appointed special envoys.
- **Inclusive mediation.** Inclusive mediation ensures representation of all relevant stakeholders, including political leaders, civil society, and marginalized groups, in the negotiation process. The High-Level Revitalization Forum for South Sudan, for instance, brought together a wide range of stakeholders, contributing to the signing of the 2018 Revitalized Agreement.
- **Ceasefires and peace agreements.** These agreements end hostilities and establish frameworks for transition. President Mbeki played a key role in Zimbabwe's 2008 Global Political Agreement, leading to a ceasefire and transitional government.
- **Confidence-building measures.** Implementing measures such as prisoner releases, humanitarian access, and security sector reforms fosters trust among conflicting parties. In Libya, the UN Support Mission and Special Envoy Ghassan Salamé worked on such measures to encourage trust building among negotiating parties.
- **External mediation and diplomacy.** Collaborating with external actors, including regional organizations and international bodies, supports the mediation process. The UN Office for West Africa often accompanies ECOWAS in mediation processes as part of collaborative efforts.

- **Transitional governance arrangements.** Negotiating and implementing arrangements that outline the structure and responsibilities of interim governments are crucial for ensuring a smooth transition of power.
- **Public communication and outreach.** Engaging in public communication to build support for the mediation process and maintain transparency includes stakeholder meetings, press conferences, and media engagements.
- **Resource mobilization.** Securing financial and logistical support from RECs, member states, and international donors ensures the sustainability of mediation efforts.
- **Efforts to sustain momentum.** Maintaining engagement and commitment over extended periods to reach sustainable resolutions is a continuous challenge given the complexity and duration of conflicts.

Special envoys face challenges such as deep-seated mistrust, reluctance to negotiate in good faith, and the risk of negotiations breaking down. Achieving inclusivity can be difficult, especially when the peace process excludes or marginalizes certain groups. Additionally, sustaining the commitment of parties, mediators, and external actors is challenging, particularly in prolonged conflicts. Effective mediation therefore requires navigating these challenges while employing a range of strategies to work toward lasting and peaceful resolutions.

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# Accounting for the Wider Context

Competing interests of national and international partners on the timeline and sequencing of reforms during constitutional transitions—as well as the need to coordinate with multiple mediators and facilitators from multilateral, bilateral, and civil society organizations—are a pressing challenge special envoys must navigate. In the wake of UCGs, the role of international actors is often key in steering affected nations back toward democratic governance. These actors, encompassing a spectrum from foreign governments and international organizations to regional alliances, are pivotal in both mitigating immediate crises and nurturing long-term democratic restoration. A senior diplomat noted, “The role of international actors in such contexts is multifaceted, involving diplomatic engagement, imposition of sanctions, and facilitation of dialogue.”<sup>28</sup> Their concerted efforts aim to uphold the sanctity of international norms, particularly those championing democracy, human rights, and the rule of law. In response to unconstitutional disruptions, these entities wield various instruments designed to exert pressure on the entities responsible. A policy analyst pointed out, “Employing targeted sanctions, suspending memberships, and leveraging diplomatic avenues are common strategies aimed at reinstating constitutional order.”

International actors are often involved in the dialogue itself, though; as one experienced mediator explained, this must be done carefully to ensure domestic priorities and voices remain at the fore: “Bringing together all pertinent stakeholders to negotiate a peaceful and democratic resolution necessitates a fine balance, ensuring that international involvement buttresses rather than supplants local endeavors.”<sup>29</sup> Synchronization of efforts among international actors can further amplify their impact but is not always in evidence. A representative of a regional organization

observed, “A unified stance from the global community, be it regional bodies like the African Union or global entities such as the United Nations, is imperative for the effective redressal of unconstitutional changes.”<sup>30</sup> This collective approach ensures a consistent and clear endorsement of democratic principles.

After a crisis, the role of these actors evolves to support electoral processes, constitutional reforms, and reinforcement of democratic institutions. An international development expert highlighted, “Assisting in addressing the root causes of the crisis and aiding in the democratic rebuilding process is essential for ensuring a sustainable democratic pathway.”<sup>31</sup> In essence, the engagement of international actors in addressing UCG is crucial. Through strategic pressure, mediation, and support for democratic reforms, they play an indispensable role in advocating and reinstating global democratic norms, thereby facilitating the journey toward stable and inclusive governance in nations grappling with constitutional upheavals.

However, during unconstitutional transitions, aligning the interests of national, regional, and international partners presents significant challenges, particularly regarding the timeline and sequencing of reforms. A regional expert noted, “These partners often have divergent priorities and agendas, complicating the necessary coordination efforts for a smooth transition.”<sup>32</sup> Managing these competing interests is further complicated by the need to synchronize with multiple mediators and facilitators from various sectors, including multilateral and bilateral organizations, as well as civil society organizations. Regional stakeholders might prioritize immediate stability and rapid implementation of reforms to maintain public trust. In contrast, an international diplomat stated, “International partners, including foreign governments and organizations, might advocate for a more gradual approach to ensure thorough democratic processes.”<sup>33</sup> This discrepancy can lead to tensions and disagreements on the pace and order of constitutional reforms.

Moreover, the presence of multiple mediators and facilitators, each with unique mandates and strategies, necessitates a high level of coordination. A civil society representative pointed out, “This coordination is crucial in multilateral settings, where various international bodies may be involved, as well as in situations where bilateral partners have vested interests.”<sup>34</sup> Civil society groups, with their direct engagement with the populace, play a pivotal role in advocating for reforms that reflect the public’s needs and aspirations.

Effective coordination among these actors requires a clear, shared understanding of the transition’s objectives, open lines of communication, and a commitment to collaboratively navigating the complex landscape of constitutional reform. Establishing a coherent strategy that accommodates the varying timelines and reform-sequencing preferences of all stakeholders is essential for a successful constitutional transition. In this regard, the recent and ongoing cases in Niger and Guinea offer insightful perspectives on the role of international actors and the impact of ECOWAS in addressing UCG.

## Case Studies

### NIGER AND GUINEA

The coup d'état in Niger in July 2023 catalyzed a significant political crisis, drawing immediate and firm reactions from ECOWAS and various international actors. ECOWAS condemned the coup, suspending Niger from its decisionmaking bodies in a bid to restore constitutional governance. An ECOWAS official remarked, "This response was echoed by a range of international actors, collectively calling for the reinstatement of democratic order."<sup>35</sup> However, the effectiveness of ECOWAS and international actors faced limitations due to the actions of some international partners. One political analyst highlighted, "In the face of sanctions, the U.S. ambassador to Niger presented her credentials to the junta, and Russia, Iran, Libya, [and] Algeria, amongst others, charted diplomatic engagements."<sup>36</sup> This mix of covert and overt support for the junta demonstrated the strategic significance of Niger and the resilience of its military regime, underscoring the challenges ECOWAS faces in enforcing its decisions.

Following the September 2021 coup in Guinea, international dynamics also significantly influenced ECOWAS's response. While ECOWAS condemned the coup and imposed sanctions, "some international actors adopted a more cautious stance, focusing on dialogue with the coup leaders," according to a regional observer.<sup>37</sup> This divergence in responses highlights the challenge of aligning regional objectives with broader international strategies. A UN representative noted, "The role of international actors, including bilateral partners and multinational corporations with significant investments in Guinea's mining sector, further complicated the situation."<sup>38</sup> Their interests in stability and continued access to resources sometimes diverge from ECOWAS's democratic principles, illustrating the delicate balance between promoting democratic governance and accommodating international economic interests.

The complex interests of international actors that shape the effectiveness of ECOWAS's responses to UCGs is evident in the cases of Niger and Guinea. While international support can bolster ECOWAS's efforts, divergent interests and the strategic significance of the involved countries often complicate the situation. These case studies underscore the necessity for coherent and unified international support aligned with regional efforts to ensure the effective promotion of democracy and constitutional governance in West Africa.



# Recommendations

To effectively address the challenges of UCGs in Africa, a comprehensive and multifaceted approach is essential. Firstly, enhancing the capacities and capabilities of RECs is crucial. This involves not only strengthening their MSUs but also ensuring that these units have the necessary resources, expertise, and authority to act decisively and cohesively in crisis situations. Additionally, there should be a concerted effort to harmonize the policies and actions of international actors with those of regional bodies to ensure a unified and effective response to UCGs.

Secondly, to enhance the envoy appointment process, a more inclusive and comprehensive selection strategy is recommended. This strategy should encompass a broader evaluation of candidates' capabilities, prioritizing multilingual proficiency, diplomatic acumen, and conflict resolution expertise. The process should also actively seek to include young leaders, women, and influential personalities from various sectors, moving beyond the traditional reliance on former presidents. Furthermore, envoys and mediators should be appointed with careful consideration of their democratic credentials and their ability to command respect and legitimacy among all parties involved.

Thirdly, efforts should build trust and consensus among these groups, fostering a conducive environment for peaceful and democratic transitions. These efforts should be complemented by specific recommendations, highlighted below:

1. **Strengthen democratic institutions.** Prioritize reinforcement of democratic institutions and adherence to democratic principles across African nations to prevent UCGs. This includes ensuring free, fair, and regular elections and respect for constitutional term limits.
2. **Enhance mediation capacities.** Improve the technical and human capacities of REC MSUs. This involves training in mediation and negotiation skills, increasing staffing, and ensuring mediators have a deep understanding of the sociopolitical context they operate in.
3. **Institutionalize learning and knowledge sharing.** Develop mechanisms for accumulating, sharing, and learning from past mediation efforts. This could involve creating a central repository for case studies, best practices, and lessons learned in mediation across the continent.
4. **Harmonize policies of all AU and regional actors.** Join the policies and actions of international actors with those of regional bodies to ensure a unified and effective response to UCGs.
5. **Promote national inclusivity in mediation efforts.** Ensure mediation efforts include all relevant national stakeholders, including political factions, civil society groups, and marginalized communities, to foster broader acceptance and sustainability of mediation outcomes.
6. **Ensure coherent international support.** Foster unified and coherent support from international actors aligned with regional efforts. This requires coordination among foreign governments, international organizations, and regional bodies to support democratic restoration and address the root causes of UCGs.
7. **Adopt a context-specific approach.** Recognize the unique sociopolitical and economic contexts of each country or situation. Strategies should be tailored for mediation and support efforts, considering the specific needs and dynamics at play.
8. **Incorporate gender and youth perspectives.** Include diverse perspectives in mediation teams and efforts, especially those of women and youth, who are often instrumental in both initiating and supporting governmental changes.
9. **Promote inclusivity.** This includes ensuring all relevant stakeholders, including political factions, civil society groups, and marginalized communities, are represented and have a voice in the dialogue process.

# Conclusion

In confronting the complexities of UCG in Africa, a nuanced, multifaceted approach is required. The challenges outlined in this document—from citizen disillusionment with democratic processes to the pivotal role of international actors in mediating transitions—underscore the intricate dynamics at play in the region. Enhancing the capacity of RECs, adhering to democratic principles, and promoting national inclusivity emerge as critical recommendations. These strategies aim not only to address the symptoms of UCG but also to tackle its root causes, including leadership failures and the erosion of democratic trust.

Moreover, this document emphasizes the significance of international and regional collaboration in fostering stable governance structures across Africa. The appointment of envoys with unimpeachable democratic credentials, alongside the development of coherent strategies for preventing and responding to UCGs, is paramount. Ensuring the democratic integrity of these processes, coupled with a steadfast commitment to inclusivity and transparency, can pave the way for a more stable, democratic Africa. As such, the path forward requires a concerted effort from all stakeholders to embrace these recommendations, fostering an environment where democracy can flourish and UCGs become a relic of the past.

# About the Author

**Idayat Hassan** is a senior associate (non-resident) with the Africa Program at the Center for Strategic and International Studies in Washington, D.C., and an expert with over 20 years of experience fostering peace, democracy, and development across West Africa. As the former director of the Centre for Democracy and Development, she significantly enhanced the think tank's global stature. Hassan's expertise spans addressing regional insecurities through technical advice on peacebuilding and employing strategies like decentralization, de-radicalization, and transitional justice frameworks. Her academic work has illuminated the evolution of threats such as Boko Haram, farmer-herder conflicts, and banditry in Nigeria and West Africa. Recently, Hassan has delved into the nexus of technology and democracy, particularly the impact of social media on political dynamics and public discourse in West Africa. She has studied the risks of internet shutdowns and the challenges of regulating online content. Hassan's influence extends to election support across Africa, improving electoral integrity and democratic processes in multiple West African countries. Her efforts led to her appointment on a technical working committee by the African Union to formulate digital and social media guidelines for elections. Serving on various national and international advisory boards, Hassan contributes to policymaking on democracy, peace, security, and governance. Her comprehensive approach and in-depth analysis have made her a key figure in addressing complex regional issues in Africa.

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